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COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1951.

139th of the General Assembly.

Vol. 32.

HARRISBURG, PA., THURSDAY, MARCH 29, 1951.

No. 29.

SENATE

THURSDAY, March, 29, 1951.

The Senate met at 10:00 o'clock, a. m., Eastern Standard Time.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

PRAYER

The Chaplain, Rev. JOHN C. MOORE, Pastor of Christ Episcopal Church, Coudersport, Pennsylvania, offered the following prayer:

O God, open the eyes of those who govern this Commonwealth, that they may see Thy purpose and grant them obedience expediently to fulfill the same this day and always. Amen.

JOURNAL APPROVED

The PRESIDENT pro tempore. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. MALLERY, further reading was dispensed with, and the Journal was approved.

The PRESIDENT pro tempore. The Chair would like to call to the rostrum the gentleman from Cumberland, Mr. Wade, to preside.

The PRESIDING OFFICER (George N. Wade) in the Chair.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on March 29, 1951.

Mr. BERGER. Mr. President, I second the motion. The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 29, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the dates shown:

To compute from date of confirmation

ALLEGHENY COUNTY

August H. Ibe, Pittsburgh, 506 Sheraton Hotel.

BEAVER COUNTY

Joseph W. Fotta, Ambridge.

BUTLER COUNTY

Mrs. Betty J. Bish, Butler.

CAMBRIA COUNTY

Miss Hazel R. Blough, Johnstown.

DELAWARE COUNTY

Miss Marjorie T. Kelly, Chester.

JEFFERSON COUNTY

C. E. Wells, Jr., Brockway.

LACKAWANNA COUNTY

Mrs. Lavinia Spencer, Greenfield Twp., Carbondale.

LAWRENCE COUNTY

N. Keller Cochran, Neshannock Twp., New Castle.
Jack C. Dickey, Taylor Twp., New Castle.

LUZERNE COUNTY

Mrs. Caroline D. Wilson, Freeland.

MIFFLIN COUNTY

Mrs. Anna Belle Hoover, Lewistown.
Mrs. Lena C. Lebo, Derry Twp., Lewistown.

MONTGOMERY COUNTY

Miss Mary T. Ferry, Lower Merion Twp., Ardmore.

PHILADELPHIA COUNTY

Miss Pauline Fisher, 4209 Baltimore Ave.
Lawrence H. Hopf, 1129 E. Tioga St.
Mrs. Ella Wolson Ostroff, 11 N. Juniper St.
J. Ralph Satterthwaite, 1346 Chestnut St.

SCHUYLKILL COUNTY

Mrs. Dorothy Ingalzo, Pottsville.

SOMERSET COUNTY

Mrs. Margaret L. Snider, Somerset Twp., Somerset.

To compute from the dates set opposite
their names

WARREN COUNTY

Miss Jennie Ryan, Warren, 3-30-51.

LANCASTER COUNTY

Miss Kathryn C. Fisher, Lancaster, 4-2-51.

WASHINGTON COUNTY

Mrs. Gayle Mankey, Amwell Twp., Amity, 4-2-51.

LANCASTER COUNTY

Harry H. Reed, Lancaster, 4-8-51.

WESTMORELAND COUNTY

Mrs. Sally Stein, Greensburg, 4-12-51.

PHILADELPHIA COUNTY

Miss Beatrice M. Lynch, Room 1100, 1528 Walnut St.,
4-16-51.

BEAVER COUNTY

Mrs. Evelyn L. Smith, New Sewickley Twp., Rochester,
4-17-51.

D. M. Carver, Beaver, 4-25-51.

PHILADELPHIA COUNTY

Joseph J. Schonberger, 2431 N. Colorado St, c/o Du-
bonnet Corp., 31st & Jefferson Sts., 4-27-51.

ALLEGHENY COUNTY

Edward Adams, Shaler Twp., Millvale, Pittsburgh (9),
4-28-51.

William L. Crawshaw, Bridgeville, 4-28-51.

Fred J. Litschge, Pittsburgh, 417 Federal St., 4-28-51.

DAUPHIN COUNTY

Mrs. Hadessa J. Cassel, Paxtang, 4-28-51.

DELAWARE COUNTY

Mrs. Mary S. Ramsey, Ridley Twp., Crum Lynne,
4-28-51.

ERIE COUNTY

Mrs. Kathryn W. Wickersham, Erie, 4-28-51.

PHILADELPHIA COUNTY

Henry G. Blood, 3218 N. Front St., 4-28-51.

Adolph B. Caspar, 5942 Lansdowne Ave., 4-28-51.

Ovid D'Ambrosio, 1520 S. Broad St., 4-28-51.

Frank L. Lambert, N. E. Cor. of 6th & Somerset Sts.,
4-28-51.

Edw. Linsky, 320 S. St. Bernard, 4-28-51.

William F. Miller Jr., 5219 N. 15th St., 4-28-51.

Robert J. Thompson, 3338 N. Front St., 4-28-51.

SCHUYLKILL COUNTY

Walter R. Dennis, Mahanoy City, 4-28-51.

WASHINGTON COUNTY

Raymond E. Goodridge, Washington, 4-28-51.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 29, 1951.

To the Honorable, the Senate of the Commonwealth of
Pennsylvania:

In conformity with law, I have the honor hereby to

nominate for the advice and consent of the Senate the fol-
lowing persons for appointment as Notaries Public, for
terms of four years to compute from the dates shown:

To compute from date of confirmation

ARMSTRONG COUNTY

Miss Syril B. Haugh, Kittanning.

BERKS COUNTY

Lester H. Dilliplace, Sinking Spring.

BLAIR COUNTY

Harry R. Deem, Hollidaysburg.

CAMBRIA COUNTY

John C. Lowry, Ebensburg.

H. A. Martin, Johnstown.

CHESTER COUNTY

Mrs. Virginia R. Fisher, Downingtown.

CUMBERLAND COUNTY

Robert A. Greenawalt, Mechanicsburg.

FAYETTE COUNTY

Albert R. Karol, Redstone Twp., Allison.

LACKAWANNA COUNTY

Miss Mary C. Menichello, Old Forge.

LANCASTER COUNTY

Mrs. Elizabeth Kachel Miller, Manheim Twp.

Mrs. Dorothy G. Snodgrass, Lancaster.

John Carl Weidman, Ephrata.

LEBANON COUNTY

W. Ray Clawser, South Londonderry Twp., Campbell-
town.

LEHIGH COUNTY

William H. Miller, Allentown.

PHILADELPHIA COUNTY

Mrs. Janet W. Carpenter, Phila., 1528 Walnut St.

Miss Miriam M. Christy, Phila., 223 Richmond St.

Miss Dorles DiDonato, Phila., 616 Marlyn Rd.

Alvin E. Rubenstein, Phila., 5816 Malvern Ave.

F. R. Shaffer, Phila., 5450 Willows Ave.

Irving Silver, Phila., 674 N. Broad St.

Miss Jane F. Snyder, Phila., 4324 Lauriston St.

SCHUYLKILL COUNTY

Miss Margaret Heller, St. Clair.

WASHINGTON COUNTY

Mrs. Bernice R. Finley, East Bethlehem Twp., Vesta-
burg.

To compute from the dates set opposite their names

PHILADELPHIA COUNTY

Henry F. Tolson, Phila., 3104 N. Broad St., March 28,
1951.

ALLEGHENY COUNTY

Edward F. Lehmann, Tarentum, April 1, 1951.

LAWRENCE COUNTY

Russell B. Canan, New Castle, April 7, 1951.

FAYETTE COUNTY

Bernard Brunetti, Uniontown, April 9, 1951.

LEHIGH COUNTY

Stanley N. Leh, Allentown, April 9, 1951.

FAYETTE COUNTY

W. P. Shaw, North Union Twp., Hopwood, April 14, 1951.

PHILADELPHIA COUNTY

Mrs. Leona S. Kurtzhalz, Phila., 4110 Haverford Ave., April 14, 1951.

FORREST COUNTY

James E. Flynn, Tionesta, April 15, 1951.

DELAWARE COUNTY

John G. Moe, Upper Providence Twp., Media, April 22, 1951.

LEHIGH COUNTY

Mrs. Irene M. Gillespie, Catasauqua, April 22, 1951.

ALLEGHENY COUNTY

Chester E. Walters, Pittsburgh, St. Francis Hospital, April 27, 1951.

BUCKS COUNTY

Mrs. Elizabeth J. De Lacey, New Hope, April 27, 1951.

CARBON COUNTY

Horace D. Obert, Lehigh, April 27, 1951.

LUZERNE COUNTY

Herbert P. Gregory, West Pittston, April 27, 1951.

PHILADELPHIA COUNTY

Pasquale Ciliberti, Phila., 1004 Ellsworth St., April 27, 1951.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. BERGER, That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Hare,	McPherson, Jr.,	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Taylor,
Blass,	Kessler,	Pechan,	Toole,
Byrne,	Lane,	Peelot,	Wade,
Chapman,	Leader,	Propert,	Wagner,
Crowe,	Letzler,	Robinson,	Walker,
Dent,	Mahany,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Wood,
Freed,	McMenamin,	Snowden,	Yosko,
Haluska,			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His

Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 29, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Howard L. Miller, Alfarata, Alexandria, Huntingdon County, for appointment as Justice of the Peace in and for the Township of Porter, Huntingdon County, until the first Monday of January 1952, to fill a vacancy.

JOHN S. FINE.

MEMBERS OF THE FULTON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 29, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Fulton County Board of Assistance:

Don Hill (Democrat), Warfordsburg, Fulton County, to serve until December 31, 1952, and until his successor is duly appointed and qualified, to fill a vacancy.

Mrs. Ethel Decker (Democrat), R. D., McConnellsburg, Fulton County, from October 2, 1950, until December 31, 1952, and until her successor is duly appointed and qualified.

JOHN S. FINE.

REPORTS FROM COMMITTEES

Mr. KEPHART, from the Committee on Judiciary General, reported as amended, Senate Bill No. 6, entitled:

An Act relating to the administration and distribution of incompetents' estates, both as to real and personal property, and the procedure relating thereto; including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a guardian in certain cases; the appointment, bond, removal and discharge of guardians of such estates, their powers, duties and liabilities, the rights of persons dealing with such guardians, and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees, and containing provisions concerning the determination of incompetency and the powers, duties and liabilities of foreign guardians; and also generally dealing with the jurisdiction, powers and procedure of the orphans' court and the common pleas court relating to incompetents' estates.

He also, from the Committee on Judiciary General reported as amended, Senate Bill No. 17, entitled:

An Act relating to the jurisdiction, powers, and duties of registers of wills, and regulating proceedings before them, and the costs thereof, the effects of their acts, and appeals therefrom.

He also, from the Committee on Judiciary General reported as amended, Senate Bill No. 25, entitled:

An Act relating to the orphans' courts, conferring exclusive jurisdiction on such courts over the administration and distribution of decedents' estates, trust estates, minors' estates, absentees' estates and incompetents' estates; providing for the organization of orphans' courts, the procedure therein, the powers and duties of the judges thereof, and appeals therefrom.

Mr. BERGER, from the Committee on Education reported as committed, Senate Bill No. 68, entitled:

An Act to validate and confirm certain contracts hereto entered into by boards of school directors where there is no evidence of fraud or conspiracy, and to authorize, ratify, confirm and validate payments on such contracts by the school district.

Mr. RUTH, from the Committee on Education reported as committed, Senate Bill No. 81, entitled:

An Act to amend the title and Sections 1, 2, 3 and 4 of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 302), entitled "An act providing for the admission of children to, and their education and maintenance in, and their discharge from the Pennsylvania Soldiers' Orphans School; prohibiting discharging children or taking children from said school, or children from leaving the same without an order of the Board of Trustees of the Pennsylvania Soldiers' Orphan School; and prescribing penalties," by changing the name of the Pennsylvania Soldiers' Orphan School.

Mr. HOLLAND, from the Committee on Education reported as committed House Bill No. 483, entitled:

An Act to amend section five hundred seventeen of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto" by providing for the payment of traveling expenses of certain employees.

Mr. HARE, from the Committee on Education reported as committed, Senate Bill No. 247, entitled:

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by regulating the authority of school districts to purchase supplies and to perform and contract for construction, reconstruction, repairs and work of any nature.

SENATE RESOLUTION

FELICIATING THE OFFICERS AND EMPLOYEES OF THE WESTERN UNION TELEGRAPH COMPANY

Mr. HARE offered the following resolution which was twice read, considered and agreed to:

In the Senate, March 29, 1951.

Whereas, the Western Union Telegraph Company will observe the 100th anniversary of its founding on Sunday, April 1, 1951, and

Whereas, this public service company has developed until today its facilities reach from one end of the world to the other, and

Whereas, the Western Union Telegraph Company has played a vital role in the development of the American Democracy.

Therefore, be it resolved, that the Senate of Pennsylvania does hereby felicitate the officers and employees of the Western Union Telegraph Company on this historic occasion, and

Be it further resolved that a copy of this resolution be spread upon the official record of the Senate of Pennsylvania and that a copy, duly signed by the Presiding Officer, be forwarded to John G. Ridewood, Harrisburg Manager of the Western Union Telegraph Company, for forwarding to his superiors.

BIRTHDAY FELICITATIONS EXTENDED TO CHIEF SERGEANT-AT-ARMS

The PRESIDING OFFICER. The Chair would like to observe too, that we are currently, today as a matter of fact, observing the birthday anniversary of a very important employee of the Senate, Mr. John Gabriel, of Lancaster County, and to note that he has played a very vital role in the development and conduct of this Senate for many years past.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 18, on concurrence in House Amendments, entitled:

An Act to amend Section 5 of the act approved the eleventh day of June, one thousand nine hundred forty-seven (P. L. 565), entitled "An act providing compensation to certain persons who served in the military or naval forces of the United States or of any of her allies during World War II; providing the method of making payment to representatives of persons who, because of death or incapacity, cannot personally receive compensation; imposing certain duties on the Adjutant General; making an appropriation, and providing penalties," by extending the time during which applications may be filed for veterans' compensation.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 17, as follows:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract of land in the city of Pittsburgh Allegheny County Pennsylvania containing approximately two hundred forty-seven acres for use as a site for a Veterans' Administration Hospital and ceding jurisdiction to the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 The consent of the Commonwealth of Pennsylvania is hereby granted in accordance with the seventeenth clause eighth section of the first article of the Constitution of the United States to the acquisition by the United States of America of a certain tract of land lying in the city of Pittsburgh Allegheny County Pennsylvania for use as a site for a Veterans' Administration Hospital bounded and described as follows

Beginning at a point on the West line in Campana Avenue at the intersection of said West line with the center line of Fishel Street thence leaving said Avenue South 45° 23' 07" West a distance of 932.73 feet to a point in the center line of an unnamed street at its intersection with the Northerly line of East Chester Street thence along the center line of said unnamed street North 20° 15' 46" West a distance of 734.13 feet to a point thence continuing along the center line of said street North 30° 19' 38" West a distance of 198.08 feet to a point thence South 45° 26' 07" West a distance of 471.51 feet to a post said post being at St Peter's Lutheran Cemetery property corner thence by land of St Peter's Lutheran Cemetery and land of the City of Pittsburgh North 02° 29' 29" West

a distance of 1545.57 feet to a point thence along the Northerly line of land of the City of Pittsburgh North 77° 12' 40" West a distance of 1814.73 feet to a point on land of the Pennsylvania Railroad Company thence along the Easterly line of said Railroad Company land North 01° 20' 51" East a distance of 1345.25 feet to a point thence along the Southerly line of said Railroad Company land the following courses and distances South 88° 37' 09" East 973.74 feet South 00° 07' 09" East 165.00 feet South 88° 37' 09" East 692.59 feet South 02° 28' 10" East 78.01 feet South 80° 52' 09" East 1437.15 feet and North 07° 37' 51" East 418.18 feet to the Southerly right of way line of Allegheny River Boulevard thence along said right of way line South 79° 32' 31" East a distance of 1209.74 feet to a point thence leaving said right of way line and along the Westerly line of Pnnsylvania Railroad Company land South 08° 07' 51" West a distance of 173.22 feet thence along the Southerly line of said Railroad Company land the following courses and distances South 78° 51' 09" East 330.00 feet South 76° 52' 09" East 237.60 feet South 69° 07' 09" East 190.00 feet South 83° 09' 09" East 271.00 feet thence along the Easterly line of said Railroad Company land North 21° 27' 51" East a distance of 132.00 feet thence along the Southerly line of said Railroad Company land South 75° 17' 09" East a distance of 40.00 feet to a common corner of said Railroad Company land and land now or formerly of P A Caslin thence along adjoining land now or formerly of said Caslin the following courses and distances South 19° 12' 10" West 796.62 feet South 88° 21' 08" West 280.98 feet South 19° 12' 10" West 530.80 feet South 64° 57' 10" West 89.61 feet South 58° 27' 10" West 165.00 feet South 51° 58' 20" West 162.13 feet and South 41° 43' 12" East 355.65 feet to the center line of Verona Boulevard a proposed street thence along said center line and along adjoining land now or formerly of Mrs S. Rockstein Barrett Heirs and Sister of Divine Providence the following courses and distances South 46° 10' 16" West 1439.91 feet North 33° 38' 12" West 13.40 feet and South 56° 21' 48" West 6.18 feet to the Easterly line of Ebel Street thence along the Easterly line of Ebel Street Noarth 25° 16' 12" West a distance of 382.65 feet and North 00° 49' 14" East a distance of 147.17 feet thence leaving the Easterly line of Ebel Street North 89° 10' 46" West a distance of 145.85 feet thence South 64° 47' 14" West a distance of 10.15 feet to the center line of Keen Way thence North 12° 10' 46" West a distance of 51.34 feet thence South 64° 47' 14" West a distance of 139.90 feet to the Easterly line of Campania Avenue thence along the Easterly line of Campania Avenue South 25° 12' 47" East a distance of 277.46 feet to the Northerly line of Fishel Avenue thence South 45° 23' 07" West a distance of 53.02 feet to the Westerly line of Campania Avenue thence along the Westerly line of Campania Avenue South 25° 12' 47" East a distance of 26.51 feet to the point of beginning

Section 2 Exclusive jurisdiction in and over the aforesaid parcel of land is hereby ceded to the United States of America by the Commonwealth of Pennsylvania for the erection of forts magazines arsenals dock yards and other needful buildings to be used by the United States for military and other public purposes with the exception of roads abutting on the said land which are not already under the jurisdiction of the United States

Section 3 The jurisdiction so ceded to the United States is granted upon the express condition that the Commonwealth of Pennsylvania shall retain concurrent jurisdiction with the United States in and over the land and buildings aforesaid in so far that civil process in all cases and such criminal process as may issue under the authority of the Commonwealth of Pennsylvania against anyone charged with crime committed outside said land may be executed thereon in the same manner as if this jurisdiction had not been ceded The United States shall retain such jurisdiction so long as the said land shall be used for the purposes for which jurisdiction is ceded and no longer

Section 4 The jurisdiction so ceded to the United States shall be upon the further condition that the Commonwealth reserves to itself and its political subdivisions

whatever powr of taxation it may constitutionally reserve to levy and collect all taxes now or hereafter imposed by the Commonwealth and its political subdivisions upon property persons and franchises within the boundaries so ceded

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Hare,	McPherson, Jr.,	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Taylor,
Blass,	Kessler,	Pechan,	Toole,
Byrne,	Lane,	Peelot,	Wagner,
Chapman,	Leader,	Propert,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,
Dent,	Mahany,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Scarlett,	Wood,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,	McMenamin,	Snowden,	Wade,
Haluska,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 43, as follows:

An Act authorizing the Board of Trustees of Pennsylvania Soldiers' Orphan School with the approval of the Department of Public Instruction to accept on behalf of the Commonwealth a stone amphitheater erected on the grounds of the Pennsylvania Soldiers' Orphan School

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Board of Trustes of Pennsylvania Soldiers' Orphan School with the approval of the Department of Public Instruction is hereby authorized and empowered to accept on behalf of the Commonwealth of Pennsylvania the stone amphitheater erected upon the grounds of the Pennsylvania Soldiers' Orphan School at Scotland Franklin County Pennsylvania by the American Legion

Section 2 Such acceptance shall be made in such manner and in such form as is approved by the Department of Justice

Section 3 Upon acceptance the Board of Trustees of Pennsylvania Soldiers' Orphan School shall have full control supervision and management thereof for use in connection with the Pennsylvania Soldiers' Orphan School

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Hare,	McPherson, Jr.,	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,

Berger,	Kephart,	Neff,	Taylor,
Blass,	Kessler,	Pechan,	Toole,
Byrne,	Letzler,	Peelor,	Wagner,
Chapman,	Lane,	Propert,	Walker,
Crowe,	Leader,	Robinson,	Watkins,
Dent,	Mahany,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Scarlett,	Wood,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,	McMenamin,	Snowden,	Wade,
Haluska,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 175, on third reading, entitled:

An Act authorizing and directing the Joint State Government Commission to make a comprehensive study of the migratory habits of fish, particularly shad, and the stocking and tagging of shad below and above the Safe Harbor Dam, the Holtwood Dam and the Conowingo Dam, and to cooperate with the federal government in connection therewith; prescribing powers and duties and making an appropriation.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 264, on third reading, entitled:

An Act to amend Section 1412 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by setting forth the duties of the Deputy Adjutant General in Charge of Veteran Affairs

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND
FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 289, as follows:

A Joint Resolution proposing an amendment to article two section four of the Constitution of the Commonwealth of Pennsylvania by providing for annual sessions of the General Assembly

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 The following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the provisions of the eighteenth article thereof

That section four article two of the Constitution of the Commonwealth of Pennsylvania is hereby amended to read as follows

Section 4 Upon adoption of this amendment the General Assembly shall meet at twelve o'clock noon on the first Tuesday of January of the year following such adoption and shall meet annually thereafter and at other times when convened by the Governor

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Hare,	McPherson, Jr.,	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Taylor,
Blass,	Kessler,	Pechan,	Toole,
Byrne,	Lane,	Peelor,	Wagner,
Chapman,	Leader,	Propert,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,
Dent,	Mahany,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Scarlett,	Wood,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,	McMenamin,	Snowden,	Wade,
Haluska,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 342, as follows:

An Act to further amend Section 4 of the act approved the twenty-fifth day of July one thousand nine hundred seventeen (P. L. 1209) entitled "An act to authorize the acquisition by purchase or condemnation of lands for a park and the erection of a monument commemorative of Washington crossing the river Delaware and for the appointment of a commission to acquire said lands and erect such monument and making an appropriation for the purpose of this act" by authorizing the commission to establish and maintain a museum or museums for the preservation and display of relics and reproductions relating to Washington's Crossing of the Delaware The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 4 of the act approved the twenty-fifth day of July one thousand nine hundred seventeen (P. L. 1209) entitled "An act to authorize the acquisition by purchase or condemnation of lands for a park and the erection of a monument commemorative of Washington crossing the river Delaware and for the appointment of a commission to acquire said lands and erect such monument and making an appropriation for the purpose of this act" as amended by the act approved the tenth day of May one thousand nine hundred forty-nine (P. L. 1064) is hereby further amended to read as follows

Section 4 The commissioners of the said park after they shall have secured possession of the said grounds shall adopt plans for the improvement preservation beautification and maintenance thereof and shall have power and it

shall be thier duty to carry the same into execution including the maintenance of the wild flower preserve on the land known as Bowman's Hill in the said park and all moneys expended shall be under their supervision but no contracts shall be made for said improvement unless an appropriation therefor shall have been first made by the Legislature

The commissioners are further authorized to establish and maintain a museum or museums in said park for the preservation and display of relics and reproductions commemorative of Washington's Crossing the Delaware and the commissioners are specifically authorized to perform all duties necessary and appropriate for this purpose including the acquisition by purchase or gift of relics and reproductions suitable for inclusion in such museum the employment of consultants to advise as to the authenticity of such relics and the accuracy of such reproductions Expenses incidental to the establishment and maintenance of such museum or museums shall be paid out of the general appropriations made to the commission

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Hare,	McPherson, Jr.,	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Taylor,
Blass,	Kessler,	Pechan,	Toole,
Byrne,	Lane,	Peelor,	Wagner,
Chapman,	Leader,	Propert,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,
Dent,	Mahany,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Scarlett,	Wood,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,	McMenamin,	Snowden,	Wade,
Haluska,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 366, as follows:

An Act to further amend subsection A of Section 221 and to amend Section 241 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by extending non-resident fishing privileges to Canadians and redefining resident

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection A of Section 221 of the Act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" as last amended by the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2643) is hereby further amended to read as follows

Section 221 Non-resident and Alien Non-resident Fishing License Fees Tourist Fishing License Fees for Non-residents and Alien Non-residents A for the purposes of

this article every person twelve years of age and upward upon application to any issuing agent within the Commonwealth or to the Department of Revenue and the presentation of proof that he is a Canadian subject or citizen or a non-resident of this Commonwealth but a citizen of the United States and in the case of naturalized foreign-born non-residents the production of such applicant's naturalization paper shall upon the payment to the issuing agent or the Department of Revenue of the same amount as is charged and received from non-residents by the State of which the applicant is a resident or the country of which the applicant is a subject or citizen for a similar license (not however less in any case than two dollars and fifty cents (\$2.50) and in the event that the license is issued by an issuing agent the payment of ten cents (10c) for the use of the issuing agent to entitled to the license herein referred to as a "non-resident fishing license"

Section 2 Section 241 of said act is hereby amended to read as follows

Section 241 Unnaturalized Foreign-born Resident Defined For the purpose of this act any unnaturalized foreign-born person except Canadian subjects or citizens who shall reside or live within the boundaries of the Commonwealth of Pennsylvania for ten consecutive days shall be considered a resident and shall be liable to the penalties imposed for violation of the provisions of this act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Hare,	McPherson, Jr.,	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Taylor,
Blass,	Kessler,	Pechan,	Toole,
Byrne,	Letzler,	Peelor,	Wagner,
Chapman,	Lane,	Propert,	Walker,
Crowe,	Leader,	Robinson,	Watkins,
Dent,	Mahany,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Scarlett,	Wood,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,	McMenamin,	Snowden,	Wade,
Haluska,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SECOND READING CALENDAR

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 7, on second reading, entitled:

An Act authorizing cities to establish and maintain common trust funds for the investment and reinvestment of the moneys of charitable uses or trusts, the charge or administration of which has been committed to their care, or of the estates of minors of which they may be guardians, providing for the administration of funds so established and prescribing the nature and kinds of investments which may be made therein.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 104, on second reading, entitled:

An Act providing for the sentencing of persons convicted of certain crimes to an indeterminate sentence having a minimum of one day and a maximum of life in certain cases authorizing the criminal courts to impose such a sentence and certain temporary sentences in connection therewith requiring psychiatric examinations of such persons before the imposition of such a sentence conferring powers and imposing duties upon the Department of Welfare and the Pennsylvania Board of Parole and providing for the parole conditional parole or absolute discharge of persons so sentenced and the procedure relating thereto

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 131, entitled:

An Act relating to the rights, obligations and liabilities of landlord and tenant and of parties dealing with them, and amending, revising, changing and consolidating the law relating thereto.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 176, on second reading, entitled:

A Supplement to the act approved the twelfth day of June, one thousand nine hundred thirty-one (P. L. 575), entitled "An act providing for joint action by Pennsylvania and New Jersey in the development of the ports on the lower Delaware River, and the improvement of the facilities for transportation across the river; authorizing the Governor, for these purposes, to enter into an agreement with New Jersey; creating The Delaware River Joint Commission and specifying the powers and duties thereof, including the power to finance projects by the issuance of revenue bonds; transferring to the new commission all the powers of the Delaware River Bridge Joint Commission; and making an appropriation," authorizing the Governor on behalf of the Commonwealth of Pennsylvania to enter into a supplemental compact or agreement with the State of New Jersey amending Articles I, II, IV, XI and XII of, and adding Article XIII, to the compact and agreement between the Commonwealth of Pennsylvania and the State of New Jersey, authorized and made pursuant to the act herein supplemented, by changing the name of The Delaware River Joint Commission to The Delaware River Port Authority, and the method of appointment of commissioners; removing the present Pennsylvania members of the commission, extending the jurisdiction, powers and duties of the Delaware River Port Authority and defining such additional jurisdiction, powers and duties; to take effect upon the enactment of substantially similar legislation by the State of New Jersey embodying the supplemental agreement between the two States in this act set forth and authorizing the Governor to apply on behalf of the Commonwealth to the Congress of the United States for its consent thereto.

be recommitted to the Committee on Judiciary General.

Mr. MEADE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 219, entitled:

An Act to provide for the coverage of certain officers and employes of the Commonwealth and its political subdivisions under the old-age and survivor insurance provisions of Title II of the Federal Social Security Act as amended creating the State-Federal Social Security Board and conferring powers and imposing duties upon the Board authorizing the Board to enter into agreements with the Federal Security Administrator and with political subdivisions under certain terms and conditions providing for the Commonwealth's contribution under agreements with the Federal Security Administrator and for the collection and payment of employer and employe contributions authorizing interstate cooperation in certain cases creating a Contribution Fund and making appropriations

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 354, on second reading, entitled:

An Act to amend section 15 of the act, approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class, imposing certain charges on counties and fixing penalties," by further providing for disability retirement allowances.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 357, on second reading, entitled:

An Act to reenact, revise and amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto."

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 362, entitled:

An Act to further amend the act, approved the twenty-sixth day of June, one thousand nine hundred thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes; providing for the appointment of the members of such board by the county commissioners; providing for their salaries, payable by the county; abolishing existing boards; defining the powers and duties of such boards; regulating the assessment of persons, property, and occupations for county, borough, town, township, school,

and poor purposes; authorizing the appointment of subordinate assessors, a solicitor, engineers, and clerks; providing for their compensation, payable by such counties; abolishing the office of ward, borough, and township assessors, so far as the making of assessments and valuations for taxation is concerned; and providing for the acceptance of this act by cities," by authorizing the payment of additional compensation to subordinate assessors by the boroughs, townships and school districts in which he makes assessments.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 365, on second reading, entitled:

An Act to further amend the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporation; conferring certain rights, powers, duties, and immunities upon him and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by permitting the Department of State to copy and destroy or return certain documents; permitting directors to fill vacancies in the board of directors resulting from an increase in the number of directors; deleting certain requirements as to the appointment, compensation and duties of agents; providing that meetings of shareholders at which directors are to be elected may be adjourned for periods of fifteen days each; fixing the method of cumulative voting in cases where directors are elected separately by the holders of different classes of shares; providing that courts having jurisdiction over trustees who are evenly divided as to how shares shall be voted may direct the voting of such shares; deleting requirements as to the voting of shares of foreign corporations owned by other corporations; providing that articles of incorporation may be amended to eliminate the preemptive rights of shareholders, and providing for the purchase of and payment for shares of any shareholders who dissent therefrom; specifying cases of merger or consolidation of which sixty days' notice to shareholders must be given; providing that shareholders of a parent corporation shall have no right to dissent from a merger or consolidation of such parent and one or more wholly-owned subsidiaries thereof, providing the state of incorporation and relative rights and preferences of the shareholders of the parent corporation are not changed thereby; providing that foreign corporations which shall have done business in Pennsylvania without procuring a certificate of authority to do so shall be conclusively presumed to have appointed the Secretary of the Commonwealth their agent to accept service of process in cases arising out of acts of omissions of such corporation in the Commonwealth, and specifying the duties of the Secretary upon receipt of such process.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 394, entitled:

An Act to further amend section eight hundred six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by eliminating the provision making it unlawful to carry unloaded rifles and shotguns in or on any vehicle or conveyance unless said rifles and shotguns are in cases or securely wrapped and also eliminating the provision making it unlawful to possess cartridges or shells for hunting in vehicles or conveyances unless they are in unbroken original cartons or securely wrapped

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 405, on second reading, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the board of trustees of Warren State Hospital to acquire a certain tract of land with the building thereon adjacent thereto for the use of said hospital and making an appropriation therefor

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 416, on second reading, entitled:

An Act to amend Section 704 of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing acts and parts of acts relating to corporations" by changing and clarifying the provisions with respect to payment of dividends from paid-in surplus

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

REPORT FROM COMMITTEE

Mr. CROWE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. CROWE, from the Committee on Education, reported as committed, House Bill No. 459, entitled:

An Act to further amend Section 2561 of the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by including additional items in "overhead cost per pupil" for purpose of reimbursement between school districts.

BILL INTRODUCED AND REFERRED

Mr. BERGER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. BERGER, read in place and presented to the Chair Senate Bill No. 434, entitled:

An Act authorizing the ratification on the part of the Commonwealth of a proposed compact entitled the Northeastern Interstate Forest Fire Protection Compact.

Which was committed to the Committee on Forests and Waters, Game and Fish.

BILLS ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. CROWE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 6, entitled:

An Act relating to the administration and distribution of incompetents' estates both as to real and personal property and the procedure relating thereto including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a guardian in certain cases the appointment bond removal and discharge of guardians of such estates their powers duties and liabilities the rights of persons dealing with such guardians and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees and containing provisions concerning the determination of incompetency and the powers duties and liabilities of foreign guardians and also generally dealing with the jurisdiction powers and procedure of the common pleas court relating to incompetents' estates.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 17, entitled:

An Act relating to the jurisdiction powers and duties of registers of wills and regulating proceedings before them and the costs thereof the effects of their acts and appeals therefrom.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 25, entitled:

An Act relating to the orphans' courts conferring exclusive jurisdiction on such courts over the administration and distribution of decedents' estates trust estates minors' estates and absentees' estates providing for the organization of orphans' courts the procedure therein the powers and duties of the judges thereof and appeals therefrom.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 68, entitled:

An Act to validate and confirm certain contracts heretofore entered into by boards of school directors where there is no evidence of fraud or conspiracy, and to authorize, ratify, confirm and validate payments on such contracts by the school district.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 81, entitled:

An Act to amend the title and Sections 1, 2, 3 and 4 of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 302), entitled "An act providing for the admission of children to, and their education and maintenance in, and their discharge from the Pennsylvania Soldiers' Orphan School; prohibiting discharging children or taking children from said school, or children from leaving the same without an order of the Board of Trustees of the Pennsylvania Soldiers' Orphan School; and prescribing penalties," by changing the name of the Pennsylvania Soldier's Orphan School.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 247, entitled:

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by regulating the authority of school districts to purchase supplies and to perform and contract for construction, reconstruction, repairs and work of any nature.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 459, entitled:

An Act to further amend Section 2561 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by including additional items in "overhead cost per pupil" for purpose of reimbursement between school districts

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 483, entitled:

An Act to amend section five hundred seventeen of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the payment of traveling expenses of certain employees

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Monday, April 2, 1951, at 3:00 o'clock, p. m., Eastern Standard Time.

Mr. PROPERT. Mr. President, I second the motion.
The motion was agreed to.

The Senate adjourned at 10:54 o'clock, a. m., Eastern Standard Time, until Monday, April 2, 1951, at 3:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

THURSDAY, March 29, 1951.

The House met at 10:00 a. m.

The SPEAKER (Herbert P. Sorg) in the Chair.

PRAYER

The Chaplain, Reverend William Hugh Fryer, offered the following prayer:

O God the Father Almighty, Maker of heaven and earth, and of all things visible and invisible; look with mercy upon us, the sons of men whom Thou hast created in Thine own image, and enable us to look unto Thee, whose image we have marred; that we, knowing good and evil through the disobedience of man in the Garden, may know that we have eternal life through the obedience of the Son of Man upon the Cross; by whom and with whom, in the unity of the Holy Ghost, all honor and glory be unto Thee O Father Almighty, world without end. Amen.

JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Wednesday, March 28, 1951? If not, and without objection, the Journal is approved.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL 5 AND HOUSE RESOLUTION 22

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 29, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day

approved and signed House Bill No. 5, Printer's No. 24, entitled "An Act to reenact and amend the title of and the act approved the thirteenth day of April one thousand nine hundred forty-two (P. L. 32) entitled 'An act to protect property and prevent sabotage by prohibiting for a limited period of time certain intentional injuries to and interferences with real and personal property prohibiting certain intentional defects in workmanship limiting the privileges of certain witnesses prohibiting certain entries upon real property and waters authorizing the closing of highways or the regulation or restriction of travel thereon conferring powers on the Water and Power Resources Board and providing penalties' by changing certain penalties changing time within which indictments and prosecutions may be brought in certain cases making certain homicides murder in the first degree by extending provisions of the act to periods of war or National Emergency."

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 28, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution No. 22, Printer's No. 80, amending House Concurrent Resolution No. 3, approved April 5, 1949, regarding the observance of "Shut-In's Day."

JOHN S. FINE.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 120, entitled:

An Act to further amend the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 803) entitled as amended "An act providing for the creation maintenance and operation of a county employees' retirement system in counties of the fifth sixth seventh and eighth class imposing certain charges on counties and prescribing penalties" by further defining county employee substituting the chief clerk for the auditor as a member of and secretary to the board in certain cases and extending the period in which a certain option may be exercised

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 129, entitled:

An Act to further amend Section 7 of the act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupations for county borough town township school and poor purposes authorizing the appointment of subordinate assessors a solicitor engineers and clerks providing for their compensation payable by such counties abolishing the office of ward borough and townships assessors so far as the making of assessments and valuations for taxation is concerned and providing for the acceptance of this act by cities" by further providing for omitted assessments

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 202, entitled:

An Act to further amend Section 2445 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by authorizing the issuance of non-debt revenue bonds for the alteration addition to or enlargement of existing sewers sewer systems and sewage treatment works and the pledging of revenue derived from the existing system in payment of such bonds and authorizing the issue and sale of non-debt revenue bonds at one time

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 224, entitled:

An Act to further amend section 7 of the act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupations for county borough town township school and poor purposes authorizing the appointment of subordinate assessors a solicitor engineers and clerks providing for their compensation payable by such counties abolishing the office of ward borough and township assessors so far as the making of assessments and valuations for taxation is concerned and providing for the acceptance of this act by cities" by further providing for the preparation of assessment rolls and lists

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 252, entitled:

An Act to amend Section 605 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" by requiring the recorder's record of conveyances to contain complete post office addresses of grantees

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 277, entitled:

An Act to amend section six hundred eighty of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public schol system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring new residents and residents becoming of age to notify assessors of such facts and prescribing penalties

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 329, entitled:

An Act to further amend subsection (a) of Section 1103 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicle imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by prohibiting the installation of parking meters by local authorities at certain places

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 530, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and pro-

viding for refunds" by authorizing the operation or movement of ambulances and police vehicles with a red light displayed to the front thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 541, entitled:

An Act to further amend Section 511 and Section 610 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by extending the time and increasing the fees for the issuance of special hauling and excessive size permits and increasing size for which permits may be issued

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 726, entitled:

An Act to amend the title and further amend Subsections A and C of Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" by including townships of the second class within the classes of political subdivisions authorized to impose taxes under the provisions thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 730, entitled:

An Act to further amend Section 501 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by regulating the issuance of resident hunters' licenses for antlerless deer and eliminating the provisions

for special permits for antlerless deer and for abrogation of open season on antlerless deer

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS PASSED OVER

There being no objection

House Bill No. 840, Printer's No. 144,
House Bill No. 841, Printer's No. 145,
House Bill No. 842, Printer's No. 146,
House Bill No. 843, Printer's No. 147,
House Bill No. 844, Printer's No. 148,
House Bill No. 845, Printer's No. 149,
House Bill No. 846, Printer's No. 150,
House Bill No. 847, Printer's No. 151 and
House Bill No. 848, Printer's No. 152,
were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 12, entitled:

An Act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in, and use of alcoholic liquors, alcohol and malt and brewed beverages, and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores; for the payment of certain license fees to the respective municipalities and townships; for the abatement of certain nuisances; and in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures providing for local option and repealing existing laws.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 80, entitled:

An Act to further amend section four thousand three hundred two of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by prescribing a minimum period of continuous service and in certain cases a minimum age for police retirement

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 220, entitled:

An Act to reenact and amend the title of and the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1661) entitled "An act to impose a temporary tax on real estate for public school purposes in school districts of the first class for current expenses" by continuing the provisions thereof for the year one thousand nine hundred fifty-two and succeeding years and deleting certain obsolete provisions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 221, entitled:

An Act to reenact and amend the title of and the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 14676) entitled "An act to provide revenue in school districts of the first class by imposing a temporary tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county assessing authority board of revision of taxes receiver of school taxes school treasurer board of public education in such districts and courts providing for compensation to certain officers and employees and imposing penalties" by continuing the provisions thereof for the year one thousand nine hundred fifty-two and succeeding years and deleting certain obsolete provisions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 222, entitled:

An Act to reenact and amend the title of and the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1669) entitled "An act to provide revenue for school districts of the first class by imposing a temporary tax on persons engaging in certain businesses professions occupations trades vocations and commercial activities therein providing for its levy and collection conferring and imposing powers and duties on the Board of Public Education receiver of school taxes and school treasurer in such districts and prescribing penalties" by continuing the provisions thereof for the year one thousand nine hundred fifty-two and succeeding years and deleting certain obsolete provisions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 231, entitled:

An Act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 257, entitled:

An Act to further amend section 652 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private parochial schools amending revising consolidating and changing the laws relating thereto" by changing the measure of pupil teacher ratio in computing the real estate tax for school purposes in school districts of the first class and first class A

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 269, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the establishment by the Department of Public Instruction of a standardized driver-training program in the public schools and providing for assistance to school districts in certain cases

The first section was read.

On the question,

Will the House agree to the section?

BLL RECOMMITTED

Mr. TOOMEY. Mr. Speaker, I move that this bill be recommitted to the Committee on Education for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 439, entitled:

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "A supplement to the act approved the second day of June one thousand nine hundred and fifteen (P. L. 736) entitled as amended 'An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties' as reenacted and amended providing for the payment of compensation to volunteer firemen or their dependents" by extending the provisions thereof to certain persons who extinguish forest fires and further defining compensation in the case of self employees

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 512, entitled:

An Act to further amend subsection (b) of Section 4 of and to add Section 36.1 to the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by requiring taxing districts to pay the premiums on corporate bonds of the tax collector in townships of the first class and further regulating the fixing of the compensation of elected tax collectors

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 656, entitled:

An Act to add Section 1709 to the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for traveling expenses of members of joint school boards and joint school committees in attending meetings of the same

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 696, entitled:

An Act to further amend clause XIII of Section 702 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing supervisors to provide insurance for employes of the township and providing for payments to beneficiaries

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 697, entitled:

An Act to amend Section 1137 of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by authorizing boroughs to purchase annuity or life insurance contracts for the purpose of paying pensions annuities or disability or death benefits to policemen or their dependents

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 698, entitled:

An Act to amend Section 1415 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by authorizing townships to purchase annuity contracts or life insurance policies for payment of pensions annuities and disability and death benefits to policemen or their dependents

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 699, entitled:

An Act to further amend Section 1917 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by permitting lands or buildings to be set aside or acquire as recreation places and to provide for the supervision operation and maintenance thereof without approval by the electors

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 700, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by further defining clarifying adding to and otherwise changing the laws relating to the affairs of townships

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 701, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by changing requirements for contracts and purchases and imposing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 702, entitled:

An Act to further amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by further regulating the affairs of boroughs and revising amending and changing the law relating thereto

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 788, entitled:

An Act providing for the construction and equipping of the Pennsylvania Institution for Mental Defectives providing for the acquisition of land providing for the care maintenance and control of inmates imposing duties and conferring powers on the Department of Welfare and the Department of Property and Supplies

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection
Senate Bill No. 215, Printer's No. 39 and
Senate Bill No. 217, Printer's No. 40
were passed over at the request of the SPEAKER.

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 338, entitled:

An Act to amend clause (1) of subsection A of section 1412 of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled as amended, "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers, and of banking corporations with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers and employees' mutual banking associations; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers and employees' mutual banking associations, and of the officers, directors, trustees, shareholders, attorneys, and other employees of all such corporations, employees' mutual banking associations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by revising the procedure for the conversion of banks and bank and trust companies into national banks.

And said bill having been read at length the second time and agreed to

Ordered, To to transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 339, entitled:

An Act to amend section 1408 of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled, as amended, "An act relating to the business of banking and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers and employees' mutual banking associations; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers and employees' mutual banking associations, and of the officers, directors, trustees, shareholders, attorneys, and other employees of all such corporations, employees' mutual banking associations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by making further provision concerning the effect of merger or consolidation of banking institutions.

And said bill having been read at length the second time and agreed to

Ordered, To to transcribed for third reading.

TIME EXTENDED ON BILL

Mr. McMILLEN asked and obtained unanimous consent to extend the time five days on House Bill No. 24, Printer' No. 43, on page 25 of today's calendar, bill on second reading postponed.

BILL ON FINAL PASSAGE

Agreeably to order,
The House proceeded to the consideration on final passage of House Bill No. 42 as follows:

An Act to amend subsection (b) of Section 921 and Section 922 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing the tenure of members and officers of county boards of school directors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of Section 921 and Section 922 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 921 Election Vacancies Qualifications Removals

* * * * *

(b.) No person shall become or be re-elected as a member of the county board of school directors unless he at the time he is chosen holds the office of school director within the county. A vacancy shall occur upon the removal of the residence of any member of the county board from the county or from a district under the jurisdiction of the county superintendent upon the failure of any member to be reelected to the school board in the district of his residence he shall hold his office until the next annual convention at which a successor shall be elected for the balance of the unexpired term

Section 922 Election of Officers [On the first Monday in December one thousand nine hundred forty-nine and annually thereafter] Every year during the month of December the county board of school directors shall choose from their members a president and a vice-president each to serve for one (1) year and in December one thousand nine hundred fifty they shall choose for a term of four (4) years a secretary who need not be a member of the board but who is and who shall remain during his term of office a resident of the county and during the month of May one thousand nine hundred forty-nine and annually thereafter a treasurer shall be chosen to serve for one year beginning the first Monday in July following such election

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,

Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 18, Printer's No. 42 and

House Bill No. 62, Printer's No. 141

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 496, as follows:

An Act to further amend section 1132 of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by permitting retirement of members of the police force after twenty years of total service deleting requirement for continuous service for such retirement

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1132 of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" as reenacted revised and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1621) is hereby further amended to read as follows

Section 1132 Service Required Before Retirement The

ordinances establishing the police pension fund may prescribe a minimum period of [continuous] total service not less than twenty years after which members of the force may be retired from active duty Borough policemen so retired shall be subject to service as police reserve until unfitted for such service by reason of age or disability when they may be finally discharged

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Meiz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bowar,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 587, Printer's No. 117
 House Bill No. 716, Printer's No. 112
 House Bill No. 717, Printer's No. 113
 House Bill No. 719, Printer's No. 114
 Senate Bill No. 77, Printer's No. 99
 Senate Bill No. 195, Printer's No. 49
 Senate Bill No. 237, Printer's No. 75 and
 Senate Bill No. 243, Printer's No. 60

were passed over at the request of the SPEAKER.

BILLS INTRODUCED AND REFERRED

By Messrs. STIMMEL and VAN SANT.

HOUSE BILL No. 863.

An Act to further amend Sections 113 and 133 of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by further regulating fishing devices for game fish on the Delaware River between Pennsylvania and New Jersey.

Referred to the Committee on Fisheries.

By Mr. SNIDER.

HOUSE BILL No. 864.

An Act directing the Department of Highways to transfer the searights Toll House to the Pennsylvania Historical and Museum Commission; providing for the restoration of the Toll House; authorizing the Department of Property and Supplies to convey the Toll House to the Westmoreland-Fayette Historical Society; and making an appropriation.

Referred to the Committee on Appropriations.

By Messrs. TOMPKINS and GIBSON.

HOUSE BILL No. 865.

An Act authorizing and directing the borrowing of money from the Motor License Fund for purposes of civil defense under certain conditions; providing for the repayment of such loan with interest from monies in the General Fund; and making appropriations necessary to effect such loan.

Referred to the Committee on Motor Vehicles.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 27.

An Act requiring every person in the employ of the Commonwealth of Pennsylvania or any political subdivision thereof other than elected state or local officers to take an oath of loyalty and imposing certain duties upon the Attorney General State Civil Service Commission the Superintendent of Public Instruction and county commissioners

Referred to the Committee on State Government.

SENATE BILL No. 212.

A Supplement to the act approved the twenty-fifth day of June one thousand nine hundred thirty-one (P. L. 1352) entitled "An act providing for joint action by the Commonwealth of Pennsylvania and the State of New Jersey in the administration operation and maintenance of bridges over the Delaware River and for the construction

of additional bridge facilities across said river authorizing the Governor for these purposes to enter into an agreement with the State of New Jersey creating a Delaware River Joint Toll Bridge Commission and specifying the powers and duties thereof including the power to finance the construction of additional bridges by the issuance of revenue bonds to be redeemed from revenues derived from tolls collected at such bridges transferring to said commission all power now exercised by existing commission created to acquire toll bridges over the Delaware River and making an appropriation" authorizing the Governor to enter into a supplemental compact or agreement on behalf of the Commonwealth of Pennsylvania with the State of New Jersey amending the agreement entitled "Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate and politic and defining its powers and duties" as heretofore amended to enlarge the jurisdiction and power of said commission with respect to the acquisition construction rehabilitation improvement maintenance and operation of bridges across the Delaware River including approach highways the financing thereof and the fixing charging and collecting of tolls for the use of such bridges.

Referred to the Committee on State Government.

SENATE BILL No. 289.

A Joint Resolution proposing an amendment to article two section four of the Constitution of the Commonwealth of Pennsylvania by providing for annual sessions of the General Assembly.

Referred to the Committee on Judiciary.

SENATE BILL No. 342.

An Act to further amend Section 4 of the act approved the twenty-fifth day of July one thousand nine hundred seventeen (P. L. 1209) entitled "An act to authorize the acquisition by purchase or condemnation of land for a park and the erection of a monument commemorative of Washington crossing the river Delaware and for the appointment of a commission to acquire said lands and erect such monument and making an appropriation for the purpose of this act" by authorizing the commission to establish and maintain a museum or museums for the preservation and display of relics and reproductions relating to Washington's Crossing of the Delaware.

Referred to the Committee on State Government.

SENATE BILL No. 360.

An Act relating to habeas corpus; conferring jurisdiction upon the judges of the courts of Common Pleas; defining procedure in all cases; authorizing service to be made upon persons anywhere in the Commonwealth; providing for the imposition of costs; allowing appeals; specifying the appellate court to which appeals may be taken; and repealing inconsistent legislation including that conferring jurisdiction on courts of Quarter Sessions.

Referred to the Committee on Judiciary.

SENATE BILL No. 366.

An Act to further amend subsection A of Section 221 and to amend Section 241 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by extending non-resident fishing privileges to Canadians and redefining resident.

Referred to the Committee on Fisheries.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, I believe that my somewhat experienced ears can detect the rumblings of the approaching steam roller. I have become accustomed to being steam rolled. I have also experienced a growing desire to be steam rolled in orderly, parliamentary, good tempered fashion.

I am glad to see that as yet there have been no symptoms of jittery nerves on the part of the majority party in this House. However, this jittery business is contagious and apparently the front office, the high command, is approaching the jittery stage.

I find in the morning papers that His Excellency, the Governor, has taken the position that anyone who questions his facts, refuses to admit that they have been divinely inspired, is playing just plain covetous politics.

His Excellency the Governor gets his financial information from the budget office. Now that mousey little man in the budget office, as far as I have known, has not framed an honest budget since he has been Budget Secretary. He is an adept at deception, at subterfuge. All those who have dealt with the budget office know—at least the Majority Leader of the House knows it, the Majority Leader of the Senate knows it, that if the budget office wants to produce \$10 million additional, it finds it by boosting estimated revenue. And if they want to lose \$10 million, they reduce estimated revenue.

The classic example was the budget that was balanced in times past by the simple expedient of decreasing appropriations \$21 million and adding \$69 million in estimated revenues. There is no integrity now, and there has not been in the past any integrity in the estimate of revenues that have emanated from the budget office. The budget office has become a government within a government. The budget officer has found a sadistic pleasure in controlling the fiscal affairs of a great Commonwealth.

Now, what I would like to see would be a great informality in handling this budget situation. I would like to see, when the time comes, the Majority Leader or his experts take a great big blackboard, big enough so everybody could see, and proceed to write down the estimate of the tax to be derived from every tax, including the bonus tax, the inheritance tax, the tax we get from insurance premiums, the whole kettle of fish broken down. Not miscellaneous taxes so much, not normal taxes so much, but specific taxes, and strike us a total that we could see.

Then write down the amount of money that has been collected during this biennium up to this particular date; what the estimates are for collections to the end of the biennium; just exactly how the revenues for the present biennium compare with the estimates at the beginning of the biennium. And then figure for us the effect of the reduction made in the present budget as compared with the 1949 budget and the effect of the non-recurring items, strike us an honest balance as to the exact needs for new money on the basis of the Governor's own budget.

Our contention is, not that the Governor has asked enough for education, we do not say it; not that the Governor has asked enough for health, we do not say it; but we do say that for what he has asked, he has presented a dishonest budget, and that we do not need his income tax.

I have as much right to say he has presented a dishonest budget as he has to say that any criticism of that budget is based upon covetous politics. There may be those who play covetous politics. I am willing to meet the majority Members of this House and His Excellency the Governor upon the basis of fact; but I do say that it is not an evidence of dishonesty or intellectual dishonesty to ask that the facts be produced and that this House analyze the facts.

I want to conclude by saying that I consider it an outrageous procedure for the Ways and Means Committee in five minutes to grind out a \$550 million budget, operate at the rate of \$150 million a minute; bring it into this House and insist that it be brought to a vote without any hearings, without making it possible for any part of the public to present any alternative proposals, to question and analyze and figure.

I say that that is such stupid politics that if I were concocting a program for your destruction that is just the way I would do it. I would concoct an income tax, and say "Here it is; it is gospel. There is nothing else; you have got to swallow it," and I would send it out and impose upon it a public that had no opportunity to consider the merits of the case, impose it upon a Legislature that has not as yet had sufficient time to analyze and correct a budget.

PERMISSION TO ADDRESS HOUSE

Mr. SMITH asked and obtained unanimous consent to address the House.

Mr. Speaker, I would just like to clear up a few of the facts that the gentleman from Cambria has spoken about.

He stated that the Majority Leader, who is myself, did not have faith in the budget office. I would like definitely to make the statement to him and to the Members of this House that I do have faith in the budget office. I have faith based on past experience. In past experiences that we have had with Dr. Logan, he has figured the budget every biennium almost correctly. It is pretty hard, as the gentleman knows to figure a million dollar budget down to the penny. A million dollar budget and a billion dollar budget in comparison is the same as ten cents to a thousand. To be over and to have a surplus which we have in this state today of \$10 million I think is good figuring.

If the gentleman on the other side were right and we could twist figures to any extent we wanted I would like to have seen a surplus of a \$100 million, and if the budget officer were able to do that he would probably have done it. I think that he has given us honest budgets. I do not think that he has exaggerated in any way.

As far as the gentleman's stating that the Governor is jittery, I do not even like the word "jittery." I can assure him that the Governor is not jittery in any way, and he still has faith in his budget office. He has worked on this budget himself.

I think probably other individuals have become jittery. A lot of people do for some unknown reason—and I do not know what. But I can assure him that the administration, and I can also assure him that the Members of this House on our side are definitely not jittery in any sense of the word. We have faith and we will keep that faith.

The gentleman has said that we have dishonest budgets.

It is easy to say something but it is not always easy to prove it. I do not believe we have had a dishonest budget ever. Some of our budgets might not have come out exactly, as I said before, to the penny, but I do not believe that I could keep my own budget in my own house so that at the end of next month I could say I am going to come out \$25 ahead or \$25 behind. I cannot see when we come out with \$10 million surplus that it could be a dishonest budget in any way.

Again let me assure the gentleman that if there is any question on it, we will answer it in the future. When the time comes we will answer it in our tax program, but again let me reiterate that I can assure him from the bottom of my heart that nobody on this side of the House is jittery and nobody in the front office is jittery.

Mr. ANDREWS. Could I ask the Majority leader one question?

The SPEAKER. Will the gentleman from Philadelphia, Mr. Smith, permit himself to be interrogated?

Mr. SMITH. I shall, Mr. Speaker.

Mr. ANDREWS. Will he give consideration to the blackboard suggestion?

Mr. SMITH. I did not quite understand the gentleman, Mr. Speaker.

Mr. ANDREWS. I was asking whether he will give consideration to the blackboard suggestion that I made?

Mr. SMITH. The blackboard suggestion that you just made a minute ago?

Mr. ANDREWS. A little while ago.

Mr. SMITH. I believe that probably would be mechanically feasible, yes, Mr. Speaker.

Mr. ANDREWS. Would not it be a wonderful demonstration of good intent and all that sort of thing and would it not be beneficial to the Members to have these figures put down one by one on a blackboard where everybody could see them, then add them up and see where we were at?

Mr. SMITH. I think, Mr. Speaker, that if the gentleman would consult the Governor's budget message, he has a miniature blackboard where he could add the figures up and analyze them. That is the idea of the budget message and the budget.

Mr. ANDREWS. That is the bunk.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 17.

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract of land in the city of Pittsburgh Allegheny County Pennsylvania containing approximately two hundred forty-seven acres for use as a site for a Veterans' Administration Hospital and ceding jurisdiction to the United States

HOUSE BILL No. 43.

An Act authorizing the Board of Trustees of Pennsylvania Soldiers' Orphan School with the approval of the Department of Public Instruction to accept on behalf of the Commonwealth a stone amphitheater erected on the grounds of the Pennsylvania Soldiers' Orphan School

With information that the Senate has passed the same without amendment.

ADJOURNMENT

Mr. DOWLING. Mr. Speaker, I move that this House do now adjourn until Monday, April 2, 1951 at 4:30 p. m.

The motion was agreed to, and (at 11:01 a. m.) the House adjourned.

Legislative Journal.

Session 1951.

139th of the General Assembly.

Vol. 32.

HARRISBURG, PA., MONDAY, APRIL 2, 1951.

No. 30.

SENATE

MONDAY, April 2, 1951.

The Senate met at 3:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

PRAYER

The Chaplain, Rev. GILBERT L. BENNETT, Pastor of First Methodist Church, Huntingdon, Pennsylvania, offered the following prayer:

O God, our refuge and our strength, without Whom nothing is strong, without Whom nothing is holy, increase and multiply upon us Thy mercy that Thou, being our ruler and guide, we may so pass through things temporal that we lose not the things eternal. Nourish in us, we pray Thee, the spirit of trust and faith.

Thy especial blessing we pray upon the Governor of this great Commonwealth and upon these honorable gentlemen who are entrusted with the great privilege of making laws affecting the people of this great State. O God, turn Thy face to them and make their darkness to be light. May they be strong to do the things worth doing and to put aside the things which are unworthy. Fill us all with a constant sense of Thy nearness.

We pray in the name of Jesus Christ, our Lord and Savior. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. SCARLETT, further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE

Mr. WOOD asked and obtained leave of absence for Mr. SNOWDEN, because of business.

He also asked and obtained leave of absence for Mr. HARE, because of business.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

SENATE BILL No. 47, PRINTER'S No. 41 RETURNED WITHOUT APPROVAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 31, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I return herewith, without my approval, Senate Bill No. 47, Printer's No. 41, entitled "An Act to amend clause (i) of section one thousand four hundred and one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled 'An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto' by providing for the purchase of and payment for policies of insurance on commission property"

This bill amends clause (i) of Section 1401, of "The Game Law" by authorizing the Pennsylvania Game Commission to purchase insurance policies in order to protect buildings and property which are in its custody or control and to pay the necessary premiums therefor.

The Act of May 14, 1915, P. L. 524, as amended by the Act of May 12, 1921, P. L. 549, makes it unlawful for any department, bureau, commission or any other branch of the State government or any board of trustees or custodians of State property to purchase, secure or obtain any policy of insurance on any property owned by the Commonwealth. This act also creates a fund for the rebuilding, restoration and replacement of any structure, property or equipment owned by the Commonwealth of Pennsylvania and damaged or destroyed by fire or other casualty.

Senate Bill No. 47, Printer's No. 41, is therefore contrary to the long established policy of this Commonwealth.

It is possible that the Act of May 14, 1915, P. L. 524, supra, and the method provided in it for the rebuilding and replacement of Commonwealth property damaged by fire or other casualty should be restudied. Until this is done, however, we see no reason to permit one commission owning a relatively very small part of the property of the Commonwealth to follow a policy contrary to that of the other departments, boards and commissions.

For this reason the bill is not approved.

JOHN S. FINE.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

He also presented in writing His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by

His Excellency, the Governor of the Commonwealth, on April 2, 1951.

Mr. FLEMING. Mr. President, I second the motion. The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 2, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the dates shown:

To compute from date of confirmation

ALLEGHENY COUNTY

J. P. Barchfeld, Pittsburgh, 4 Monastery St.
Burton Bennett, Pittsburgh, 6654 Northumberland St.
R. W. Clark, West Homestead.
George W. Gates, Swissvale.
Harry G. Koch, Marshall Twp., Bradfordwoods.
Armor M. Murdoch, Wilkinsburg.
Alfio Pollice, Pittsburgh, 514 Smithfield St.
Miss Frances M. Skrabec, Etna.
Joseph A. Traynor, Pittsburgh, 32 Exeter St.

BEAVER COUNTY

George G. Starr, Beaver Falls.

BUCKS COUNTY

Miss Shirley Wolfe, Perkasio.

BUTLER COUNTY

Paul C. Householder, Butler.

CAMBRIA COUNTY

James E. McCaffrey, Johnstown.

LACKAWANNA COUNTY

Miss Florence Krake, Scranton.

LANCASTER COUNTY

Richard C. Spence, Quarryville.

LAWRENCE COUNTY

Sydney B. Cleal, New Wilmington.

LEBANON COUNTY

Mrs. D. E. Edris, Lebanon.
Mrs. Ruth M. R. Kopp, Cornwall.

PERRY COUNTY

Ralph E. Grubb, Liverpool.

PHILADELPHIA COUNTY

Jesse W. Achey, Jr., 6444 Germantown Ave.
Mrs. Virginia R. Murray, 4733 Chestnut St.
Samuel J. Scafidi, Room 1022, City Hall Annex.
Robert R. Smith, Jr., Suit 58, Bourse Bldg.
Samuel Weissman, 1551 W. Oakland St.
Frank Zinman, 112 S. 4th St.

WASHINGTON COUNTY

Miss Alice C. McKinney, Washington.

WESTMORELAND COUNTY

Mrs. Betty Herman, New Kensington.
Robert C. Shippy, Mount Pleasant.

YORK COUNTY

Glenn E. Silar, York.

To compute from the dates set opposite their names

NORTHAMPTON COUNTY

Adrian Strausburg, Easton, 4-3-51.

LANCASTER COUNTY

David F. Rose, Lancaster, 4-9-51.

LEBANON COUNTY

Russell A. Unger, Annville Twp., Annville, 4-9-51.

MONTGOMERY COUNTY

Harry M. Detwiler, Souderton, 4-9-51.

PHILADELPHIA COUNTY

Reuben Potosky, 5729 Warrington Ave., 4-12-51.
Miss Mary E. Doyle, 1501 N. 58th St., 4-13-51.

DELAWARE COUNTY

Matthew (Mack) Margoline, Chester, 4-16-51.

PHILADELPHIA COUNTY

Robert Armstrong Jr., 1514 S. 53rd St., 4-16-51.

YORK COUNTY

J. R. Fleming, Hanover, 4-21-51.

WASHINGTON COUNTY

J. M. Colaizzo, Canonsburg, 4-22-51.

DELAWARE COUNTY

Miss Patricia O'Malley, Upper Darby Twp., Upper Darby, 4-28-51.

PHILADELPHIA COUNTY

William E. Douglass, 334 N. 63rd St., 4-28-51.

ADAMS COUNTY

Mrs. Anna W. Basehore, Gettysburg, 4-29-51.
John C. Tate, Straban Twp., Gettysburg, 4-29-51.

ALLEGHENY COUNTY

L. H. McMillen, Carnegie, 4-29-51.

BLAIR COUNTY

Don C. Rorabaugh, Altoona, 4-29-51.

NORTHUMBERLAND COUNTY

Miss Louise Wilson, Shamokin, 4-29-51.

ALLEGHENY COUNTY

Miss Sue Abercrombie, Verona, 4-30-51.
Miss Rhoda M. Klosse, Pittsburgh, 4709 Baum Blvd., 4-30-51.

BERKS COUNTY

Mrs. Grace I. Webber, Tulpehocken Twp., Rehrersburg, 4-30-51.

McKEAN COUNTY

Mrs. Virginia G. Lemon, Smethport, 4-30-51.

PHILADELPHIA COUNTY

Miss Marian Ward, 2801 Hunting Park Av., 4-30-51.

WASHINGTON COUNTY

B. E. York, Washington, 4-30-51.

WAYNE COUNTY

F. Carroll Krautter, Dreher Twp., Newfoundland,
4-30-51.

ALLEGHENY COUNTY

O. R. Linn, Pittsburgh, 235-237 Water St., 5-1-51.

DELAWARE COUNTY

Stephen R. Manley, Leadon, 5-1-51.

PHILADELPHIA COUNTY

Louis De Sipio, 5430 Webster St., 5-1-51.
Holman G. Knouse, 1524 Chestnut St., 5-1-51.

WASHINGTON COUNTY

R. A. Brownlee, Claysville, 5-1-51.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. FLEMING, that the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Freed	McMenamin,	Stevenson,
Barr,	Haluska,	McPherson, Jr.,	Stiefel,
Barrett,	Holland,	Meade,	Taylor,
Berger,	Kephart,	Neff,	Toole,
Blass,	Kessler,	Pechan,	Wade,
Byrne,	Lane,	Peelor,	Wagner,
Chapman,	Leader,	Probert,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,
Dent,	Mahany,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Scarlett,	Wood,
Fleming,	McGinnis,	Silvert,	Yosko,

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

HOUSE MESSAGE

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House, as follows:

House Bill No. 42, entitled:

An Act to amend subsection (b) of Section 921, and Section 922 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by changing the tenure of members and officers of county boards of school directors

Which was committed to the Committee on Education.

House Bill No. 496, entitled:

An Act to further amend section 1132 of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "General Borough Act," by permitting retirement of members of the police force after twenty years of total service, deleting requirement for continuous service for such retirement.

Which was committed to the Committee on Local Government.

BILL SIGNED

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

Senate Bill No. 199, entitled:

An Act to further amend Subsection A of Section 201 of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled as amended "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers and employees' mutual banking associations; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers and employees' mutual banking associations, and of the officers, directors, trustees, shareholders, attorneys, and other employees of all such corporations, employees' mutual banking associations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further regulating the names of bank and trust companies.

Whereupon,

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the presence of the Senate signed the same.

REPORT FROM COMMITTEE

Mr. STEVENSON, from the Committee on Local Government, reported as committed, Senate Bill No. 433, entitled:

An Act to further amend sections thirty-one and thirty-two of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by reclassifying counties of the sixth and seventh classes, and providing for elections pursuant to changes of classification by counties.

BILLS INTRODUCED AND REFERRED

Messrs. WATSON and PROPERT read in place and presented to the Chair Senate Bill No. 435, entitled:

An Act to repeal Sections 2 and 3 of the act, approved the eleventh day of April, one thousand eight hundred sixty-six (P. L. 635), entitled "A further supplement to the act consolidating the city of Philadelphia, for the purpose of introducing a sufficient supply of fresh and pure water, for the use of the citizens of said city," eliminating the right of the City of Philadelphia to enter upon or take certain land in adjoining counties by eminent domain proceedings for water supply purposes and the manner of ascertaining damages for such taking.

Which was committed to the Committee on Judiciary General.

Messrs. WALKER and BARR read in place and presented to the Chair Senate Bill No. 436, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of, and the purchase of apparatus and equipment for, the University of Pittsburgh and for the maintenance of teaching facilities in hospitals for students in the School of Medicine.

Which was committed to the Committee on Appropriations.

They also read in place and presented to the Chair Senate Bill No. 437, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance and operation of the Western Psychiatric Institute and Clinic.

Which was committed to the Committee on Appropriations.

Mr. BLASS read in his place and presented to the Chair Senate Bill No. 438, entitled:

An Act to repeal the act approved the twenty-eighth day of July, one thousand nine hundred forty-one (P. L. 535), entitled "An act providing for the redemption of real property purchased by political subdivisions at tax sales upon the payment of the amount charged against the same and costs by installment, payments, and prescribing the procedure therefor," insofar as it relates to counties of the fourth class and cities, boroughs, townships and school districts situate in such counties.

Which was committed to the Committee on Local Government.

Mr. WADE read in his place and presented to the Chair Senate Bill No. 439, entitled:

An Act to amend section 1404 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by further regulating the giving of medical examinations to children, teachers and other employees.

Which was committed to the Committee on Education.

Mr. PECHAN read in his place and presented to the Chair Senate Bill No. 440, entitled:

An Act to amend Section 1017.1 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs

upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by eliminating the provision that drivers of motor vehicles could pass school buses while stopped when such school buses were in business or residential districts.

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair Senate Bill No. 441, entitled:

An Act to add Sections 602.1 and 705.1; to further amend Section 802; to add Sections 804.1 and 901.1 to the act approved the fifth day of August, one thousand nine hundred forty-one (P. L. 752), entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth; vesting in the State Civil Service Commission and a Personnel Director certain powers and duties; providing for classification of positions, adoption of compensation schedules and certification of payrolls; imposing duties upon certain officers and employees of the Commonwealth; authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service; defining certain crimes and misdemeanors; imposing penalties; making certain appropriations, and repealing certain acts and parts thereof," by providing that substitutes may hold positions only until employees on military leave return; relating to rights of transferred or promoted employees during probationary periods and providing for employee audits from time to time.

Which was committed to the Committee on State Government.

Mr. STEVENSON read in his place and presented to the Chair Senate Bill No. 442, entitled:

An Act to further amend Section 1 of the act, approved the tenth day of April, one thousand eight hundred sixty-two (P. L. 364), entitled "An act relative to the distribution of the proceeds of sheriffs' sales of real estate in the county of Allegheny," by requiring the sheriff to give junior lien holders notice of filing of returns.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 443, entitled:

An Act to further amend the act, approved the twenty-ninth day of May, one thousand nine hundred thirty-one (P. L. 220), entitled "An act relating to delinquent taxes on seated lands, and prescribing interest charges on non-payment thereof; requiring the receivers and collectors of county, city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances," by requiring the county treasurer to give notice of tax sales to persons in whose names the property is last registered and to lien creditors.

Which was committed to the Committee on Judiciary General.

Mr. STIEFEL read in his place and presented to the Chair Senate Bill No. 444, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of the Saint Christopher's Hospital for Children, Philadelphia, Pennsylvania

Which was committed to the Committee on Appropriations.

Messrs. NEFF, LEADER, LANE and YOSKO read in place and presented to the Chair Senate Bill No. 445, entitled:

An Act to further amend the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender, or abandonment of their powers, privileges, and franchises; defining and regulating contract carrier by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision, and regulation of accounts and securities or obligations issued, assumed or kept by persons, associations, companies, corporations, or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by defining the fair value of the property of a public utility and providing that just and reasonable rates shall be such as provided a fair return upon the fair value of the property as so defined.

Which was committed to the Committee on Corporations.

They also read in place and presented to the Chair Senate Bill No. 446, entitled:

An Act to amend the act approved the twenty-second day of May, one thousand nine hundred forty-five (P. L. 849) entitled "An act providing for vocational rehabilitation for disabled individuals by the State Board of Vocational Education; authorizing cooperation with other departments and agencies and reciprocal agreements with other states; requiring cooperation with the Federal Gov-

ernment; making the State Treasurer custodian and disbursement agent of Federal vocational rehabilitation funds; prohibiting misuse of vocational rehabilitation lists and records limiting political activity by persons engaged in the administration of vocational rehabilitation and prescribing penalties," by extending vocation rehabilitation.

Which was committed to the Committee on Education.

They also read in place and presented to the Chair Senate Bill No. 447, entitled:

An Act making an appropriation to the trustees of the Pennsylvania State College for the use of its Extension Services in establishing and carrying on an educational program in industrial and labor relations in Pennsylvania.

Which was committed to the Committee on Appropriations.

Messrs. NEFF, LEADER and YOSKO read in place and presented to the Chair Senate Bill No. 448, entitled:

An Act to further amend Section 4 of the act, approved the second day of June, one thousand nine hundred thirty-seven (P. L. 1198) entitled "An act relating to employees and organizations thereof; defining labor disputes; prescribing the procedure by which and the conditions under which injunctions may be granted in such disputes and the scope thereof; declaring certain undertakings and promises between employers and employees contrary to public policy and void; prescribing the nature of proof necessary in actions arising out of labor disputes against persons or associations; prescribing the terms and conditions for bonds to be furnished prior to the issuance of injunctions; prescribing the procedure in case of appeal from granting injunctions; limiting the duration of temporary and permanent injunctions in case of labor disputes; and providing for the payment of costs; and repealing all acts or parts of acts inconsistent herewith," by removing certain exceptions to the application of the act.

Which was committed to the Committee on Labor and Industry.

They also read in place and presented to the Chair Senate Bill No. 449, entitled:

An Act to amend the act approved the twenty-fifth day of April, one thousand nine hundred twenty-seven (P. L. 381) entitled "An act concerning arbitration, and to make valid and enforceable written provisions and agreements for the arbitration of disputes in certain contracts, including contracts to which the State or any municipal subdivision thereof may be a party; regulating the procedure under such provisions and agreements; and conferring certain powers and imposing certain duties upon the courts with reference thereto," extending the provisions thereof with certain exceptions to written collective bargaining contracts for arbitration of controversies; further providing for modification or correction of awards and further defining the effect of judgments confirming, modifying or correcting awards.

Which was committed to the Committee on Labor and Industry.

Messrs. NEFF, LANE, LEADER and YOSKO read in place and presented to the Chair Senate Bill No. 450, entitled:

An Act authorizing the establishment in The Pennsylvania State College through the extension services of said institution an educational program in industrial and labor relations, stating the objectives and purposes of said program; conferring obligations and duties on the trustees and president of said institution; providing for the establishment of an advisory committee, its appointment and defining its powers and duties, and making an appropriation therefor.

Which was committed to the Committee on Education.

Mr. LANE read in his place and presented to the Chair Senate Bill No. 451, entitled:

An Act to further amend the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," by adding a new route in Washington County.

Which was committed to the Committee on Highways.

REPORT OF THE PENNSYLVANIA COMMISSION ON INTERSTATE COOPERATION

Mr. CROWE. Mr. President, I submit the report of the Pennsylvania Commission on Interstate Cooperation. Copies of this report have been distributed to the Members of the Senate.

The PRESIDENT. The report will be noted in the Journal and will be printed in full in the Appendix.

RESOLUTION No. 113 TAKEN FROM TABLE

Mr. FREED. Mr. President, I call from the table Senate Concurrent Resolution No. 113 for consideration at this time.

The Clerk read the resolution as follows:

COMMENDING AND APPLAUDING BLOOD TYPING PROJECT OF THE AMVETS

In the Senate, February 6, 1951.

Whereas, The AMVETS are sponsoring and promoting a program for blood typing, designed to exercise a salutary part in the recovery and the rehabilitation of those who are wounded or sick; therefore be it

Resolved (if the House of Representatives concurs), That the Senate commend and applaud said project of the AMVETS for its humane and sympathetic motive, and be it further

Resolved, That the Department of Health and other departments of the State Government be urged to encourage and to cooperate with the AMVETS in a successful prosecution of their worthy program of blood typing.

RESOLUTION No. 113 ADOPTED

Mr. FREED. Mr. President, I move that the Senate adopt the resolution.

Mr. YOSKO. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The motion was agreed to.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

SENATE CONCURRENT RESOLUTION

TIME OF NEXT MEETING

Mr. LETZLER, offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 2, 1951.

Resolved (if the House of Representatives concur) That

when the Senate adjourns this week it reconvene on Monday, April 9, 1951, at three o'clock, p. m., E.S.T.; and when the House of Representatives adjourns this week it reconvene on Monday, April 9, 1951, at four-thirty o'clock, p. m., E.S.T.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 18, as follows:

An Act to amend Section 5 of the act approved the eleventh day of June one thousand nine hundred forty-seven (P. L. 565) entitled "An act providing compensation to certain persons who served in the military or naval forces of the United States or of any of her allies during World War II providing the method of making payment to representatives of persons who because of death or incapacity cannot personally receive compensation imposing certain duties on the Adjutant General making an appropriation and providing penalties" by extending the time during which applications may be filed for veterans' compensation The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 5 of the act approved the eleventh day of June one thousand nine hundred forty-seven (P. L. 565) entitled "An act providing compensation to certain persons who served in the military or naval forces of the United States or of any of her allies during World War II providing the method of making payment to representatives of persons who because of death or incapacity cannot personally receive compensation imposing certain duties on the Adjutant General making an appropriation and providing penalties" is hereby amended to read as follows

Section 5 Application for Compensation Applications for compensation shall be made to the Adjutant General on such forms and in such manner as he shall prescribe

Applicants shall state on their application whether or not they have applied for or received a bonus gratuity or compensation of a nature similar to that provided for by this act from any other state in the union

All applications shall be made (1) personally by the veteran or (2) in case of death or mental incompetency preventing the making of a personal application then by such representative of the veteran as the Adjutant General shall by regulation prescribe An application made by a representative other than one authorized by such regulation shall be held void

The Adjutant General shall not accept or consider any application filed with him after the first day of July one thousand nine hundred [fifty] fifty-one

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

Mr. WALKER. Mr. President, for the information of the gentlemen of the Senate, the amendment placed in the bill by the House was to extend the time from July 1 of 1951 to July 1 of 1952, and it is the thought of the sponsors of the bill, or the advocates of the legislation, that a conference committee can get this straightened out with the Veterans' Bonus Department so that we do not continue beyond a reasonable time the department set up over there.

And the question recurring,
Will the Senate concur in the same?

SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 18

Mr. WALKER. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 18.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Barr,	Freed,	McPherson, Jr.,	Stevenson,
Barrett,	Haluska,	Meade,	Stiefel,
Berger,	Holland,	Pechan,	Taylor,
Blass,	Kephart,	Peelor,	Tcole,
Byrne,	Kessler,	Probert,	Wade,
Chapman,	Letzler,	Robinson,	Wagner,
Crowe,	Mahany,	Rosenfeld,	Walker,
Dent,	Mallery,	Ruth,	Watkins,
Diehm,	McCreesh,	Scarlett,	Watson,
DiSilvestro,	McGinnis,	Silver,	Wolfe,
Fleming,	McMenamin,		Wood,

NAYS—5

Bane,	Leader,	Neff,	Yosko,
Lane,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 131, as follows:

An Act relating to the rights obligations and liabilities of landlord and tenant and of parties dealing with them and amending revising changing and consolidating the law relating thereto

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Section 601 Specific Repeals
Section 602 General Repeal
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

ARTICLE I

Preliminary Provisions

Section 101 Short Title This act shall be known and may be cited as "The Landlord and Tenant Act of 1951"

Section 102 Definitions As used in this act

(1) "Person" shall include natural persons copartnerships associations private and public corporations authorities fiduciaries the United States and any other country and their respective governmental agencies the Commonwealth of Pennsylvania and any other state and their respective political subdivisions and agencies

(2) "Justice of the peace" shall include justices of the peace aldermen and magistrates

(3) "Real property" shall include messuages lands tenements real estate buildings parts thereof or any estate or interest therein and shall include any personality on real property which is demised with the real property

(4) "Personal property" shall include goods and chattels

including fixtures and buildings erected by the tenant and which he has the right to remove agricultural crops whether harvested or growing and livestock and poultry

Section 103 Provisions Excluded from Act Nothing contained in this act shall be construed to include or in any manner repeal or modify any existing law

(1) Providing for preference of rent in case personal property liable to distress is taken and sold by virtue of any execution and providing for the payment of such rent from the proceeds of such execution

(2) Denying to a plaintiff the right to stay an execution without the consent of the landlord having a preference for rent due payable from the proceeds of such execution

(3) Providing that a sale on distress shall be stayed where the personal property distrained upon is levied upon by a sheriff or where a receiver or a trustee or receiver in bankruptcy is appointed for the person whose property was distrained and providing for a lien for the rent or the proceeds of the sale of such personal property by such officer and the payment of such rent together with the costs of executing the landlord's warrant from the proceeds of such sale

(4) Providing for preference of rent in cases of insolvency and assignment for the benefit of creditors and in bankruptcy proceedings

(5) Providing for preference of rent in the settlement of estates of decedents

(6) Fixing the liability of the tenant to pay taxes assessed against real property occupied by him and permitting the tenant to recover the amount of the tax so paid from the landlord or to defalcate such amount against rent due or becoming due

(7) Providing for the issuing of writs of estrepement to stay waste committed by a tenant or by others allowed by a tenant to commit waste and for the procedure in such cases

(8) Fixing the duties and liabilities of tenants and the right of landlords in connection with actions of ejectment brought by third parties

(9) Prescribing special proceedings for the obtaining of possession of real property purchased at tax or judicial sales and providing for and defining the rights remedies duties and liabilities of such purchasers and tenants affected thereby

(10) Except as herein specially provided fixing fees of justices of the peace aldermen magistrates sheriffs or constables in any proceedings affecting the relationship of landlord and tenant

Section 104 Rights of Persons Acquiring Title by Descent or Purchase Any person who acquires title to real property by descent or purchase shall be liable to the same duties and shall have the same rights powers and remedies in relation to the property as the person from whom title was acquired

Section 105 Sublessees Any person who is a sublessee shall be subject to the provisions of the lease between the lessor and the lessee

ARTICLE II

Creation of Leases Statute of Frauds

Mortgaging of Leaseholds

Section 201 Leases for Not More Than Three Years Real property including any personal property thereon may be leased for a term of not more than three years by a landlord or his agent to a tenant or his agent by oral or written contract or agreement

Section 202 Leases for More Than Three Years Real property including any personal property thereon may be leased for a term of more than three years by a landlord to a tenant or by their respective agents lawfully authorized in writing Any such lease must be in writing and signed by the parties making or creating the same otherwise it shall have the force and effect of a lease at will only and shall not be given any greater force or effect either in law or equity notwithstanding any consideration therefor unless the tenancy has continued for more than one year and the landlord and tenant have

recognized its rightful existence by claiming and admitting liability for the rent in which case the tenancy shall become one from year to year

Section 203 Assignment Grant and Surrender of Leases to be in Writing Exception No lease of any real property made or created for a term of more than three years shall be assigned granted or surrendered except in writing signed by the party assigning granting or surrendering the same or his agent unless such assigning granting or surrendering shall result from operation of law

Section 204 Mortgaging of Leasehold sEvery tenant of real property may mortgage his lease or term in the demised premises together with all buildings fixtures and machinery thereon and appurtenant thereto belonging to the tenant

Any such mortgaging of the tenant's interest and title shall have the same effect with respect to lien notice evidence and priority of payment as is provided by law in the case of the mortgaging of a freehold interest and title

Any such mortgage shall be acknowledged and placed on record in the proper county together with the lease as in the case of mortgages on freehold interests If the lease is recorded in the office of the recorder of deeds of the proper county at or before the time of the recording of the mortgage such recording shall be deemed sufficient compliance with this section if full and distinct reference is made in said mortgage to the book and page where the lease is recorded

Any such mortgage of a tenant's interest and title may be enforced in the same manner as mortgages on freehold interests

No such mortgage shall in any wise interfere with the landlord's rights priority or remedies for rent

ARTICLE III

Recovery of Rent by Assumpsit and Distress

Section 301 Recovery of Rent by Assumpsit Any landlord may recover from a tenant rent in arrears in an action of assumpsit as debts of similar amount are by law recoverable In any such action interest at the legal rate on the amount of rent due may be allowed if deemed equitable under the circumstances of the particular case

Section 302 Power to Distrain for Rent Notice Personal property located upon premises occupied by a tenant shall unless exempted by article four of this act be subject to distress for any rent reserved and due Such distress may be made by the landlord or by his agent duly authorized thereto in writing Such distress may be made on any day except Sunday between the hours of seven ante meridian and seven post meridian and not at any other time except where the tenant through his act prevents the execution of the warrant during such hours

Notice in writing of such distress stating the cause of such taking specifying the date of levy and the personal property distrained sufficiently to inform the tenant or owner what personal property is distrained and the amount of rent in arrears shall be given within five days after making the distress to the tenant and any other owner known to the landlord personally or by mailing the same to the tenant or any other owner at the premises or by posting the same conspicuously on the premises charged with the rent

A landlord or such agent may also in the manner above provided distrain personal property located on the premises but only that belonging to the tenant for arrears of rent due on any lease which has ended and terminated if such distress is made during the continuance of the landlord's title or interest in the property

Section 303 Collection of Rent in Special Cases

(a) The following persons shall have the right to collect all rent due by assumpsit or by distraint on personal property located on the real property subject to such rent

(1) The owner of a ground rent

(2) The personal representative of a deceased landlord or deceased tenant for life who has demised the real property subject to his estate or a deceased landlord whose real property has escheated to the Commonwealth

whether such rent accrued prior to or after the death of the decedent and until the termination of the administration of the estate

(3) The escheator appointed for the purpose of collecting rents

(4) The spouse of a deceased landlord to whom real property has been set aside as his or her allowance by law and

(5) A widow who is the party named in a deed agreement or decree of court under which a charge is made upon such real estate for the payment of instalments of dower

(b) Any person given the right by this section to collect and distrain for rent shall be deemed for the purposes of this article to be a landlord

Section 304 Collection of Rent by Purchasers at Sheriff's and Judicial Sales In the case of a tenant whose right of possession is not paramount to that of the purchaser at a sheriff's or other judicial sale the latter shall have the right as a landlord to collect by assumpsit or to distrain for rent from the date of the acknowledgment of his deed except for such fractional part of a quarter as the tenant if a farmer or one engaged in raising crops or produce or such fractional part of a month in other cases as the tenant may in accordance with the terms of his letting have paid as an advance payment prior to the date of the acknowledgment of said deed In the case of a tenant whose right of possession is paramount to that of such purchaser advance rent paid prior to the date of acknowledgment of the purchaser's deed shall be deemed properly paid though paid prior to its due date unless it is so paid with the actual notice of the pendency of the proceeding resulting in the sale or with intent to defeat the rights of a purchaser thereat

The right of possession of a tenant for years shall not be deemed paramount to that of a purchaser at a tax sale

The right of possession of a tenant shall be deemed paramount to that of a purchaser at a judicial sale if and only if the letting to him shall precede in point of date the entry of the judgment order or decree on which such sale was had and also shall precede the recording or registering of the mortgage deed or will if any through which by legal proceedings the purchaser derives title and shall not be paramount if the letting is made with actual notice to such tenant of the contemplated entry of such judgment order or decree or of the fact of the execution of such mortgage deed or other instrument of writing and with intent to avoid the effect thereof

Section 305 Distress of Property Fraudulently Removed In case any tenant of any real property shall fraudulently or clandestinely remove from the demised premises his personal property with intent to prevent the landlord from distraining the same for arrears of rent it shall be lawful for the landlord or his agent within the space of thirty days next ensuing such removal to take and seize such personal property wherever the same may be found in distress for said arrears of rent and to proceed to sell the same as hereinafter provided as if the personal property had actually been distrained upon on the demised premises

Section 306 Replevin by Tenant or Owner The tenant or owner of any personal property distrained on may within five days next after notice of such distress replevy the same All proceedings in replevin shall be conducted in accordance with general law and applicable rules of procedure governing actions of replevin

Section 307 Proceeding by Tenant to Determine Set-Off Any court of record or court not of record having jurisdiction in civil actions at law may entertain an action to defalcate by a tenant against a landlord where the landlord has distrained for arrears of rent to compel the landlord to set-off any account which the tenant may have against the landlord No such court shall entertain any such action where the rent or set-off claimed is in excess of its civil jurisdiction Proceedings in such actions shall be the same as in actions of assumpsit

The court shall determine the amount of rent in arrears

and the amount of the set-off if any and enter judgment in favor of the proper party for the balance due

If such judgment is in favor of the landlord he may in lieu of issuing execution thereon proceed with his distress for the amount of such judgment If the landlord shall sell more personal property than necessary to satisfy such judgment and costs and fail to pay the overplus to the tenant he shall be liable in trespass to double the amount of the sum so detained together with the costs of suit If the landlord shall proceed to sell any personal property after notice of any such proceeding to defalcate and before judgment in his favor thereon he shall be liable in trespass to double the amount by which the sum realized from such sale exceeds the sum to which he shall be found to be entitled by the final judgment in the defalcation proceeding if such judgment be in his favor

If the landlord proceeds with the distress he shall satisfy the judgment to the extent of the amount realized on the sale less the costs of the distress or on his failure to do so the tenant may proceed by rule to have such satisfaction entered

Section 308 Appraisement of Property Levied Upon If the tenant or owner of the personal property distrained upon fails to replevy the same within said five days next after distress and notice thereof the person distraining may with the sheriff or his deputy or any constable or his deputy which officer upon demand of the landlord shall aid and assist cause the personal property so distrained to be appraised by two disinterested and competent persons appointed by said officer

The appraisers shall each take the following oath or affirmation to be administered by the assisting officer

"Ido solemnly swear (or affirm) that I will well and truly according to my understanding appraise the personal property ofdistrained on for rent by"

Each appraiser shall receive two dollars (\$2) per diem for his services in making the appraisement to be paid out of the proceeds of the sale

Section 309 Sale and Notice Thereof Distribution of Proceeds After the appraisement has been completed the sheriff deputy sheriff constable or deputy constable shall fix a day time and place of sale of which at least six days public notice in writing shall be given by handbills The notice of sale shall specify the personal property to be sold sufficiently to inform the tenant or owner and to induce bidders to attend the sale On the day and at the time fixed for the sale or on any day and time to which said sale may be adjourned the sheriff deputy sheriff constable or deputy constable shall publicly sell the personal property so distrained for the best price that can be obtained for the same

The proceeds of the sale shall be paid out in the following order First for the payment of any wages due by the tenant which by law are given preference and to the same extent and upon the same conditions of notice being given as required by the wage preference law and notice of the claim to the officer executing the landlord's warrant second for the payment of the charges and costs for making the distress appraisement and sale third for the satisfaction of the rent for which the personal property was distrained fourth any overplus for the use of the owner

Section 310 Rights of Purchasers of Growing Agricultural Crops The purchaser of any growing agricultural crops at a sale on distress for rent shall at all times have free ingress and egress to and from the premises where the same may be growing and the right to repair fences He shall have the right to dig cut gather lay up and thresh the same in the same manner as the tenant might legally have done and thereafter to carry the same away from the premises

Section 311 Damages for Removal of Property Distrained On Any landlord having distrained upon personal property for rent due who is aggrieved by the unlawful removal thereof shall in an action of trespass recover treble damages together with the costs of suit against the offender or against the owner if it be afterwards found

that the personal property has come into his use or possession

Section 312 Remedy in Cases of Improper Distress The Landlord and his agent shall be liable to the tenant or the owner of the personal property distrained on in an action of trespass (1) If the distress is for more rent than is due (2) or if the amount of personal property distrained is unreasonably great (3) or if made after a proper tender of the rent due was rejected (4) or if the distress is conducted irregularly or oppressively (5) or if any personal property taken in distress was to the knowledge of the landlord or his agent not distrainable (6) or if the distress is made at an improper time (7) or if the landlord or his agent receives notice after the distress from the owner or his agent or from the tenant having possession of the property that the personal property distrained on was not subject to distress and nevertheless proceeds with the sale without affording the owner a five day period after such notice to replevy such personal property

Section 313 Remedy Where Distress and Sale Made and No Rent Due In case any distress and sale of personal property shall be made for rent when no rent is due to the person distraining or to the person in whose name the distress has been taken then the owner of the personal property shall by action of trespass brought against the person distraining recover double the value of the personal property so distrained and sold together with the costs of suit

ARTICLE IV

Exemptions from Distress and Sale

Section 401 Tenant's Exemption Appraisement Unless the right of exemption has been waived by the tenant in writing personal property to the value of three hundred dollars (\$300) in addition to any other personal property specifically exempted by this article shall be exempt from levy and sale by distress for rent

The officer charged with the execution of any landlord's warrant shall if requested by the tenant summon two disinterested and competent persons who shall be sworn or affirmed by such officer to appraise personal property including bank notes money stocks judgments or other indebtedness due the tenant to the value of three hundred dollars (\$300) which the tenant may elect to retain and the property so elected and appraised shall be exempt from levy and sale in such distress proceedings

Each appraiser shall be entitled to receive two dollars (\$200) for his services

Section 402 Wearing Apparel Bibles School Books Sewing Machines and Military Accoutrements to be Exempt All wearing apparel of the tenant and his family all sewing machines belonging to seamstresses or used and owned by private families and all uniforms arms ammunition and accoutrements of any commissioned officer or enlisted man of the National Guard or of the armed forces of the United States shall be exempt from levy and sale on any landlord's warrant Nothing contained in this section shall be construed to exempt sewing machines kept for sale or hire

Section 403 Exemption of Property on Premises Under Lease or Conditional Sale Contract The following personal property loaned to or leased or hired by any person or conditionally sold to any such person under a contract of sale reserving title in the vendor until paid for shall be exempt from levy and sale on distress for rent so long as the title thereto remains in the owner lessor or conditional vendor if written notice specifically describing the personal property leased hired or conditionally sold shall be given to the landlord or his agent at the time the said personal property is placed upon the demised premises or within ten days thereafter which notice shall contain a statement of the respective amounts due on each article named in the notice and when so given shall be effective as to such landlord and any future owner or owners of said premises that is to say

- (1) All pianos melodeons and organs
- (2) All soda water apparatus and the appurtenances thereto

- (3) All sewing machines and typewriting machines
- (4) All electric motors electric fans and dynamos
- (5) All ice cream cabinets and ice cream containers and the appurtenances thereto
- (6) All household furniture and household goods
- (7) All patented shoe repairing machinery and tools
- (8) All beauty and barber shop furniture and equipment
- (9) All cigarette vending machines

In the case of personal property enumerated in clauses (2) and (5) of this section notice may be given in the manner above provided or in lieu thereof the name and address of the owner lessor or conditional vendor may be marked on or attached to said property in a conspicuous part thereof

Upon request at any reasonable time the owner lessor or conditional vendor of any personal property enumerated in this section shall advise the landlord or his agent as to the status of his account with the tenant. In default of such advice it shall be conclusively presumed no balance is due on said account

Any landlord may levy upon and sell on distress for rent any right or interest of the tenant in any personal property mentioned in this section subject to the rights therein of the owner lessor or conditional vendor

Section 404 Exemption of Other Property Located on Premises—The following personal property located on premises occupied by a tenant shall be exempt from levy and sale on distress for rent i e personal property

(1) Necessarily put in possession of the tenant in the course of his business by those with whom the tenant deals or by those who employ the tenant

(2) Actually held by the tenant for someone else in the course of trade as agent or as consignee

(3) Sold for a valuable consideration by the tenant before distress to any bona fide purchase not privy to any fraud

(4) Of any guest at an inn or hotel or of a boarder at a boarding house where such property is in the exclusive use of such boarder

(5) Of a decedent

(6) Of the United States and its governmental agencies or of the Commonwealth of Pennsylvania or of any political subdivision thereof

(7) Of any public service company essential to the performance of its public functions or

(8) Cattle or stock taken by the tenant to be fed or cared for on the leased premises for a consideration to be paid by the owner

ARTICLE V

Recovery of Possession

Section 501 Notice to Quit—A landlord desirous of repossessing real property from a tenant may notify in writing the tenant to remove from the same at the expiration of the time specified in the notice under the following circumstances namely (1) Upon the termination of a term of the tenant (2) or upon forfeiture of the lease for breach of its conditions (3) or upon the failure of the tenant upon demand to satisfy any rent reserved and due where there is not personal property on the premises adequate to satisfy the rent in arrears except such property as is by this act exempt from levy and sale on distress for rent

In case of the expiration of a term or of a forfeiture for breach of the conditions of the lease where the lease is for any term of less than one year or for an indeterminate time the notice shall specify that the tenant shall remove within thirty days from the date of service thereof and when the lease is for one year or more then within three months from the date of service thereof In case of failure of the tenant upon demand to satisfy any rent reserved and due the notice if given on or after April first and before September first shall specify that the tenant shall remove within fifteen days from the date of the service thereof and if given on or after September first and before April first then within thirty days from the date of the service thereof

The notice above provided for may be for a lesser time or may be waived by the tenant if the lease so provides.

The notice provided for in this section may be served personally on the tenant or by leaving that same at the principal building upon the premises or by posting the same conspicuously on the leased premises.

Section 502 Complaint If the tenant shall fail to remove from the real property in compliance with such notice the landlord or his agent may complain in writing under oath or affirmation to any justice of the peace in the county in which the real property is situated.

The landlord's complaint shall set forth with particulars dates and amount (1) that he was quietly and peaceably possessed of the real property from which the tenant was notified to remove (2) that he demised the same for a specified or indeterminate term to the tenant or to some other person under whom the tenant claims of the lease (4) that the term for which the same was (3) that due notice to remove has been given to the tenant or that no notice was required under the terms demised is fully ended or that a forfeiture has resulted by reason of a breach of the conditions of the lease or that any rent reserved and due has upon demand remained unsatisfied as the case may be (5) that the tenant retains the real property and refuses to give up possession of the same and (6) the amount of rent if any which remains due and unpaid and the amount of damages claimed for unjust detention of the real property if any.

Section 503 Summons and Service Upon the filing of the complaint the justice of the peace shall issue his summons reciting substantially the complaint and directed to any constable or the sheriff of the county commanding him to summon the tenant to appear before such justice of the peace to answer said complaint on a day not less than five nor more than eight days from the date of the summons and at a time fixed therein.

Such summons may be served personally on the tenant or by mailing the same to the tenant or by posting the same conspicuously on the leased premises.

Section 504 Hearing Judgment Writ of Possession Payment of Rent by Tenant On the day and at the time appointed or on any day to which the case may be adjourned the justice of the peace shall proceed to hear the case. If it shall appear that the complaint has been sufficiently proven the justice of the peace shall enter judgment against the tenant that the real property be delivered up to the landlord and for damages if any for the unjust detention of the demised premises as well as for the amount of rent if any which remains due and unpaid and for costs of the proceeding.

At the request of the landlord he shall after the fifth day after the rendition of such a judgment issue a writ of possession directed to the constable or sheriff commanding him forthwith to deliver actual possession of the real property to the landlord and also to levy the costs and amount of judgment for damages and rent if any on the tenant in the same manner as judgments and costs are levied and collected on writs of execution.

If however it shall appear that the said complaint is vexatious and unfounded then the justice of the peace shall dismiss the case and assess the costs against the landlord.

At any time before any writ of possession is actually executed the tenant may in any case for the recovery of possession solely because of failure to pay rent supersede and render the writ of no effect by paying to the constable or sheriff the rent actually in arrears and the costs.

Section 505 Return of Constable or Sheriff The constable or sheriff shall make return of said writ of possession to the justice of the peace within ten days after receiving the same. He shall be answerable in default of executing said writ according to its terms and for failure to pay over the amount received by him in satisfaction of the judgment or the rent and costs paid to him by the tenant in the same manner as such officers are now by law answerable on other writs of execution.

Section 506 Appeal Certiorari Within five days after the rendition of judgment either party may appeal to

the next court of common pleas upon filing in that court a bond with one or more sufficient sureties conditioned for the payment of all costs and rent that have accrued or may accrue up to the time of final judgment and for damages assessed if any in case the judgment shall be affirmed. Any such appeal shall be tried in the same manner as other suits are tried. Such appeal shall not be a supersedeas to the writ of possession in any case except upon special allowance of the court to which the appeal is taken.

If upon the appeal the jury shall find in favor of the tenant they shall also assess any damages which he may have sustained by reason of his removal from the premises costs and that the tenant shall retain or recover possession and judgment shall be entered for such damages and session of the demised real estate as the case may be. The tenant shall have the necessary writ or writs of execution to enforce said judgment.

A writ of certiorari to remove the proceedings before the justice of the peace may be had as in other cases and the court of common pleas shall review the same de novo.

Section 507 Proceeding Where Title to Real Property Is in Dispute If in any such proceeding by a landlord to repossess real property the tenant shall declare in writing on oath or affirmation that the title to the real property is disputed and claimed by some other person named by the tenant by virtue of a right or title accruing since the commencement of the lease by descent from or deed or will of the landlord and if the person so named and claiming does not forthwith appear voluntarily then the justice of the peace shall immediately issue a summons returnable in six days commanding such person to appear before him.

If the person so summoned fails to appear the justice of the peace shall proceed to give judgment as though no such dispute or claim had been made.

If the person so summoned shall declare in writing on oath or affirmation that he verily believes that he is entitled to the real property in dispute and shall give bond as hereinafter provided then the justice of the peace upon notice of the filing of such bond shall not enter judgment.

Any such bond shall be filed in the court of common pleas of the county shall be in such sum as the court shall fix shall have thereon one or more sufficient sureties and shall be conditioned that the person claiming title to such real property shall prosecute his claim by ejectment at the next term of the court of common pleas. If said claim is not so prosecuted the bond shall be forfeited to the landlord and the justice of the peace shall proceed to give judgment and cause the judgment to be executed as hereinbefore provided.

Section 508 Proceedings Where Tenant Claims Title as Joint Tenant or Tenant in Common If in any such proceeding by a landlord to repossess real property the tenant or person in possession shall declare in writing on oath or affirmation that the real property in dispute is held and claimed by him as joint tenant or tenant in common with the landlord and that he verily believes that the real property so held does not exceed in quantity or value the just proportion of the tenant's share as joint tenant in common and shall file a bond in the court of common pleas with one or more sufficient sureties in such sum as the court shall fix conditioned to prosecute his claim by ejectment at the next term of court of common pleas then the said justice of the peace upon notice of the filing of such bond shall not enter judgment. If the said claim is not so prosecuted the bond shall be forfeited to the landlord and the justice of the peace shall proceed to give judgment and cause the judgment to be executed as hereinbefore provided.

Section 509 Return Where Tenant Retains Forcible Possession Notice to Tenant that Alias Writ Will be Issued Required Use of Force and Service Thereof In any case brought by a landlord before a justice of the peace for the recovery of the possession of real property if there is no supersedeas to the writ of possession and the tenant or occupant forcibly detains the real property against the officer serving the writ of possession the constable

or sheriff shall make return of the writ as follows "Un-served because the tenant or occupant forcibly details possession of the real property"

Whereupon after the expiration of ten days from the rendition of judgment by the justice of the peace as in this article provided and the issuing of the writ of possession to the officer such officer shall notify in writing the tenant or occupant that an alias writ of possession will be issued setting forth his duty to use such force as may be necessary by the breaking in of any door or otherwise to enter upon the real property for the purpose of executing a writ of possession in accordance with the judgment obtained

Any such notice may be served personally on the tenant or occupant or by leaving same at the principal building upon the premises or by posting the same conspicuously on the leased premises

Section 510 Alias Writ of Possession Forcible Ejection of Tenant or Occupant If the tenant or occupant fails to deliver up possession of the real property within ten days after the service of the notice as provided in the last preceding section the justice of the peace shall issue an alias writ of possession and the officer shall thereupon use such force as may be necessary by the breaking in of any door or otherwise to enter upon the real property and to eject the tenant or occupant and shall deliver possession of the real property to the landlord or his agent

Section 511 Remedy to Recover Possession by Ejectment Preserved Nothing contained in this article shall be construed as abolishing the right of any landlord to recover possession of any real property from a tenant by action of ejectment or from instituting any amicable action of ejectment to recover possession of any real property by confessing judgment in accordance with the terms of any written contract or agreement

ARTICLE VI

Repeals

Section 601 Specific Repeals The following acts and parts of acts are hereby repealed as respectively indicated

Sections 1 2 3 4 5 6 7 10 11 12 13 and 14 of the act approved the twenty-first day of March one thousand seven hundred and seventy-two (1 Smith Laws 370) entitled "An act for the sale of goods distrained for rent and to secure such goods to the persons distraining the same for the better security of rents and for other purposes therein mentioned" absolutely

Section 1 of the act approved the twenty-first day of March one thousand seven hundred and seventy-two (1 Smith Laws 389) entitled "An act for prevention of frauds and perjuries" in so far as it applies to leases

Section 20 of the act approved the twentieth day of March one thousand eight hundred and ten (P. L. 208) entitled "An act to amend and consolidate with its supplements the act entitled 'An act for the recovery of debts and demands not exceeding one hundred dollars before a justice of the peace and for the election of constables and for other purposes'" absolutely

The act approved the twenty-second day of March one thousand eight hundred and fourteen (P. L. 179) entitled "A supplement to an act entitled 'An act for the sale of goods distrained for rent and to secure such goods to the persons distraining the same for the better security of rents and for other purposes therein mentioned'" absolutely

Sections 1 and 2 of the act approved the third day of April one thousand eight hundred and thirty (P. L. 187) entitled "An act relative to landlord and tenant" absolutely

Sections 119 and 120 of the act approved the sixteenth day of June one thousand eight hundred and thirty-six (P. L. 755) entitled "An act relating to executions" absolutely

Section 6 of the act approved the ninth day of April one thousand eight hundred and forty-nine (P. L. 524) entitled "A supplement to an act relative to the venders of mineral waters and an act relative to the Washington coal company to sheriffs' sales of real estate to the sub-

stitution of executors and trustees when plaintiffs to partition in the courts of common pleas and for other purposes" absolutely

Sections 1 and 2 of the act approved the ninth day of April one thousand eight hundred and forty-nine (P. L. 533) entitled "An act to exempt property to the value of three hundred dollars from levy and sale on execution and distress for rent" in so far as it applies to distress for rent

Section 8 of the act approved the twenty-seventh day of April one thousand eight hundred and fifty-five (P. L. 368) entitled "An act to amend certain defects of the law for the more just and safe transmission and secure enjoyment of real and personal estate" absolutely

The act approved the eighth day of April one thousand eight hundred and fifty-seven (P. L. 170) entitled "A supplement to the act to exempt property to the value of three hundred dollars from levy and sale on executions and distress for rent approved the ninth day of April one thousand eight hundred and forty-nine" in so far as it applies to distress for rent

The act approved the eighth day of April one thousand eight hundred and fifty-nine (P. L. 425) entitled "An act relative to the exception of three hundred dollars and to the widows and children of decedents" in so far as it applies to distress for rent

The act approved the twenty-second day of March one thousand eight hundred and sixty-one (P. L. 181) entitled "A supplement to an act passed the third day of April Anno Domini one thousand eight hundred and thirty relating to landlords and tenants" absolutely

The act approved the fourteenth day of December one thousand eight hundred and sixty-three (1864 P. L. 1125) entitled "An act relative to landlords and tenants" absolutely

The act approved the eleventh day of April one thousand eight hundred and sixty-six (P. L. 97) entitled "Supplement to an act relating to landlords and tenants" absolutely

The act approved the twentieth day of February one thousand eight hundred and sixty-seven (P. L. 30 No. 10) entitled "A supplement to an act relative to landlords and tenants approved December fourteen one thousand eight hundred and sixty-three extending the provisions thereof to cases of descent and purchase" absolutely

The act approved the third day of April one thousand eight hundred and sixty-eight (P. L. 57 No. 25) entitled "An act relative to mortgages of lease hold estates" absolutely

The act approved the seventeenth day of April one thousand eight hundred and sixty-nine (P. L. 69, No. 44) entitled "An act to exempt sewing machines belonging to seamstresses in this Commonwealth from levy and sale on execution or distress for rent" in so far as it applies to distress for rent

The act approved the fourth day of March one thousand eight hundred and seventy (P. L. 35, No. 13) entitled "A supplement to an act entitled 'An act to exempt sewing machines belonging to seamstresses in this Commonwealth from levy and sale on execution or distress for rent'" in so far as it applies to distress for rent

The act approved the sixth day of March one thousand eight hundred and seventy-two (P. L. 22, No. 9) entitled "An act in relation to landlord and tenant proceedings under the act of December fourteenth one thousand eight hundred and sixty-three" absolutely

The act approved the thirteenth day of May one thousand eight hundred and seventy-six (P. L. 160) entitled "A supplement to an act to amend certain defects of law for the more just and safe transmission and secure enjoyment of real and person estate approved the twenty-seventh day of April Anna Domini one thousand eight hundred and fifty-five declaring how mortgages and leases provided for in the eighth section of said act shall be recorded" absolutely

The act approved the thirteenth day of May one thousand eight hundred and seventy-six (P. L. 171, No. 134) entitled "An act to exempt pianos melodeons and organs leased or hired from levy or sale on execution or dis-

treas for rent" in so far as it applies to distress for rent

The act approved the twenty-fifth day of June one thousand eight hundred and ninety-five (P. L. 282) entitled "An act to exempt sewing machines and type writing machines leased or hired from levy on sale on execution or distress for rent" in so far as it applies to distress for rent

The act approved the twenty-eighth day of April one thousand eight hundred and ninety-nine (P. L. 117, No. 94) entitled "An act supplementary to an act entitled 'An act to exempt pianos melodeons and organs leased or hired from levy or sale on execution or distress for rent' approved the thirteenth day of May Anno Domini one thousand eight hundred and seventy-six" in so far as it applies to distress for rent

The act approved the thirty-first day of March one thousand nine hundred and five (P. L. 87) entitled "An act to provide for notice in the recovery of possession of premises by a landlord in all cases where the tenant holds for a term less than one year either by license or lease for an indeterminate time" absolutely

The act approved the tenth day of April one thousand nine hundred and five (P. L. 135) entitled "An act for the better enforcement of the service of writs of possession in landlord and tenant cases where the premises are forcibly detained by the occupant" absolutely

The act approved the twenty-seventh day of April one thousand nine hundred and nine (P. L. 197) entitled "A supplement to an act entitled 'An act defining and regulating escheats in cases where property is without a lawful owner and providing for more convenient proceedings relative to the same' approved May second one thousand eight hundred and eighty-nine (P. L. 66) providing for the collection of rent by escheators in all cases where lands or tenements have escheated or may hereafter escheat to the Commonwealth" absolutely

The act approved the third day of May one thousand nine hundred and nine (P. L. 407) entitled "An act to exempt electric motors electric fans or dynamos leased or hired from levy or sale on execution or distress for rent" in so far as it applies to distress for rent

The act approved the third day of May one thousand nine hundred and nine (P. L. 423) entitled "An act exempting soda-water apparatus and appurtenances thereto leased hired or conditionally sold from levy or sale on execution or distress for rent" in so far as it applies to distress for rent

The act approved the twentieth day of May one thousand nine hundred and thirteen (P. L. 238) entitled "An act relating to the services of notices and summons in landlord and tenant cases" absolutely

The act approved the twenty-second day of April one thousand nine hundred and twenty-seven (P. L. 351) entitled "An act exempting ice cream cabinets in ice cream containers and the appurtenances thereto leased loaned hired or conditionally sold from levy or sale on execution or distress for rent" in so far as it applies to distress for rent

The act approved the second day of June one thousand nine hundred and thirty-three (P. L. 1417) entitled "An act exempting household furniture and household goods leased hired or conditionally sold from levy and sale on execution or distress for rent under certain conditions" in so far as it applies to distress for rent

The act approved the second day of June one thousand nine hundred and thirty-three (P. L. 1419, No. 304) entitled "An act exempting shoe repairing machinery and tools and the appurtenances thereto leased loaned hired or conditionally sold from levy or sale on execution or distress for rent" in so far as it applies to distress for rent

The act approved the twenty-sixth day of May one thousand nine hundred and forty-three (P. L. 643) entitled "An act exempting beauty and barber shop furniture mechanical appliances and equipment leased hired or conditionally sold from levy and sale on execution or distress for rent under certain conditions" in so far as it applies to distress for rent

The act approved the fifth day of July one thousand nine hundred and forty-seven (P. L. 1355) entitled "An

act exempting cigarette vending machines leased loaned hired or conditionally sold from levy or sale on execution or distress for rent" in so far as it applies to distress for rent.

Section 602 General Repeal All other acts and parts of acts general local and special inconsistent with or supplied by this act are hereby repealed It is intended that this act shall furnish a complete and exclusive system in itself

And said bill having been read at length the third time, and agreed to,

On the question,

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Bane,	Freed,	McMenamin,	Stevenson,
Barr,	Haluska,	McPherson, Jr.,	Taylor,
Barrett,	Holland,	Meade,	Toole,
Berger,	Kephart,	Neff,	Wade,
Blass,	Kessler,	Pechan,	Wagner,
Byrne,	Lane,	Peelor,	Walker,
Chapman,	Leader,	Probert,	Watkins,
Crowe,	Letzler,	Robinson,	Watson,
Dent,	Mahany,	Rosenfeld,	Wolfe,
Diehm,	Mallery,	Ruth,	Wood,
DiSilvestro,	McCreesh,	Scarlett,	Yosko,
Fleming,	McGinnis,	Silvert,	

NAYS—1

Stiefel,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 175, on third reading, entitled:

An Act authorizing and directing the Joint State Government Commission to make a comprehensive study of the migratory habits of fish particularly shad and the stocking and tagging of shad below and above the Safe Harbor Dam the Holtwood Dam and the Conowingo Dam and to cooperate with the federal government in connection therewith prescribing powers and duties and making an appropriation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMENDED

Mr. WALKER. Mr. President, I move that Senate Bill No. 219, on third reading, entitled:

An Act to provide for the coverage of certain officers and employes of the Commonwealth and its political subdivisions under the old-age and survivor insurance provisions of Title II of the Federal Social Security Act as amended creating the State-Federal Social Security Board and conferring powers and imposing duties upon the Board authorizing the Board to enter into agreements with the Federal Security Administrator and with political subdivisions under certain terms and conditions providing for the Commonwealth's contribution under agreements with the Federal Security Administration and for the collection and payment of employer and employee contributions authorizing interstate cooperation in certain cases creating a Contribution Fund and making appropriations.

be recommitted to the Committee on State Government.
Mr. MAHANY. Mr. President, I second the motion.
The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order.

The Senate proceeded to the third reading and consideration of Senate Bill No. 264, as follows:

An Act to amend Section 1412 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by setting forth the duties of the Deputy Adjutant General in Charge of Veteran Affairs

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1412 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" as added thereto by the act approved the sixth day of June one thousand nine hundred thirty-nine (P. L. 250) is hereby amended to read as follows

Section 1412 Deputy Adjutant General in Charge of Veteran Affairs Specific Duties (a) In addition to such other deputies as may be named in the Department of Military Affairs there shall be a deputy adjutant general in charge of all matters relating to veteran affairs as set forth in full in subsection (b) hereof Such deputy shall be selected as other deputies are now selected shall be a veteran of [the World War] any war in which the United States has been a participant and an active member of a recognized veterans' organization Such deputy shall receive such compensation as may be fixed as now provided by law which compensation shall be provided from funds appropriated for the State Veterans' Commission Such deputy shall also be in charge of such other matters re-

lating to the military activities of the State as may be assigned by the Adjutant General

(b) Specific Duties The Deputy Adjutant General in Charge of Veteran Affairs shall have the specific duty

(1) To recommend to the Governor through the Adjutant General new legislation and amendments to existing statutes concerning veterans and their activities for consideration by the General Assembly

(2) To cooperate with all departments and agencies of the Commonwealth in the interest of war veterans' welfare housing and the obtaining of licenses

(3) To aid in filing and prosecuting all claims of the Commonwealth's war veterans and dependents of war veterans under Federal or State statutes

(4) To aid in the employment and reemployment of all war veterans honorably discharged from the armed forces of the United States or their auxiliaries

(5) To aid in securing hospitalization for any war veteran requiring medical care that may be provided by a Federal or State mental or medical or surgical facility specifically provided for war veterans or in any other public hospital

(6) To aid in the rehabilitation of injured wounded or compensable war veterans or other war veterans in educational institutions or vocational training institutions to which they may be eligible by statute

(7) To cooperate with and advise the Department of Public Instruction with respect to the establishment of vocational training programs particularly suited to war casualties for either day or evening instruction or both

(8) To administer relief provided by the Commonwealth for war veterans and dependents of war veterans

(9) To administer the distribution under the direction of the Adjutant General of any compensation to war veterans or dependents of war veterans that has been or may be granted by the Commonwealth

(10) To investigate the work of other departments of the Commonwealth administering laws affecting war veterans or war veterans' orprans

(11) To investigate compile and maintain complete and accurate data concerning veterans of the armed forces of the United States and all State and municipal activities relating thereto

(12) To compile from the records as transmitted by the county commissioners of each county a record of the burial places within this Commonwealth of deceased service persons their rank division length of service name and location of cemetery and the location of their graves therein and the character of headstones or other markers if any and such other information deemed desirable

(13) To establish an information center and to disseminate regularly to chapters camps and posts of war veterans' organizations throughout the Commonwealth such information as he shall determine and to transmit to the public press and other media of public information such information relative to war veterans as should be of public interest

(14) To biannually submit through the Adjutant General to the Governor a report of State activities on behalf of veterans

(15) To perform such other duties in connection with war veterans that may be referred to him by other departments or agencies of the Commonwealth and to be a clearing house for all veterans' war service connected problems

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Freed,	McMenamin,	Stevenson,
Barr,	Haluska,	McPherson, Jr.,	Stiefel,
Barrett,	Holland,	Meade,	Taylor,
Berger,	Kephart,	Neff,	Toole,
Blass,	Kessler,	Pechan,	Wade,
Byrne,	Lane,	Peelor,	Wagner,
Chapman,	Leader,	Propert,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,
Dent,	Mahany,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Scarlett,	Wood,
Fleming,	McGinnis,	Silvert,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 362, as follows:

An Act to further amend the act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupations for county borough town township school and poor purposes authorizing the appointment of subordinate assessors a solicitor engineers and clerks providing for their compensation payable by such counties abolishing the office of ward borough and township assessors so far as the making of assessments and valuations for taxation is concerned and providing for the acceptance of this act by cities" by authorizing the payment of additional compensation to subordinate assessors by the boroughs townships and school districts in which he makes assessments

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupations for county borough town township school and poor purposes authorizing the appointment of subordinate assessors a solicitor engineers and clerks providing for their compensation payable by such counties abolishing the office of ward borough and township assessors so far as the making of assessments and valuations for taxation is concerned and providing for the acceptance of this act by cities" as amended by the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1848) is hereby further amended to read as follows

Section 4 The said board shall divide the county into convenient districts which it may change as occasion may require and shall appoint subordinate assessors for said districts The subordinate assessors shall receive such compensation as the salary board shall fix which salaries shall be paid out of the county treasury In addition to the compensation so fixed and paid by the county any such subordinate assessor may be paid by any borough township or school district in which he makes assessments such compensation as may be authorized by the taxing authorities of such political subdivision who are hereby empowered to make such additional payments as they

may from time to time by ordinance or resolution prescribe The said board shall also have the right to appoint an engineer or engineers and such clerks at such salaries as the salary board of the county may allow for the proper discharge of the duties of said board which salaries shall be paid out of the county treasury

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Bane,	Fleming,	Meade,	Taylor,
Barr,	Freed,	Pechan,	Toole,
Barrett,	Haluska,	Peelor,	Wade,
Berger,	Kephart,	Propert,	Wagner,
Blass,	Kessler,	Robinson,	Walker,
Byrne,	Letzler,	Rosenfeld,	Watkins,
Chapman,	Mahany,	Ruth,	Watson,
Crowe,	Mallery,	Scarlett,	Wolfe,
Diehm,	McMenamin,	Stevenson,	Yosko,
DiSilvestro,	McPherson, Jr.,		

NAYS—10

Dent,	Leader,	Neff,	Stiefel,
Holland,	McCreesh,	Silvert,	Wood,
Lane,	McGinnis,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 394, as follows:

An Act to further amend section eight hundred six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by eliminating the provision making it unlawful to carry unloaded rifles and shotguns in or on any vehicle or conveyance unless said rifles and shotguns are in cases or securely wrapped and also eliminating the provision making it unlawful to possess cartridges or shells for hunting in vehicles or conveyances unless they are in unbroken original cartons or securely wrapped

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eight hundred six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" as amended by the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 386) is hereby further amended to read as follows

Section 806 Possession of Loaded Firearms [and Certain Ammunition Restricted] (a) Except as otherwise provided by law it is unlawful for any person to have in his possession a loaded rifle or loaded shotgun or a rifle or shotgun from the magazine of which all shells and cartridges have not been removed in or on any vehicle or conveyance or its attachments while standing upon or along or being driven upon or along any public highway or a highway open to use or used by the public within this Commonwealth [Provided however That except as hereafter provided between five o'clock postmeridian of

one day and seven o'clock antemeridian eastern standard time of the day following any unloaded rifle or shotgun being lawfully carried in accordance with the foregoing provisions shall be so carried only when in a case or taken apart and securely wrapped but this requirement relative to carrying rifles and shotguns in cases or securely wrapped shall not apply during the period extending from the day before the regular small game hunting season which normally opens on the first day of November to the thirty-first day of December next following both dates inclusive]

[(b) Except during the period enumerated in subsection (A) of this section it is unlawful for any person to have in possession in or on any vehicle conveyance or its attachments while standing upon or along or being driven upon or along any public highway or a highway open to use by the public within this Commonwealth except as hereinafter provided between five o'clock postmeridian of one day and seven o'clock antemeridian eastern standard time of the day following any rifle cartridge (larger than a .22 caliber long rifle) or any shotgun shell containing either a single bullet or pellets larger than a BB] [unless all such cartridges or shells are carried in unbroken original cartons or securely wrapped]

[(c) Provided however (a) that during the period from July first to September thirtieth inclusive of each year the foregoing requirements relative to carrying certain unloaded firearms and ammunition shall be applicable only from eight-thirty o'clock postmeridian to five o'clock antemeridian eastern standard time and (b) that the commission may by resolution change the daily hours stipulated in subsections (a) (b) and (c) of this section to make adjustment for time changes or time designations established by Federal law or by any regulations promulgated under Federal law]

[(d)] (b) The provisions of this section shall not be construed to apply to a public police officer engaged in the performance of his official duty or to an officer whose duty it is to enforce the game law and engaged in the performance of his official duty

[(e)] (c) Any person violating any of the provisions of this section while the vehicle is in motion or is being used as a blind from which to kill or attempt to kill game while the vehicle is not in motion shall upon conviction be sentenced to pay a fine of twenty-five dollars and costs of prosecution Any other violation of the provisions of this section shall upon conviction subject the person responsible therefor to a fine of ten dollars and costs of prosecution

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Freed,	McMenamin,	Stevenson,
Barr,	Haluska,	McPherson, Jr.,	Stiefel,
Barrett,	Holland,	Meade,	Taylor,
Berger,	Kephart,	Neff,	Toole,
Blass,	Kessler,	Pechan,	Wade,
Byrne,	Lane,	Peelor,	Wagner,
Chapman,	Leader,	Propert,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,
Dent,	Mahany,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Scarlett,	Wood,
Fleming,	McGinnis,	Silvert,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

SECOND READING CALENDAR

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 6, on second reading, entitled:

An Act relating to the administration and distribution of incompetents' estates both as to real and personal property and the procedure relating thereto including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a guardian in certain cases the appointment bond removal and discharge of guardians of such estates their powers duties and liabilities the rights of persons dealing with such guardians and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees and containing provisions concerning the determination of incompetency and the powers duties and liabilities of foreign guardians and also generally dealing with the jurisdiction powers and procedure of the common pleas court relating to incompetents' estates

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 7, entitled:

An Act authorizing cities to establish and maintain common trust funds for the investment and reinvestment of the moneys of charitable uses or trusts, the charge or administration of which has been committed to their care, or of the estates of minors of which they may be guardians, providing for the administration of funds so established and prescribing the nature and kinds of investments which may be made therein.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 17, on second reading, entitled:

An Act relating to the jurisdiction powers and duties of registers of wills and regulating proceedings before them and the costs thereof the effects of their acts and appeals therefrom

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 25, on second reading, entitled:

An Act relating to the orphans' courts conferring exclusive jurisdiction on such courts over the administration and distribution of decedents' estates trust estates minors' estates and absentees' estate providing for the organization of orphans' courts the procedure therein the powers and duties of the judges thereof and appeals therefrom

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 68, entitled:

An Act to validate and confirm certain contracts heretofore entered into by boards of school directors where there is no evidence of fraud or conspiracy and to authorize ratify confirm and validate payments in such contracts by the school district

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 81, entitled:

An Act to amend the title and Sections 1 2 3 and 4 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 302) entitled "An act providing for the admission of children to and their education and maintenance in and their discharge from the Pennsylvania Soldiers' Orphan School prohibiting discharging children or taking children from said school or children from leaving the same without an order of the Board of Trustees of the Pennsylvania Soldiers' Orphan School and prescribing penalties" by changing the name of the Pennsylvania Soldiers' Orphan School

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 104, on second reading, entitled:

An Act providing for the sentencing of persons convicted of certain crimes to an indeterminate sentence having a minimum of one day and a maximum of life in certain cases authorizing the criminal courts to impose such a sentence and certain temporary sentences in connection therewith requiring psychiatric examinations of such persons before the imposition of such a sentence conferring powers and imposing duties upon the Department of Welfare and the Pennsylvania Board of Parole and providing for the parole conditional parole or absolute discharge of persons so sentenced and the procedure relating thereto

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 247, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system in-

cluding certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by regulating the authority of school districts to purchase supplies and to perform and contract for construction reconstruction repairs and work of any nature

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 354, on second reading, entitled:

An Act to amend section 15 of the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employees' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" by further providing for disability retirement allowances

be recommitted to the Committee on Local Government.

Mr. CROWE. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 357, on second reading, entitled:

An Act to reenact, revise and amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto."

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 365, on second reading, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporation conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for service required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by permitting the Department of State to copy and destroy or return certain documents permitting directors to fill vacancies in the board of directors resulting from an increase in the number of directors deleting certain requirements as to the appointment compensation and duties or agents providing that meetings of shareholders at which directors are to be elected may be adjourned for periods of fifteen days each fixing the method of cumulative voting in cases where directors are elected separately by the holders of different classes of shares providing that courts having jurisdic-

tion over trustees who are evenly divided as to how shares shall be voted may direct the voting of such shares deleting requirements as to the voting of shares of foreign corporations owned by other corporations providing that articles of incorporation may be amended to eliminate the preemptive rights of shareholders and providing for the purchase of and payment for shares of any shareholders who dissent therefrom specifying cases of merger or consolidation of which sixty days' notice to shareholders must be given providing that shareholders of a parent corporation shall have no right to dissent from a merger or consolidation of such parent and one or more wholly-owned subsidiaries thereof provided the state of incorporation and relative rights and preferences of the shareholders of the parent corporation are not changed thereby providing that foreign corporations which shall have done business in Pennsylvania without procuring a certificate of authority to do so shall be conclusively presumed to have appointed the Secretary of the Commonwealth their agent to accept service of process in cases arising out of acts of omissions of such corporation in the Commonwealth and specifying the duties of the Secretary upon receipt of such process

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 405, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the board of trustees of Warren State Hospital, to acquire a certain tract of land with the buildings thereon adjacent thereto for the use of said hospital; and making an appropriation therefor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 416, on second reading, entitled:

An Act to amend Section 704 of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by changing and clarifying the provisions with respect to payment of dividends from paid-in surplus.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 459, entitled:

An Act to further amend Section 2561 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by including additional items in "overhead cost per pupil" for purpose of reimbursement between school districts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 483, entitled:

An Act to amend section five hundred seventeen of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the payment of traveling expenses of certain employees

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of the bill reported from committee for the first time at today's session.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 433, entitled:

An Act to further amend sections thirty-one and thirty-two of the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by reclassifying counties of the sixth and seventh classes, and providing for elections pursuant to changes of classification by counties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS INTRODUCED AND REFERRED

Mr. DENT. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. DENT and BERGER read in place and presented to the Chair Senate Bill No. 452, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred forty-five (P. L. 382), entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," by empowering Authorities to acquire by eminent domain certain capital stock of corporations of this Commonwealth owning projects in the event the Authority already owns ninety per cent or more of such stock and by providing a procedure therefor.

Which was committed to the Committee on Judiciary General.

Messrs. DENT and STEVENSON read in place and presented to the Chair Senate Bill No. 453, entitled:

An Act to further amend the act approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 594), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations, and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," by changing or deleting certain routes in Westmoreland County.

Which was committed to the Committee on Highways.

Mr. DENT read in his place and presented to the Chair Senate Bill No. 454, entitled:

An Act to further amend the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending, consolidating the laws relating thereto," by providing for the judges of courts in counties of the third class to appoint and fix the salary of court employees.

Which was committed to the Committee on Local Government.

Mr. MEADE. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MEADE read in place and presented to the Chair Senate Bill No. 455, entitled:

An Act making an appropriation to the Department of Health for the use of the Institute for Cancer Research, Incorporated, Fox, Chase, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Tuesday, April 3, 1951, at 3:00 o'clock, p. m., Eastern Standard Time.

Mr. DENT. Mr. President, I second the motion.

The motion was agreed to

The Senate adjourned at 4:39 o'clock, p. m., Eastern Standard Time, until Tuesday, April 3, 1951, at 3:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, April 2, 1951

The House met at 4:30 p. m.

The SPEAKER (Herbert P. Sorg) in the Chair.

PRAYER

The Reverend Charles F. Trunk, Jr., guest chaplain, pastor of the Bethlehem Lutheran Church, Harrisburg, offered the following prayer:

O God, our Father, we look to Thee for that certainty which we cannot find in the world of men. In the midst of change, Thou are unchanging; and when all else is dark, Thou art the Light. Help us to see the path which we should take, lest we wander down the wrong road; and when we are sure of the way, keep us on it until we arrive at our proper destination. We ask this in the Name of Him Who is the Way and the Truth and the Life, Thy Son, our Lord. Amen.

JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Thursday, March 29, 1951? If not, and without objection, the Journal is approved.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 17.

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract of land in the city of Pittsburgh Allegheny County Pennsylvania containing approximately two hundred forty-seven acres for use as a site for a Veterans' Administration Hospital and ceding jurisdiction to the United States

HOUSE BILL No. 43.

An Act authorizing the Board of Trustees of Pennsylvania Soldiers' Orphan School, with the approval of the Department of Public Instruction, to accept on behalf of the Commonwealth a stone amphitheater erected on the grounds of the Pennsylvania Soldiers' Orphan School.

SENATE BILL No. 199.

An Act to further amend Subsection A of Section 201 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers directors trustees shareholders attorneys and other employees of all such corporations employees' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or persons and of fiduciary powers by any other corporation conferring powers and impos-

ing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further regulating the names of bank and trust companies.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

ANNOUNCEMENT

The SPEAKER. Immediately upon the calling of a recess, there will be a caucus of the Republican Members in the new House Caucus Room and a caucus of the Democratic Members in the old House Caucus Room.

RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess for thirty minutes. The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Herbert P. Sorg) in the Chair.

SENATE MESSAGES

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 264

An act to amend Section 1412 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by setting forth the duties of the Deputy Adjutant General in Charge of Veteran Affairs.

Referred to the Committee on Military Affairs.

SENATE BILL No. 362

An Act to further amend the act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such boards by the county commissioners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupations for county borough town township school and poor pur-

poses authorizing the appointment of subordinate assessors a solicitor engineers and clerks providing for their compensation payable by such counties abolishing the office of ward borough and township assessors so far as the making of assessments and valuations for taxation is concerned and providing for the acceptance of this act by cities" by authorizing the payment of additional compensation to subordinate assessors by the boroughs townships and school districts in which he makes assessment.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 394

An Act to further amend section eight hundred six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by eliminating the provision making it unlawful to carry unloaded rifles and shotguns in or on any vehicle or conveyance unless said rifles and shotguns are in cases or securely wrapped and also eliminating the provision making it unlawful to possess cartridges or shells for hunting in vehicles or conveyances unless they are in broken original cartons or securely wrapped.

Referred to the Committee on Game and Forestry.

HOUSE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 131

An Act relating to the rights, obligations and liabilities of landlord and tenant and of parties dealing with them, and amending, revising, changing and consolidating the law relating thereto.

With information that the Senate has passed the same without amendment.

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 2, 1951

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday, April 9, 1951, at three o'clock p. m., Eastern Standard Time; and when the House of Representatives adjourns this week, it reconvene on Monday, April 9, 1951, at four thirty o'clock p. m., Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 840, entitled:

An Act imposing an income tax on residents of Pennsylvania as herein defined including trust and estates and on income of nonresidents derived from property business or other sources in Pennsylvania defining taxable

income and requiring filing of returns thereof providing for the assessment collection and lien of said tax providing for administration and enforcement of the act by the Department of Revenue conferring powers and imposing duties on certain persons fiduciaries partnerships associations corporations political subdivisions State officers employees and department savings certain local taxes and imposing penalties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 841, entitled:

An Act to reenact and further amend the title and the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and re-settlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by increasing the rate of tax and extending the provisions of the act for a further limited period of time

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 842, entitled:

An Act to further amend section twenty-one of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" postponing the manufacturing exemption with regard to capital stock tax and the franchise tax on domestic and foreign corporations joint-stock associations limited partnerships and companies for a further limited period of time

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 843, entitled:

An Act to further amend section twenty-three of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by increasing for a further limited period of time the rate of tax imposed upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 844, entitled:

An Act to reenact and further amend the title and the act approved the fourteenth day of June one thousand

nine hundred thirty-five (P. L. 341) entitled as amended "An act to provide revenue by imposing a State tax upon sales or gifts of cigarettes by dealers as herein defined requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits prescribing the method and manner of collecting such tax conferring powers and imposing duties on the Department of Revenue and persons as herein defined engaged in the sale of cigarettes at retail or wholesale and providing penalties" by providing that the provisions of said act shall continue in effect until repealed.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 845, entitled:

An Act to reenact and amend the title and the act approved the ninth day of June one thousand nine hundred thirty-six (Special Session of one thousand nine hundred thirty-six Pamphlet Laws 13) entitled "An act imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board providing for the collection and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board" as previously reenacted and amended by extending the provisions thereof for a further limited period of time.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 846, entitled:

An Act to further amend section three of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 285) entitled as amended "An act imposing a State tax payable by those herein defined as manufacturers and byothers on malt or brewed beverages used sold transported or delivered within the Commonwealth prescribing the method and manner of evidencing the payment and collection of such tax conferring powers and imposing duties on the Department of Revenue and those using or engaging in the sale at retail or wholesale or in the transportation of malt or brewed beverages taxable hereunder and providing penalties" increasing the rates of certain taxes for further limited period of time.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 847, entitled:

An Act to amend section four of the act approved the second day of July one thousand nine hundred forty-seven (P. L. 1199) entitled "An act imposing a State tax payable by those herein defined as users on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such users to secure licenses to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records imposing duties on dealers wholesalers and carriers for hire imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for re-

funds of taxes penalties and interest illegally or erroneously collected from licensed users and making appropriations" by extending the provisions of the additional tax for a limited time

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 848, entitled:

An Act to further amend sections four and ten of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled as amended "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are practically and commercially suitable for use in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by extending the provisions of the additional tax for a limited time and further providing for the distribution of the additional tax to certain political subdivisions of this Commonwealth with certain conditions

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, we are at the season of big calendars. If there is any Member in the House that has read every bill on the calendar today he should arise in his place and be awarded a medal. I doubt that we have any assurance that every bill on the calendar today has been read and studied by at least one Member.

We have just passed on first reading what is supposed to be a sacrosanct and sacred tax program. I arise with some diffidence to even comment concerning the fringes of this program, because I see by the daily press that budget critics are assailed by Fine. I hope that this budget critic will not be assailed by the Governor or anybody else.

My understanding is that this tax program is to roll, roll today, roll tomorrow, roll Wednesday and be passed finally on the 5th; that it does not need to be studied; that quite likely the membership of the House is not competent to study it and if we did study it, we would find that it was meritorious and impeccable altogether.

The question was raised the other day regarding the accuracy of the financial weather prophet who functions as the Budget Secretary. I submit to the Members of this House that any prognosticator financially, who has \$25 or \$30 million rolling around loose all the time is not exactly a dependable person.

I want to read from the record. If I am mistaken in reading from the record, I hope the Majority Leader or some other Member of the House will interrupt me and correct me.

Consider the budget figures of March 19th last, the

budget message, on page four of that message near the bottom of that page we read "The budget I presented calls for general fund appropriations, as stated, in the total amount of \$833 million plus." This amount includes the reserve of \$20 million for civil defense. The amount without the reserve \$833 million compares with \$766 million for the 1949, 1951 biennium then increases to \$67 million. However the recommended appropriations also include a \$112 million of obligations arising from actions taken before this administration, and \$42 million additional for school subsidies.

Then the record goes on to state that the financing of the present biennium was made possible by reason of a \$63 million surplus which was inherited from the previous administration. Now, all of you older Members were around here. I wonder whether you heard anything during the beginning of this biennium of a \$63 million surplus. If you look in the budget for the current biennium, you will see that there was an estimated unappropriated surplus as of June 1st, 1949, of \$42 million, and we wind up, says the Governor, with some \$63 million. Only 20 some million out of line. That is the case in point. If you will look at the budget for the current biennium you will see that the Budget Secretary there made it very close, a very close guess. He said that we would wind up with some \$960 thousand at the end of the current biennium. That guess is pretty close. That is a pretty good guess—if he is right. Well \$960 thousand surplus winds up with ten million two hundred thousand surplus at the end of this biennium, plus \$16 million in deficiency appropriations. By waving some magic wand, admitting his mistakes or recalculating his figures of \$960 thousand estimated surplus, yields him \$26 million. Now that is not anything new or it is not anything peculiar, the surplus.

I am not going to take your time now by quoting other similar instances. For example, the amount recommended from the appropriations by the Budget Secretary was \$696 million plus and they wind up with having spent some \$60 million more than the Budget Secretary said would be kicking around, and the estimated general fund revenues for the current biennium is \$653 million. The Governor's current budget message informs us that we managed to spend, one way or another, some \$60 million more than that.

Now the point is this: If we have \$25 or \$30 million kicking around in surplus funds that can be pulled in or shoved out at will, if we are proceeding to enact an income tax without having been furnished with anything like official figures for the state of Pennsylvania as to the amount of the tax base upon which that income tax will be levied; if we are in complete ignorance concerning the amount of that tax base, I say that there is no reason for precipitate action. I say that if there has been information which could have been obtained from Federal sources as to the amount of the tax base upon which the income tax will be levied why has it not been furnished? On the basis of the available information, I have as much right to say that the proposed income tax will raise \$150 million as the Budget Secretary has to say that it will raise \$119 million. You gentlemen on the other side, perhaps Members on this side, may be perfectly satisfied to have your tax income screened in the budget office without examination here; to have your

departmental needs screened by the budget office and handed to you, with the Appropriations Committee, of course, given the privilege of making some readjustments but without any Committee having had prior jurisdiction concerning the needs of this Commonwealth. So far as I know the only person who knows how much the Department of Health thought it ought to have is the Budget Secretary. The only person who knows how much the Department of Welfare thought it ought to have is the Budget Secretary. I do not know of any source to which I could turn to find out what amount the Department of Welfare passed, to what extent the Budget Secretary pruned it. The Appropriations Committee has not done any pruning up to the present time, and yet, the Governor says that he has cut the requests very materially. The Governor has not cut the requests, the Budget Secretary has. It is barely possible that every reduction that the Budget Secretary made was a reduction that the Members of this House would have made if they knew about it, and it is barely possible that that is not so. I know it is obnoxious to hand to the budget office powers that establishes the Appropriation Committee of this House simply as a rubber stamp, or to hand to the Budget Secretary powers which make it incumbent upon a Ways and Means Committee to pass judgment in less than an hour upon a tax program calling for over-all expenditures of \$883 million, or something like that.

I am saying now that the Budget Secretary has been making his budgets for years, and there is the \$61 million reduction in Public Assistance. You say \$61 million will balance the budget. It would have been as easy for the Budget Secretary to say \$51 million. He pulled whatever figure would best balance his budget out of the blue. Now I understand that the orders are that without a hearing, without proper deliberation, we pass this tax program with a flat income tax and as its core and do so without being in actual possession of any figures except the figures that have been filtered to us by the budget office.

We shall tomorrow move that the tax bill be placed upon the postponed calendar. We say there is no need for hurry. The probabilities are this session will be delayed by reason of the necessity for dealing with reapportionment. There is no need for hurry.

We only have a guess as to what the figures will show as to the amount collected under the existing taxes during the current biennium. If I were to abuse the patience of this House, I would go further and show that from the records in the past the Budget Secretary has erred more than \$40 million in his estimate as to what the final showing would be when the money properly credited in this biennium comes in.

There is every reason why there should be no hurry. First of all, it is wrong for the Governor to send a "take it or leave it budget" to this House. Second, it is wrong and the Press of the state, many organizations of the state say it is wrong for us to swallow it because the Governor says take it or leave it. It is wrong for us to deny the Appropriations Committee and the Ways and Means Committee the time and the machinery and the advice necessary for them to check on the budget office.

When the Governor says he does not want any account-

ing other than the budget office accounting, he is infringing upon the prerogatives of this House because part of our business is to check on the budget office.

We will move for delay as far as the income tax measure is concerned, unless there is delay, proper time for consideration, hearings; unless the Appropriation Committee is given ample opportunity to call before it the Department Heads and we first determine how much we would appropriate, if the burden was upon us. Then, having determined how much in good conscience we would appropriate, proceed to enact the tax legislation necessary to finance the program that we and not the budget office would set as the amount to appropriate.

PERMISSION TO ADDRESS HOUSE

Mr. SMITH asked and obtained unanimous consent to address the House.

Mr. Speaker, I cannot disagree with the gentleman that he has a right to have a difference of opinion. I think that difference of opinion is the basis of democracy, and we are willing to have it.

The gentleman states that this tax has not been studied. I think every Member of this House has known the principle of this tax for at least a sufficient time to give it study.

The principle and the administration of it are two different things. The gentleman stated that the Budget Director would be out something like \$10 million. Well, I would like to remind him that \$10 million is only one percent of a billion dollar budget. So his percentage is not too far off. It could be \$20 million and two percent on a two year forecast is not too far off.

I for one, and I am sure that we on this side of the House, have faith in our Appropriations Committee in checking the requests of the Departments. That is what we have the Committee for, and the Committee in the past has always done a good job. There is no reason to believe at this time that they will do anything other than a good job.

Now the budget has been submitted to us as Members of this House for a period of at least two weeks. Everyone here has had an opportunity to study it and look at it. I do not know how long we have to look at a budget to decide whether we want it or do not want it.

The gentleman stated that Governor Fine in his budget message said Governor Duff had a surplus of \$63 million at the start of the 1949-51 biennium. That is perfectly true. There is an answer for that. Approximately \$19 million were collected over our estimate. When you take this and add this to \$42 million in Governor Duff's Message the result is approximately \$61 million.

In addition, there were \$2 million more in estimated lapses from various Departments, making a total of \$63 million plus in actual surplus. Governor Duff was in no position to know at the time that \$19 million more would come in during the biennium of 1947 and 1949. He did not anticipate that this surplus would come back.

On February 19th the gentleman made a statement that there was a \$960 thousand balance. Again that is perfectly true. That was in February of 1949, when he made that prediction. Two years later the prediction was changed to \$10 million. That is not a whole lot. It is

only one percent off on our entire budget, and there was a two year interim.

Mr. ANDREWS. Mr. Speaker, might I ask the Majority Leader to say where the \$16 million in deficiency appropriations come from, because that is in addition to the \$10 million, is it not?

Mr. SMITH. That was true, Mr. Speaker, but there were lapses in this biennium that accounted for most of that.

Mr. ANDREWS. Mr. Speaker, lapses that accounted for the \$16 million?

Mr. SMITH. There were \$20 million in lapses.

Mr. ANDREWS. I do not want to get into a discussion at this time on the side, but most of the lapses went for the \$25 million that went to public assistance.

Mr. SMITH. I believe, Mr. Speaker, that some of those lapses, if the gentleman will check, went into the \$16 million deficiency and the \$10 million surplus.

Mr. SMITH. We are talking now about a budget. I would like to remind the gentleman of a few facts about the budget and I think all of us should really consider this. A budget is an estimate. It is a forecast of future needs. We have to consider that when we talk budget. We have to keep in mind that a budget is not a book-keeping method, because it does not deal in actualities. Bookkeeping deals in actualities. Budgeting deals in forecasting for the future.

I cannot see that our Budget Director has been too far wrong, as I stated before. In fact, I agree with him. It is pretty difficult, and the gentleman on the other side has made this admission, that we should have annual sessions making it more feasible to work on a budget on an annual basis rather than a biennium. I agree with him on that. I think he should realize how difficult it is to forecast two years in the future. When a budget is made up, we have to consider business booms, we have to consider depressions, we have to consider strikes, and we have to consider normal times. That is a pretty difficult thing to do on a two year basis in advance.

I am quite sure that if he were a sage and if he could look into a glass ball and predict exactly what was going to happen, I do not believe he would be working for us here in the state. I know if I could do that, and I am quite sure that if the gentleman on the other side of the House could do it, we could make a lot of money in the stock market by telling where the depressions were going to be; where the booms were going to be.

Then, as I have said before, and I am not going to repeat, his estimate of 1949 in February was really only one-tenth of one percent off. I say that is mighty good budgeting. I wish I could do as well in my own household. I believe that the Members of this House wish they could do as well, or that their wives could do as well; because I even have difficulty at the end of the week making my little budget stretch. I am reminded that I owe some more money that I did not figure out on Monday, and on Thursday I do owe it for some reason. So, if a man can hit it within one-tenth of one percent, I think he is a good director; I think he knows what he is talking about.

The gentleman also stated, I think, that on March 21st if I remember correctly, we needed \$160 million of new taxes. I do not think there has been a lot of changes since March 21st. In fact, I am going to predict that he was

a pretty good forecaster, because we are now needing \$163 million in new taxes.

I am sure we have faith in our Appropriations Committee. I am sure that all of us have had in the past. I am sure when the gentleman considers this budget he would not agree to cut the major portions of it. One of those major portions is public education. Forty-three percent of our entire general fund goes to teachers and to public education. Public Health and Welfare are 33 percent of the money in the budget.

On administration alone, and I would like to impress this on everyone in this House, only \$71 million is asked for the next two years. That is 8 percent of our general fund. There is no way to cut appropriations to the schools; there is no way to cut them to Public Health and Sanitation. I am sure that if we took our entire \$71 million away from our administration and fired everyone in the Capitol, we would not save enough money so that we would not need new taxes.

Mr. ANDREWS. Mr. Speaker, very briefly I want to inquire if the Majority Leader knows whether in the budget now before us there is any provision for salary and wage increases, other than the salary and wage increases that have been made during the current biennium, and if those wage increases or salary increases are in the budget, where am I to find them?

Mr. SMITH. Mr. Speaker, there are some provisions for the increases that have been given. I think the gentleman will agree on that. I can agree with him that at this stage there is no appropriation, but the Governor has stated that if there are to be any salary increases they are to be taken care of from economies in the Departments, and in doing that we hope to save the people of this Commonwealth any increases that would be forced upon us. He feels that possibly, and he feels truly, that if economies are observed wage increases can come out of the Departments themselves.

Mr. ANDREWS. Mr. Speaker, I desire to make one final statement and I promise the House that as far as the discussion tonight is concerned on this topic, this will be the final statement. I am of the impression that if this administration desires to make payroll economies, it cannot do it by continuing the practice of establishing two pay-rolls, a Fine pay-roll and an Owlett pay-roll.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 67, entitled:

An Act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth; defining public eating and drinking places; requiring their licensing; defining licenser; conferring certain powers on the Department of Health of this Commonwealth and on the local health authorities; providing for appeals in certain cases and conferring jurisdiction in such cases upon certain courts; providing for summary proceedings for violations of this act; and prescribing penalties.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. FROST. Mr. Speaker, I move that this bill be re-committed to the Committee on Public Health and Sanitation for the purpose of further study.

The motion was agreed to

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 120, entitled:

An Act to further amend the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 803) entitled as amended "An act providing for the creation maintenance and operation of a county employees' retirement system in counties of the fifth sixth seventh and eighth class imposing certain charges on counties and prescribing penalties" by further defining county employee substituting the chief clerk for the auditor as a member of and secretary to the board in certain cases and extending the period in which a certain option may be exercised

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 129, entitled:

An Act to further amend Section 7 of the act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupations for county borough town township school and poor purposes authorizing the appointment of subordinate assessors a solicitor engineers and clerks providing for their compensation payable by such counties abolishing the office of ward borough and township assessors so far as the making of assessments and valuations for taxation is concerned and providing for the acceptance of this act by cities" by further providing for omitted assessments

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 201, entitled:

An Act to further amend the act, approved the thirteenth day of May, one thousand nine hundred twenty-five (P. L. 644), entitled "An act relating to and regulating the solicitation of moneys and property for charitable, religious, benevolent, humane, and patriotic purposes," by transferring the administration and enforcement of the provisions of the act from the Department of Welfare to the Department of Revenue.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 202, entitled:

An Act to further amend Section 2445 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by authorizing the issuance of non-debt revenue bonds for the alteration addition to or enlargement of existing sewers sewer systems and sewage treatment works and the pledging of revenue derived from the existing system in payment of such bonds and authorizing the issue and sale of non-debt revenue bonds at one time

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 224, entitled:

An Act to further amend section 7 of the act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupations for county borough town township school and poor purposes authorizing the appointment of subordinate assessors a solicitor engineers and clerks providing for their compensation payable by such counties abolishing the office of ward borough and township assessors so far as the making of assessments and valuations for taxation is concerned and providing for the acceptance of this act by cities" by further providing for the preparation of assessment rolls and lists

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 329, entitled:

An Act to further amend subsection (a) of Section 1103 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by prohibiting the installation of parking meters by local authorities at certain places

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 344, entitled:

An Act to amend Section 1 of the act which became a law the seventh day of July, one thousand eight hundred seventy-nine (P. L. 194) entitled "An act to enlarge the jurisdiction of justices of peace and regulating the fees of constables making sales under this act," by enlarging the jurisdiction of aldermen, magistrates and justices of the peace.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. ROBERTSON. Mr. Speaker, I move that this bill be recommitted to the Committee on _____ for the purpose of further study.

On the question,

Will the House agree to the motion?

Mr. SCHMIDT. Mr. Speaker, I desire to interrogate the gentleman.

The SPEAKER. Will the gentleman from Delaware, Mr. Robertson, permit himself to be interrogated?

Mr. ROBERTSON. I shall.

Mr. SCHMIDT. Mr. Speaker, will you please tell me the purpose for the recommitment of this bill?

Mr. ROBERTSON. I will, Mr. Speaker. This bill is an exact duplicate of House Bill 139 which passed the Senate and the House in 1941, was vetoed by Governor James. It was an unconstitutional bill then and it is still an unconstitutional bill.

Mr. SCHMIDT. Mr. Speaker, I desire to further interrogate the gentleman from Delaware, Mr. Robertson.

Mr. SCHMIDT. Mr. Speaker, the gentleman from Delaware being a member of the legal profession, I would ask him in what way this bill which he states was passed in 1941, was unconstitutional.

Mr. ROBERTSON. Mr. Speaker, the bill was unconstitutional due to the fact that it was an amendment to the Justice of the Peace Act and attempted, by amendment, to give power to Magistrates and Aldermen, which is different than the title of the Act.

Mr. SCHMIDT. Mr. Speaker, Mr. Robertson, you are a member on the Committee on Judiciary.

Mr. ROBERTSON. Mr. Speaker, that is correct.

Mr. SCHMIDT. Mr. Speaker, this bill was discussed within that Committee, was it not?

Mr. ROBERTSON. Mr. Speaker, as far as I know, it was. I was under the impression that any discussion in Committee is not for discussion on this floor.

Mr. SCHMIDT. Mr. Speaker, is it not a fact that the desire to recommit this bill is for further discussion in the Committee, is that correct?

Mr. ROBERTSON. That is correct.

Mr. SCHMIDT. Mr. Speaker, when this bill was before the Committee, did anyone at that time raise any question as to the constitutionality of this bill.

Mr. ROBERTSON. Mr. Speaker, my answer is still the same in regard to the discussion in Committee. I believe the only one that can answer that is the Chairman of the Committee.

Mr. SCHMIDT. Mr. Speaker, this bill is identical with a bill that was introduced by me in the session of 1949,

which bill received the favorable recommendation of the Committee, was reported out on the floor, reached second reading and then by motion was recommitted and there it died.

Now as to this bill, there is an endeavor to put this bill in the same position as it was two years ago. This bill was before the Committee on Judiciary; was very, very seriously considered by the Committee and I do not think that I in any way abused my membership on that committee by stating on this floor that there was an endeavor to place this bill in sub-committee and that after due argument the bill not only was not sent to sub-committee, but a great majority of the Committee voted to report it out on the floor.

At no time during the discussion before the Committee was there ever any question raised as to the constitutionality of the bill.

Now this bill, I do not dare speak upon its merits, but I will say this, does things that a lot of people on the floor of this House do not understand. Otherwise, they would not support such a motion. I ask the gentleman, as a member of the bar, as a member of the Committee on Judiciary and as the sponsor of this bill in two sessions to permit this bill to remain on the floor and let the question of constitutionality be argued here when it comes up for final passage tomorrow.

Mr. ROSE. Mr. Speaker, I do not desire to discuss the merits of the motion nor the merits of the bill, but since the gentleman from Delaware, Mr. Robertson has suggested that there is a question as to its constitutionality in that the effect of the bill is different from that proposed or expounded in its title, may I suggest that we not act on this motion now, but that an amendment be offered tomorrow or some other time that will meet the objections of the gentleman from Delaware, Mr. Robertson.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. Schmidt and Mr. Kamyk and were as follows:

YEAS—116

Banker,	Geer,	Madden,	Sax,
Barkdoll,	Gibson,	Madigan,	Scott,
Baumunk,	Gleason,	Markley,	Shoemaker,
Bear,	Goodling,	Mazza,	Shotwell,
Beech,	Graybill,	McConnell,	Smith,
Bloom,	Greenwood,	McCormack,	Sollenberger,
Bolton,	Greer,	McCullough,	Spencer,
Bomberger,	Gutendorf,	McInroy,	Stimmel,
Boorse,	Guthrie,	McMillen,	Stoner,
Bower,	Hall,	Metz,	Swartz,
Breisch,	Hamilton, W. H.,	Mikula,	Tahl,
Brown,	Harney,	Miller, H. G.,	Thompson, E. F.,
Cella,	Haudenshield,	Miller, J. C.,	Thompson, R. L.,
Clapper,	Helm,	Mintess,	Tompkins,
Clendenning,	Hewitt,	Moore, C. E.,	Toomey,
Cooper,	Johnson,	Moore, H. A.,	VanSant,
Costa,	Jones, T. H. W.,	Murray,	Varnar,
Dalrymple,	Jump,	Najaka,	Wachhaus,
Davis,	Keller,	Naugle,	Watkins,
Dennison,	Kent,	Pichney,	Weldner,
Dowling,	Kline,	Pitzer,	Wescott,
DuBois,	Kohl,	Price, H. W. Jr.,	Whalley,
Dunn,	Kratz,	Reagan,	White,
Erb,	Lafore,	Reilly, J. M.,	Wilt,
Ewing,	Lelsey,	Rigby,	Wood,
Ferster,	Leonard, W. C.,	Riley, R. L.,	Yeakel,
Firmstone,	Light,	Robertson,	Young,
Flack,	Loftus,	Royer,	Ziegler,
Frost,	Lyons,	Rubin,	Sorg,

Speaker

NAYS—85

Amarando,	Headlee,	McGee,	Reidenbach,
Andrews,	Hersch,	McNally,	Rose,
Beaver,	Hoggard,	Mihm,	Rosen,
Berkstresser,	Hunter,	Mills,	Rovansek,
Boles,	Jenkins,	Monroe,	Sarra,
Breth,	Jones, G. E.,	Moran,	Scanlon,
Bucchin,	Jones, J. M.,	Muldowney,	Schmidt,
Byrne,	Jones, P. F.,	Munley,	Schuster,
Cochran,	Kamyk,	Musto,	Seyler,
Conway,	Kolankiewicz,	Needham,	Snider,
Corr,	Kornick,	Olsen,	Stank,
Coyle,	Kubacki,	Penglase,	Swope,
Dougherty,	Lederer,	Peta,	Taylor,
Duffy,	Leonard, L.,	Petrosky,	Toll,
Fenrich,	Leven,	Pettigrew,	Varallo,
Fillip,	Limper,	Pfaff,	Wargo,
Filo,	Lopresti,	Polaski,	Welsh,
Gaffney,	Lovett,	Polen,	Westrick,
Good,	Luty,	Price, R. A.,	Wheeler,
Guarnieri,	Maxwell,	Readinger,	Williams,
Hagerty,	McDermitt,	Reese,	Yester,
Hamilton, R. K.,			

NOT VOTING—6

Blair,	McKinney,	Waterhouse,	Yetzer,
Hocker,	Verona,		

So the question was determined in the affirmative and the motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 486, entitled:

An Act to further amend the act approved the third day of June, one thousand nine hundred thirty-three, (P. L. 1449), entitled "An act establishing a court of record in the county of Allegheny for control, care, guidance, treatment, trial, placement and commitment of delinquent, neglected and dependent children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging relinquency, neglect or dependency of children; defining the jurisdiction and powers of the court, and regulating procedure therein; providing for the transfer thereto of certain powers, functions and duties from other courts, providing for the election of judges thereof, the appointment of probation officers, other necessary staff officials and assistants, providing for housing of same, and providing for detention facilities; making the contributing to or encouraging of the delinquency, neglect or dependency of children a misdemeanor; and providing penalties," by further regulating the powers, duties and procedure of the juvenile court; and allowing appeals to the county court of Allegheny County.

The first section was read.

On the question,

Will the House agree to the section?

BILL POSTPONED

Mr. GEER. Mr. Speaker, I move that this bill be placed on the second reading postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 530, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways to this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensfng the operators

thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain acts upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by authorizing the operation or movement of ambulances and police vehicles with a red light displayed to the front thereof

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 539, entitled:

An Act requiring approval of the interested electorate to initiate housing projects

The first section was read.

On the question,

Will the House agree to the section?

MOTION TO RECOMMIT

Mr. ANDREWS. Mr. Speaker, I move that this bill be recommitted to the Committee on Municipal Corporations for further study.

On the question,

Will the House agree to the motion?

Mr. ANDREWS. Mr. Speaker, this bill evidently needs more study than has yet been accorded it. It is my considered opinion that the Committee that reported the bill has not given consideration to all of its possibilities. I am sure that the Committee that reported the bill did not want to cause housing projects in the state of Pennsylvania to cease and terminate. I think the bill deserves more consideration and therefor move that it be recommitted.

Mr. YOUNG. Mr. Speaker, I rise to oppose this motion. The gentleman on the other side of the House has long sponsored home-rule legislation. There is absolutely nothing in this bill that the gentleman should be afraid of. This is definitely a home-rule proposition. I know that the gentlemen around me have certain extracurricular activities to which they would like to proceed. A great many people here have aroused a great thirst which they would like to slake forthwith. I am sorry that gentleman asked for a roll-call. I would accept a voice vote. But, if the gentleman wants a roll-call he may have it. I oppose the motion.

Mr. ANDREWS. Mr. Speaker, I am quite confident that this House has no desire to inaugurate a rule of thirst to govern its activities. Perhaps thirst caused a cessation of activities upon the part of some of those who are reporting this bill, and very frankly we will have a record vote on the matter of recommitment which may or may not be equivalent to a vote on its final passage.

On the question recurring

Will the House agree to the motion?

The yeas and nays were required by Mr. Andrews and Mr. Filo, and were as follows:

YEAS—81

Amarando,	Hersch,	McGee,	Reidenbach,
Andrews,	Hoggard,	Mihm,	Rosen,
Beaver,	Hunter,	Mills,	Rovansek,
Berkstresser,	Jenkins,	Monroe,	Sarra,
Boles,	Jones, G. E.,	Moran,	Scanlon,
Breth,	Jones, J. M.,	Muldowney,	Schmidt,
Bucchin,	Jones, P. F.,	Munley,	Schuster,
Byrne,	Kamyk,	Musto,	Seyler,
Cochran,	Kolankiewicz,	Needham,	Snider,
Conway,	Kornick,	Olsen,	Stank,
Corr,	Kubacki,	Penglase,	Swope,
Coyle,	Lederer,	Peta,	Taylor,
Dougherty,	Leonard, L.,	Petrosky,	Toll,
Filip,	Leven,	Pettigrew,	Varallo,
Filo,	Limper,	Pfaff,	Wargo,
Gaffney,	Lopresti,	Polaski,	Welsh,
Good,	Lovett,	Polen,	Westrick,
Guarnieri,	Lutty,	Price, R. A.,	Wheeler,
Hagerty,	Maxwell,	Readinger,	Williams,
Hamilton, R. K.,	McDermitt,	Reese,	Yester,
Headlee,			

NAYS—116

Banker,	Frost,	Lyons,	Rubin,
Barkdoll,	Geer,	Madden,	Sax,
Baumunk,	Gibson,	Madigan,	Scott,
Bear,	Gleason,	Markley,	Shoemaker,
Beech,	Goodling,	Mazza,	Shotwell,
Blair,	Graybill,	McConnell,	Smith,
Bloom,	Greenwood,	McCormack,	Sollenberger,
Bolton,	Greer,	McCullough,	Spencer,
Bomberger,	Gutendorf,	McInroy,	Stimmel,
Boorse,	Guthrie,	McMillen,	Stoner,
Bower,	Hall,	Metz,	Swartz,
Breisch,	Hamilton, W. H.,	Mikula,	Tahl,
Brown,	Harney,	Miller, H. G.,	Thompson, E. F.,
Cella,	Haudenschild,	Miller, J. C.,	Thompson, R. L.,
Clapper,	Helm,	Mintess,	Tompkins,
Clendenning,	Hewitt,	Moore, C. E.,	Toomey,
Cooper,	Johnson,	Moore, H. A.,	VanSant,
Costa,	Jones, T. H. W.,	Murray,	Wachhaus,
Dalrymple,	Jump,	Najaka,	Watkins,
Davis,	Keller,	Naugle,	Weidner,
Dennison,	Kent,	Pichney,	Wescott,
Dowling,	Kilne,	Pitzer,	Whalley,
DuBois,	Kohl,	Price, H. W. Jr.,	White,
Dunn,	Kratz,	Reagan,	Wilt,
Erb,	Lafore,	Reilly, J. M.,	Wood,
Ewing,	Laisey,	Rigby,	Yeakel,
Ferster,	Leonard, W. C.,	Riley, R. L.,	Young,
Firmstone,	Light,	Robertson,	Ziegler,
Flack,	Loftus,	Royer,	Sorg,

Speaker

NOT VOTING—10

Duffy,	McKinney,	Varner,	Waterhouse,
Fenrich,	McNally,	Verona,	Yetzer,
Hocker,	Rose,		

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House agree to the section?

BILL PASSED OVER

There being no objections

House Bill No. 539, Printer's No. 127 was passed over at the request of Mr. PETROSKY.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 590, entitled:

An Act to amend section one thousand one hundred forty-four of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, includ-

ing certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto" by further providing for increments for professional employes holding a Master's Degree or its equivalent.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. CLAPPER. Mr. Speaker, I move that this bill be recommitted to the Committee on Education for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 12, entitled:

An Act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in, and use of alcoholic liquors, alcohol and malt and brewed beverages. and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores; for the payment of certain license fees to the respective municipalities and townships; for the abatement of certain nuisances; and in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures providing for local option and repealing existing laws

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection

Senate Bill No. 215, Printer's No. 39 and

Senate Bill No. 217, Printer's No. 40

were passed over at the request of the SPEAKER.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 18, as follows:

An Act to further amend Sections 301 and 302 and to amend Sections 304 and 408 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compen-

sation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by changing the membership and organization of the Pennsylvania Game Commission the Pennsylvania Fish Commission the Pennsylvania Historical and Museum Commission and the State Council of Education

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 301 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) is hereby further amended to read as follows

Section 301 Pennsylvania Game Commission The Pennsylvania Game Commission shall consist of [eight] twelve competent citizens of this Commonwealth who shall be so appointed that they shall fairly represent the several geographical sections of the Commonwealth and shall be well informed on the subject of wild life conservation and restoration Two of the members shall be chosen from the House of Representatives and two from the Senate of the Commonwealth of Pennsylvania The members of the commission who are members of the General Assembly shall have no right to vote but shall in all other respects enjoy all the rights and privileges of membership The commission shall annually elect a president and a vice-president from among its members It shall also appoint to serve at its pleasure and with the approval of the Governor fix the compensation of an executive director who shall attend to the administrative work of the commission No member of the commission nor anyone who has served as a member thereof within one year shall be eligible for appointment as executive director

Five members of the commission who are not members of the General Assembly shall constitute a quorum

The members of the Board of Game Commissioners in office on the effective date of this act shall constitute the Pennsylvania Game Commission and shall hold their offices as members of the Pennsylvania Game Commission until their successors are appointed as provided by law The original members of the commission shall be appointed for such terms as are prescribed by law [and subsequent appointments of commissioners shall be for terms of eight years] thereafter the term of each commissioner not a member of the General Assembly shall be for eight years and until his successor is appointed and qualified and shall be staggered as provided by law Each legislative member shall be appointed for a term to expire with his concurrent term as a legislator and shall serve until his successor is appointed and qualified unless he shall not be elected for the next succeeding term as a member of the General Assembly in which case a vacancy shall occur

Section 2 Section 302 of said act as amended by the act approved the twenty-fifth day of April one thousand

nine hundred forty-nine (P. L. 729) is hereby further amended to read as follows

Section 302 Pennsylvania Fish Commission (a) The Pennsylvania Fish Commission shall consist of [eight] twelve competent citizens of the State who shall be appointed by the Governor by and with the advice and consent of two-thirds of all the members of the Senate Two of the members shall be chosen from the House of Representatives and two from the Senate of the Commonwealth of Pennsylvania The members of the commission who are members of the General Assembly shall have no right to vote but shall in all other respects enjoy all the rights and privileges of membership The members of the commission shall be persons well informed on the subject of conservation and restoration shall except in the case of the original members and except in the case of legislative members hold office for terms of eight years each and shall receive no compensation for their services

(b) With the exception of the Commissioner of Fisheries the members of the Board of Fish Commissioners in office at the time this act becomes effective and one new member to be immediately appointed for a term of four years shall constitute the Pennsylvania Fish Commission created by this amendment and shall hold their offices as members of the Pennsylvania Fish Commission until the terms for which they were appointed as members of the Board of Fish Commissioners or as the new member of the Fish Commission shall have expired and their successors appointed as hereinafter provided

Prior to the expiration of the terms of office of the various original members of the commission above provided for the Governor shall appoint their successors to serve for the following terms two to serve two years from the second Tuesday of January immediately following their appointment two to serve four years from the second Tuesday of January immediately following their appointment two to serve six years from the second Tuesday of January immediately following their appointment and two to serve eight years from the second Tuesday of January immediately following their appointment The [terms of office of all members] term of office of each member thereafter appointed shall be eight years and until [their successors are appointed] his successor is appointed and qualified

(c) The members of said commission who are not members of the General Assembly appointed after the original members hereinabove provided for shall be appointed in so far as practicable from the various geographic districts of the Commonwealth so that at all times one and only one member thereof shall be a resident of each of the following districts

(1) One from the counties of Erie Crawford Mercer Lawrence Venango Butler Warren Forest and Clarion constituting the first district

(2) One from the counties of Beaver Allegheny Washington Greene Armstrong Indiana Westmoreland and Fayette constituting the second district

(3) One from the counties of McKean Elk Jefferson Potter Cameron Clearfield Clinton and Centre constituting the third district

(4) One from the counties of Cambria Somerset Blair Bedford Huntingdon Fulton Mifflin and Juniata constituting the fourth district

(5) One from the counties of Tioga Lycoming Union Snyder Bradford Sullivan Columbia Montour and Northumberland constituting the fifth district

(6) One from the counties of Franklin Perry Cumberland Adams Dauphin York Lebanon and Lancaster constituting the sixth district

(7) One from the counties of Susquehanna Wyoming Luzerne Lackawanna Carbon Wayne Pike and Monroe constituting the seventh district

(8) One from the counties of Schuylkill Berks Chester Northampton Lehigh Bucks Montgomery Philadelphia and Delaware constituting the eighth district

(d) Upon the death resignation or removal from office

of any person so appointed as aforesaid the Governor shall appoint a competent person to serve for the unexpired term

(e) The commission shall have an office at the Capitol and shall hold meetings at such office in January and July and at such other times and places within the State as the commission shall appoint for the transaction of business At the meeting held in July of each year the commission shall elect one of its members as president and one of its members as vice-president Such officers shall hold office for a period of one year It shall also appoint to serve at its pleasure and with the approval of the Governor fix the compensation of an executive director who shall attend to the administrative work of the commission No member of the commission nor anyone who has served as a member thereof within one year shall be eligible for appointment as executive director except the present Commissioner of Fisheries who upon the effective date of this amendment shall become the executive director to serve for a period of ten days Such executive director shall immediately call a meeting of the members of the commission to be held not later than ten days from the effective date of this amendment at which time they shall elect their officers hereinbefore described who shall hold office until the regular meeting of the commission in July next following They shall also appoint an executive director and with the approval of the Governor fix his salary

Five members of the commission who are not members of the General Assembly shall constitute a quorum

Each legislative member shall be appointed for a term to expire with his concurrent term as a legislator and shall serve until his successor is appointed and qualified unless he shall not be elected for the next succeeding term as a member of the General Assembly in which case a vacancy shall occur

Section 3 Section 304 of said act as added by the act approved the sixteenth day of June one thousand nine hundred forty-five (P. L. 13983) is hereby amended to read as follows

Section 304 Pennsylvania Historical and Museum Commission The Pennsylvania Historical and Museum Commission shall consist of the Superintendent of Public Instruction [ex officio] and [nine] thirteen citizens of the Commonwealth Two of the members shall be chosen from the House of Representatives and two from the Senate of the Commonwealth of Pennsylvania The members of the commission who are members of the General Assembly shall have no right to vote but shall in all other respects enjoy all the rights and privileges of membership One of the members of the commission shall be designated by the Governor to serve as chairman of the commission The commission shall appoint to serve at its pleasure and with the approval of the Governor fix the compensation of an executive director who shall attend to the administrative work of the commission No member of the commission nor any one who has served as a member thereof within one year shall be eligible for appointment as executive director

Six members of the commission who are not members of the General Assembly shall constitute a quorum

The present members of the Pennsylvania Historical Commission shall be members of the Pennsylvania Historical and Museum Commission who together with the other four original members of the commission shall be appointed by the Governor on or before the effective date of this act and shall hold their office until the third Tuesday of January one thousand nine hundred forty-seven or until their successors shall have been appointed and qualified as provided by law The four members to be appointed as aforesaid who are not members of the present Pennsylvania Historical Commission shall be chosen from sections of the Commonwealth not represented by the five members who are now members of the Pennsylvania Historical Commission Each legislative member shall be appointed for a term to expire with his concurrent term as a legislator and shall serve until

his successor is appointed and qualified unless he shall not be elected for the next succeeding term as a member of the General Assembly in which case a vacancy shall occur

Section 4 Section 408 of said act is hereby amended to read as follows

Section 408 State Council of Education The State Council of Education shall consist of the Superintendent of Public Instruction who shall be the president and chief executive officer thereof and [nine] thirteen other members Two of the members shall be chosen from the House of Representatives and two from the Senate of the Commonwealth of Pennsylvania The members of the council who are members of the General Assembly shall have no right to vote but shall in all other respects enjoy all the rights and privileges of membership

[All appointments shall be for terms of six years] The appointment of each member of the State Council of Education who is not a member of the General Assembly shall be for six years and until his successor is appointed for a term to expire with his concurrent term as a legislator and shall serve until his successor is appointed and qualified unless he shall not be elected for the next succeeding term as a member of the General Assembly in which case a vacancy shall occur

The Superintendent of Public Instruction and five other members who are not members of the Legislature shall constitute a quorum The council may elect a secretary who need not be a member thereof

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McNALLY. Mr. Speaker. I believe every member of the House received a letter this morning from the Izaak Walton League of America, Pittsburgh Chapter. This letter proposed that the members of this organization are opposed to this bill. This is why I am taking this matter up and I would like to have this letter on the record. The letter reads as follows:

"Dear Sir:

"The Officers of the Pittsburgh Chapter of the Izaak Walton League of America have directed me to convey to you our extreme aversion to House Bill No. 18.

"As you well know, all the funds available to either the Fish or Game Commissions of the Commonwealth are derived from the license fees paid by the Sportsmen of this State or from other activities of the Commissions directly connected with law enforcement or management of game lands making these Commissions self supporting.

"We are reminding you at this time that the Organized Sportsmen of Pennsylvania, have consistently expressed the desire to have only the Game and Fish Commission manage these funds and perform their other duties.

"This organization which is directly affiliated with the Izaak Walton League of America now wishes to add its voice and concur in the opinion of such organizations as the Pennsylvania Federation of Sportsmen Clubs, its affiliated clubs, and the Allegheny County Sportsmen's League of this County, and hereby respectfully request that House Bill No. 18 be defeated.

"Moreover, we feel that we can give additional reasons to substantiate our position. The Fish and Game Commissions are Administrative Agencies of the Executive Branch of the Commonwealth whose functions may be prescribed by the Legislature but as such should be free of legislative participation and possible coercion. It is believed that this legal position would be upheld by the Courts.

"This communication has been directed to all mem-

bers of the Game and Forestry Committee and it is requested that you, or one of the other members of the Committee read this communication into the legislative record before final action is taken on this vicious piece of Legislation."

Mr. ANDREWS. Mr. Speaker, I am not speaking for and on behalf of the minority Members. I am only speaking for and on behalf of myself.

I am opposed to this bill in its present form. I was opposed to it when it first appeared on the calendar and was not subject to amendment. The Sportsmen's organizations seem to be opposed to this bill but that is not the reason I am opposed to it.

Mr. GUARNIERI. Mr. Speaker, I will vote "no" on this bill inasmuch as it appears to me that there is a constitutional question. Although we as Members of the House may like to see our Members of this House and members of the Senate a part of certain commissions or agencies of the Commonwealth, thereby flattering or increasing our own power, yet there is a constitution and I believe that we should maintain the letter of the law as a matter of principle.

I believe that this type of legislation in principle runs contrary to Section 6 of Article II of the Constitution.

"No Senator or Representative shall, during the time for which he shall have been elected, be appointed to any civil office under this Commonwealth"

On constitutional grounds I shall vote "no." I believe it is a bad precedent. Of course, whether we have done this before in reference to other commissions or bodies in this House, I do not know because I was not present as a Member when certain other commissions were established. However, at this time I will insist personally and I believe the Members of the House looking into this question would have to agree that this type of legislation is dangerous and that we should maintain the powers of the House and Executive department separate. That is all.

Mr. McMILLEN. Mr. Speaker, I do not wish to delay this session this evening very long, but I would like to interrogate the Minority Leader, Mr. Andrews.

The SPEAKER. Will the gentleman from Cambria, Mr. Andrews, permit himself to be interrogated?

Mr. ANDREWS. I will, Mr. Speaker.

Mr. McMILLEN. Mr. Andrews, you recall that this bill was up for discussion at the session of 1949?

Mr. ANDREWS. I presume it was. I do not know whether I recall the discussion or not.

Mr. McMILLEN. Well, Mr. Speaker, that is all of Mr. Andrews.

Mr. Speaker, I want to read from the Legislative Journal what the gentleman had to say about this bill in the 1949 session.

After some discussion by various Members of the House, Mr. Andrews got up and addressed the Chair like this:

"Mr. Speaker, I had not expected that such a basic and fundamental issue would be raised at this time. I, however, welcome the raising of it.

"We have witnessed during recent years in the nation and in the state a gradual accretion of power in the hands of the Chief Executives, a gradual accretion of power in the hands of the State Departments, or gradual accretion of power in the hands of boards, commissions and what have you. We have reached the point where boards and commissions are having entrusted to them certain functions by this

Legislature, and then proceed after we have left the halls of this House, to in fact set themselves up as legislators and legislate and promulgate rules that have the force of law. Then, Mr. Speaker, we come here and find that these boards, these commission, these departments that have had two years to think about what they were trying to do or what they wanted to do, some to you and deluge this chamber with bills in the interest of the entrenched bureaucracy."

Has the question changed a bit from that time to this? He goes on to say then, Mr. Speaker:

"So, I say, Mr. Speaker, by means of the approach in this bill it is simply the beginning of a process to recover for and on behalf of the legislative branch of our government that power which the legislative branch has permitted to slip out of its hands. So serious has the situation become, as you well know, that after protracted discussion in the State Government Commission, there has appeared in the session a bill which would absolutely give the power to the legislative groups to sit in with these boards and commissions, to see what they are doing and call a check on them, if they are abusing the power the Legislature as entrusted in their hands.

"Mr. Speaker, one of the reasons that government is so expensive, that payrolls are so expensive, that there is so much waste is because there is no possibility for this House to keep its eye on what is going on. I say to you that the Members of this House realize that there are 700 empty beds for tubercular patients in this state and that patients that should be in the hospitals are not there."

And he says:

"Mr. Speaker, I am very sorry to disagree with the philosophy of the gentleman from Allegheny, but I am in disagreement and I am strongly in favor of the approach that this bill presents because it is a means of regaining the legislative power which we have permitted to slip from our hands."

There is the gentleman's argument of two years ago. I wonder what the change is all about. The situation has not changed one bit as far as boards and commissions are concerned, and I want to make it absolutely clear right here that I have no fight nor quarrel with any particular board or commission in this state. The only quarrel I have with any of them is that we are the ones that have to come in here every two years, levy the taxes and take the money away from the people to have these boards operate. We, therefore, have a right to know, we have a right to take time to sit in on these boards and commissions in order that we may come here and do a better job for the Commonwealth of Pennsylvania.

Now I am interested, Mr. Speaker, in the letter that was read from the Isaac Walton League of America, defenders of soil, woods, water and wild life. Certainly I know about these things. I would just like to ask the gentleman who read that letter into the record if he will permit himself to be interrogated.

The SPEAKER. Will the gentleman from Allegheny, Mr. McNally, permit himself to be interrogated?

Mr. McNALLY. I will, Mr. Speaker.

Mr. McMILLEN. Do you personally know Grace A. Beech, who wrote it?

Mr. McNALLY. I do not.

Mr. McMILLEN. Do you know where she works?

Mr. McNALLY. I do not.

Mr. McMILLEN. Do you know for whom she works?

Mr. McNALLY. According to her signature, she works for the Press, that is all I know about it.

Mr. McMILLEN. All right, thanks.

Mr. Speaker, I am passing this on for what it is worth. Some very reliable sources handed information to me very recently, since these letters came in, and I am passing it on as information that was given to me. I do not know the woman. I do not know for whom she works, but I am informed that she is the secretary to the present President of the Game Commission. It was a rather interesting revelation to me. Does anybody else want to answer that. I do not know the woman.

The thing is, Mr. Speaker, this bill has been misrepresented to the average sportsman, the average man or woman buying a license. An article in yesterday's paper appeared in Pittsburgh stating the fact that it would be a very nice thing for a Member of this House to have an appointment, say to the Game Commission or the Fish Commission. They could go on a fishing jaunt in the eastern part of the state and then turn around and go to the western end on a fishing jaunt at the expense of the sportsmen. I guarantee, Mr. Speaker, that that is impossible. It could not be worked. The writer of that article did either one of two things; he absolutely disregarded and had no desire to abide by the truth and the facts in the case, or he does not know the operation of these boards and commissions about which he is writing.

These meetings are called to order by the President, usually on a monthly schedule and at only regularly stated and called meetings would the members of the board appear, and only for those meetings of a board or commission would a man appear and then be paid for his mileage or traveling expense, which any event would not exceed possibly \$25 for his day's work.

It is a gross misrepresentation. It is a direct attack to mislead the thinking on the part of the sportsmen of this Commonwealth. They come in to us, the members of the Game Commission, the Fish Commission and all these other Commissions, they want pension funds, retirement, and so forth; but do they go out and tell the sportsmen the actual facts of the case? Do they tell them how many dollars it is going to take out of their pockets? Let us get this thing out in the open where we can see it.

Now, Mr. Speaker, I think that is enough said on the subject unless somebody wants to carry it farther.

Mr. ANDREWS. Mr. Speaker, I most distinctly want to carry it farther. In reading what I said upon another occasion, the record shows that I spoke repeatedly on commissions that spend the taxpayers' money. We have quite a number of those commissions. I spoke of Departments that spent the taxpayers' money. I said I thought I should know something about it. I said the bill he is talking about was an approach to what I considered a proper line of procedure—an approach. I find that the approach did not lead anywhere.

We have selected the one or two agencies that contribute all the money. They are not handling taxpayers' money. That is our job, to watch the taxpayers' money. The sportsmen and the fishermen are handling their own money and it is an entirely different proposition.

The gentleman from Indiana evidently does not agree with the Game and Fish Commissions. I do not know

what they did to him or what they did not do; but he evidently has a rod in pickle for them. Well, that is a matter not for the gentleman from Indiana but a matter for the sportsmen of this state. I think there is a way of choosing the board.

I also object to the gentleman's political approach. If he wants to set up the board under the Governor without proper mandatory legislation give him the proper balance in the viewing group that he suggests.

Now if he is building a political machine, if he has visions of political progress that this victory may win, he is going about it in the right fashion. I am not interested in his quarrels with the Fish Commission or with the Game Commission or with the man that is administering their affairs. I am not interested in that in the least.

If his bill was to observe the Department of Forest and Waters that does spend taxpayers' money, that would be an entirely different proposal. And so because he is so frankly and so crassly and so insistently bent upon having his viewers predominantly of one party, I must question the holiness, the sanctity of his intentions, and I must register my revised opinion that if we are going to get this kind of legislation we start with boards and commissions and departments that are spending taxpayers' money and do not start to build a political machine here in the Legislature to watch a group that contributes all the money themselves.

Mr. McMILLEN. Mr. Speaker, if the gentleman wants to air his gripe with the Department of Forests and Waters by amending it into the bill, it is perfectly all right with me. It is a well known fact that the gentleman does have a quarrel with the Department of Forest and Waters, but I defy anybody to find a quarrel that I have with the Game and Fish Commission. The gentleman has expressed his quarrel with the Department of Forest and Waters on several occasions publicly, in the newspapers and on the floor of the House.

I have never been mistreated by any member of the Game Commission or the Fish Commission. I have no quarrel with them, except that I think when we get better legislation we can have a better understanding of the problems that confront them, because I know of no thing, no one issue in the state on which there is more disagreement than on wild life, fish and forestry and all those allied subjects. So the Members of the Legislature should have closer contact with this issue.

I know the gentleman subscribes to the two party system of government; he has never deviated from that that I know of. At least he has never passed up an opportunity to criticize the majority party. And I subscribe to the two party system, Mr. Speaker, and if that is politics, then let it be politics. Let us face the facts.

The question may come before this House sometime when there will be more Democrats than Republicans—I have seen it that way. There may be a Democrat in the Governor's chair—God forbid, of course; but it could happen. In that event, Mr. Speaker, it is the prerogative of the Governor then to make the appointments, and I am certain that should that disastrous calamity occur to us in the Commonwealth, that even he, the Democratic Governor of this Commonwealth, would be considerate of the minority and give them representation just the same as Republican Governors now give the

Democrats minority representation in all of these appointments that they have.

Mr. GOODLING. Mr. Speaker, I just want to correct one misstatement of facts that was read into the record by the gentleman from Allegheny, Mr. McNally.

He stated in a letter that he read that the organized sportsmen of Pennsylvania are directly affiliated with the Isaac Walton League of America. I happen to be a member of both organizations and I am absolutely sure that the one organization by its constitution does not permit affiliation as to the other organization.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—85

Banker,	Goodling.	Madigan,	Scott,
Barkdoll,	Graybill,	McCormack,	Shoemaker,
Baumunk,	Greer,	McMillen,	Shotwell,
Bear,	Gutendorf,	Metz,	Smith,
Blair,	Guthrie,	Mikula,	Sollenberger,
Bolton,	Hall,	Miller, H. G.,	Spencer,
Bomberger,	Hamilton, W. H.,	Mintess,	Stoner,
Bower,	Harney,	Moore, C. E.,	Tahl,
Breisch,	Helm,	Moore, H. A.,	Thompson, E. F.,
Brown,	Hewitt,	Murray,	Thompkins,
Cella,	Johnson,	Najaka,	Varner,
Clapper,	Jones, T. H. W.,	Naugle,	Wachhaus,
Costa,	Jump,	Pichney,	Waterhouse,
Dalrymple,	Keller,	Pitzer,	Watkins,
Davis,	Kent,	Price, H. W. Jr.,	Weidner,
Dennison,	Kline,	Reagan,	Whalley,
DuBois,	Kohl,	Reilly, J. M.,	White,
Ferster,	Lafore,	Riley, R. L.,	Wood,
Firmstone,	Laisey,	Royer,	Yeakel,
Flack,	Leonard, W. C.,	Rubin,	Sorg,
Frost,	Loftus,	Sax,	Speaker
Gibson,			

NAYS—97

Amarando,	Greenwood,	Maxwell,	Robertson,
Andrews,	Guarnieri,	Mazza,	Rose,
Beaver,	Hagerty,	McConnell,	Rosen,
Beech,	Hamilton, R. K.,	McCullough,	Rovansek,
Berkstresser,	Haudenschild,	McDermitt,	Sarra,
Bloom,	Headlee,	McGee,	Scanlon,
Boles,	Hersch,	McInroy,	Schmidt,
Boorse,	Hocker,	McNally,	Schuster,
Breth,	Hoggard,	Mihm,	Seyler,
Bucchin,	Hunter,	Miller, J. C.,	Snider,
Byrne,	Jenkins,	Mills,	Stank,
Clendening,	Jones, G. E.,	Monroe,	Stimmel,
Cochran,	Jones, J. M.,	Moran,	Swartz,
Conway,	Jones, P. F.,	Munley,	Swope,
Cooper,	Kamyk,	Musto,	Taylor,
Corr,	Kolankiewicz,	Needham,	Toll,
Coyle,	Kornick,	Olsen,	Toomey,
Dougherty,	Kratz,	Penglase,	VanSant,
Dowling,	Kubacki,	Peta,	Varallo,
Duffy,	Lederer,	Petrosky,	Wargo,
Dunn,	Leonard, L.,	Pettigrew,	Welsh,
Erb,	Leven,	Pfaff,	Wescott,
Ewing,	Light,	Polaski,	Westrick,
Fenrich,	Limper,	Polen,	Wheeler,
Filip,	Lopresti,	Price, R. A.,	Williams,
Filo,	Lovett,	Readinger,	Wilt,
Gaffney,	Lutty,	Reese,	Yester,
Geer,	Lyons,	Reidenbach,	Young,
Gleason,	Madden,	Rigby,	Ziegler,
Good,	Markley,		

NOT VOTING—25

McKinney,	Thompson, R. L.,	Verona,	Yetzer,
Muldowney,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 62, as follows:

An Act relating to the examination detention hearing commitment care treatment rehabilitation probation and discharge of any person who is not insane but who suffers from such conditions of emotional instability or of impulsiveness or behavior or who lacks the customary standards of judgment self-control and discretion or who fails to appreciate the consequences of his acts or who combines any one or more of such conditions so as to render such person irresponsible and thereby dangerous to himself or to others imposing certain duties on district attorneys courts and the Department of Welfare in respect thereto payment of maintenance costs and reimbursement in such cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definitions The following words terms and phrases as used in this act shall have the meanings herein assigned to them unless the context clearly indicates otherwise

(1) "Person" means any person who is not insane but who suffers from such conditions of emotional instability or impulsiveness of behavior or lack of customary standards of good judgment self-control and discretion or who fails to appreciate the consequences of his acts or who combines any one or more of such conditions as to render such person irresponsible and thereby dangerous to himself and to others

(2) "Majority of the board of psychiatrists" means at least two (2) members of the board of psychiatrists

(3) "Court" means any court of record having jurisdiction to hear and determine criminal charges and any court having jurisdiction of juvenile delinquents

Section 2 When Charged with Criminal Acts Whenever a person is charged with one or more criminal acts and the district attorney believes that such a person has evidenced conditions as described in subsection one of section one hereof he shall prepare and file a petition with the court of the county having jurisdiction over the offense charged requesting said court to conduct an inquiry into the conditions of such person Where such person is under eighteen years of age the petition shall be filed with the court having jurisdiction of juveniles

Section 3 Examination (a) The court with which the petition described in section two of this act was filed shall appoint a board of psychiatrists composed of not less than two or more than three psychiatrists each of whom shall be a qualified physician who has directed his professional practice primarily to the diagnosis and treatment of mental and nervous disorders for a period of not less than five years and at least one of whom shall be attached to a court psychiatric clinic or to the medical staff of a State mental hospital to examine any such person to ascertain whether the person suffers from the conditions defined in section one subsection (1) of this act

(b) The psychiatrists so appointed shall file with that court a written report of the result of their examination together with their opinions conclusions and recommendations A certified copy of this report shall be served upon such person within three (3) days after the filing thereof with the court

Section 4 Hearing (a) If the majority of the board of psychiatrists find that such person suffers from conditions defined in section one subsection (1) the court shall conduct a hearing thereon within thirty (30) days after receipt of the report which report shall be admissible as evidence The court may in proper cases exclude the general public from attendance at such hearings There shall be no jury at this hearing Such person shall be entitled to have subpoenas issued out of the court to compel the attendance of witnesses in his behalf have the right to counsel to act on his behalf

(b) The psychiatrists who made the examination may be present at the hearing and may be called on to testify

as to the result of their examination and to any other pertinent facts within their knowledge The district attorney shall appear for the board of psychiatrists and cause witnesses to be subpoenaed if necessary in support of the report

(c) Upon such hearing it shall be competent to introduce evidence of the commission by such person of any number of crimes previously committed by such person together with any action taken in the way of punishment or otherwise

(d) The proceedings shall be reported by an official court stenographer shall be reduced to writing and shall be part of the records of the court

(e) The court shall make an order determining whether or not such person requires treatment care supervision guidance or control From such order any such person has the right of appeal to the Superior Court of this Commonwealth

(f) If the majority of the board of psychiatrists find that such person does not suffer from any of the conditions defined in section one subsection (1) or if after hearing the court shall determine that such person does not require treatment care supervision guidance or control then in either event such person shall be held to abide the final determination of the criminal proceedings pending against such person

Section 5 Commitment (a) Any such person determined by the Court to suffer from such conditions as defined in section one subsection (1) shall either be committed to the State Department of Welfare to be confined in an appropriate mental (psychiatric) hospital designated by the said Department of Welfare which department shall make adequate provisions to house and treat such persons at such hospital in separate wards wings or buildings for the care and treatment of persons similarly afflicted or at the discretion of the court such person shall be placed on probation under such supervision and conditions as the court taking into consideration such person's condition deems advisable

(b) The Department of Welfare or the individual under whose supervision any such person has been placed on probation shall make or cause to be made periodic examinations of any such person so committed or placed on probation with the view to determining the progress of cure if any and shall in an annual report submitted to the court give a medical and psychiatric finding on each such person These reports in each person's case shall not be destroyed sooner than six years after a final determination by the court of the recovery of said person as provided in section six of this act

Section 6 Discharge (a) If such person has been committed to the State Department of Welfare whenever thereafter it determines that such person has recovered or that his condition has improved to such an extent that he will not be dangerous to himself or others the department shall recommend to the committing court that such person be discharged and shall send to said court a complete record of the case if such person has been placed on probation the individual under whose supervision he has been placed whenever said individual should determine that such person has recovered or that his condition has improved to such an extent that he will not be dangerous to himself or to others said individual shall recommend to the committing court that such person be released from probation

(b) The court shall hold a hearing after receiving such recommendation notice of which shall be given by registered mail to the district attorney and to the person proceeded against at least fifteen (15) days prior thereto At such hearing upon motion presented by the district attorney or the individual who executed and verified the petition the testimony of a board of psychiatrists appointed by the court subject to the same qualifications and conditions of appointment as hereinbefore provided shall be heard After such hearing if the court shall find that such person is no longer dangerous to himself or to others it shall order his discharge but if the court shall

find that such person remains dangerous to himself or to others it shall order such person to be returned to custody to be held under the provisions of his original commitment subject to such modifications as the court shall deem proper. At said hearing such person shall be entitled to subpoenas and counsel as set forth in section four subsection (a) of this act.

(c) Any proceedings held under the provisions of this act shall not be admissible in any subsequent trial for such person for any crime.

Section 7 Temporary Confinement On the receipt by a court of the petition to initiate proceedings pursuant to section two of this act the judge thereof may if in his opinion the public safety so requires deliver to the sheriff a written order requiring him forthwith to take and confine such person in some specified place until the proceedings provided for in sections three and four inclusive of this act can be had or until further order.

Section 8 Payment for Maintenance Costs and Reimbursement The county from which any such person is committed shall pay the cost of maintenance of such person during his commitment and the costs of the proceedings instituted under this act including the fees of the psychiatrists in such amount as may be approved by the court but said county shall be reimbursed out of such person's estate or if he be indigent by the county of his legal residence.

Section 9 Severability The provisions of this act are severable and if any of its provisions shall be held unconstitutional by any court of competent jurisdiction the decision of such court shall not affect or impair any of the remaining provisions. It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein.

Section 10 Repeal All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Section 11 Effective Date The provisions of this act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Amarando,	Good	Madden,	Rose,
Andrews,	Goodling,	Madigan,	Royer,
Banker,	Graybill,	Markley,	Rubin,
Barkdoll,	Greenwood,	Maxwell,	Sarraf,
Baumunk,	Greer,	Mazza,	Sax,
Bear,	Gutendorf,	McConnell,	Scanlon,
Beaver,	Guthrie,	McCormack,	Schmidt,
Beech,	Hagerty,	McCullough,	Schuster,
Berkstresser,	Hall,	McDermitt,	Scott,
Blair,	Hamilton, R. K.,	McGee,	Seyler,
Bloom,	Hamilton, W. H.,	McInroy,	Shoemaker,
Boles,	Harney,	McKinney,	Shotwell,
Bolton,	Haudenshield,	McMillen,	Smith,
Bomberger,	Headlee,	McNally,	Snider,
Boorse,	Helm,	Metz,	Sollenberger,
Breisch,	Hersch,	Mihm,	Spencer,
Breth,	Hewitt,	Mikula,	Stank,
Brown,	Hocker,	Miller, H. G.,	Stimmel,
Buechin,	Hoggard,	Miller, J. C.,	Stoner,
Byrne,	Hunter,	Mills,	Swartz,
Cella,	Jenkins,	Mintess,	Swope,
Clapper,	Johnson,	Monroe,	Tahl,
Clendenen,	Jones, G. E.,	Moore, C. E.,	Taylor,
Cochran,	Jones, J. M.,	Moore, H. A.,	Thompson, E. F.,
Conway,	Jones, P. F.,	Moran,	Thompson, R. L.,
Cooper,	Jones, T. H. W.,	Muldowney,	Tompkins,
Corr,	Jump,	Munley,	Toomey,
Costa,	Kamyk,	Murray,	VanSant,
Coyte,	Keller,	Musto,	Varallo,
Dalrymple,	Kent,	Najaka,	Varnier,
Davis,	Kline,	Naugle,	Verona,
Dennison,	Kohl,	Needham,	Wachhaus,
Dougherty,		Olsen,	Wargo,

Dowling,	Kolankiewicz,	Penglase,	Waterhouse,
DuBois,	Kornick,	Peta,	Watkins,
Duffy,	Kratz,	Petrosky,	Weidner,
Dunn,	Kubacki,	Pettigrew,	Welsh,
Erb,	Lafore,	Pfaff,	Weescott,
Ewing,	Lederer,	Pichney,	Whalley,
Fenrich,	Lelsey,	Pitzer,	Wheeler,
Ferster,	Leonard, L.,	Polaski,	White,
Fillip,	Leonard, W. C.,	Polen,	Williams,
Filo,	Leven,	Price, H. W. Jr.,	Wilt,
Firmstone,	Light,	Price, R. A.,	Yeakel,
Flack,	Limper,	Readinger,	Yester,
Frost,	Loftus,	Reese,	Yetzer,
Gaffney,	Lopresti,	Reidenbach,	Young,
Geer,	Lovett,	Rigby,	Ziegler,
Gibson,	Lutty,	Riley, R. L.,	Sorg,
Gleason,	Lyons,	Robertson,	Speaker

NAYS—9

Bower,	Reagan,	Rosen,	Toll,
Guarnieri,	Reilly, J. M.,	Rovansek,	Westrick,
			Wood,

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 80, Printer's No. 118 was passed over at the request of Mr. DALRYMPLE.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 220, as follows:

An Act to reenact and amend the title of and the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1661) entitled "An act to impose a temporary tax on real estate for public school purposes in school districts of the first class for current expenses" by continuing the provisions thereof for the year one thousand nine hundred fifty-two and succeeding years and deleting certain obsolete provisions. The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 The title of and the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1661) entitled "An act to impose a temporary tax on real estate for public school purposes in school districts of the first class for current expenses" are hereby reenacted and amended to read as follows:

An Act

To impose a [temporary] tax on real estate for public school purposes in school districts of the first class for current expenses.

Section 1 The Board of Public Education in school districts of the first class shall levy annually on or after the second Monday of November and before the first Monday of December next following a tax of one mill (.001) on each dollar of the total assessment of all real property assessed and certified for taxation in said district.

Section 2 The taxes and penalties collected under the provisions of this act shall be used by such school district for general public school purposes.

Section 3 The tax authorized to be levied under the provisions of this act shall be in addition to any other taxes any school district of the first class is empowered to levy and collect under any existing

Section 4 The taxes which are levied under the provision this act shall be collected at the same time in the same manner like authority and subject to the same discounts and penalties as real estate taxes for school purposes are collected.

[Section 5 The provisions of this act shall apply only to school districts of the first class having a population of 1,500,000 or more persons. If any act reclassifying school districts is passed by the General Assembly during the session of one thousand nine hundred forty-nine the provisions of this act shall apply only to school districts of the first class under such classification and not to school districts of the first class.]

Section 6 This act shall become effective immediately upon final enactment and shall expire on the thirty-first day of December one thousand nine hundred fifty-one.

Section 2 The provisions of this reenacting and amending act shall become effective immediately upon final enactment.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ROSE. Mr. Speaker, I do not rise to oppose this bill I am going to vote on it, but I again want to call the attention of the Members of this House to the manner in which the Board of Education of Philadelphia has been compelled to come here each session like beggars, hat in hand, asking for assistance so they could properly raise sufficient funds to carry out the excellent program that they have been attempting to carry out in Philadelphia.

We in Philadelphia have been contributing a large amount of taxes that go into the general fund, and yet when the allocations are made to the school districts we have been short handed, and I just want to protest at this time the steps being taken by the administration in dealing with the Board of Education of Philadelphia. I feel that the making of these tax measures permanent might be criticized, and we would like to have some better program carried out so that Philadelphia could properly carry out its school functions without the necessity of coming here constantly seeking this sort of aid.

We do want to say that we in Philadelphia feel that in so far as State contributions to school funds are concerned we have been short changed and we feel that in the future we should be given a better deal.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,
Andrews,	Graybill,	Mazza,
Banker,	Greenwood,	McConnell,
Barkdoll,	Greer,	McCormack,
Baumunk,	Guarnieri,	McCullough,
Bear,	Gutendorf,	McDermitt,
Beaver,	Guthrie,	McGee,
Beech,	Hagerty,	McInroy,
Berkstresser,	Hall,	McKinney,
Blair,	Hamilton, R. K.,	McMillen,
Bloom,	Hamilton, W. H.,	McNally,
Boles,	Haney,	Metz,
Bolton,	Haudenshield,	Mihm,
Bomberger,	Headlee,	Mikula,
Boorse,	Helm,	Miller, H. G.,
Bower,	Hersch,	Miller, J. C.,
Breisch,	Hewitt,	Mills,
Breth,	Hocker,	Mintess,
Brown,	Hoggard,	Monroe,
Bucchin,	Hunter,	Moore, C. E.,
Byrne,	Jenkins,	Moore, H. A.,
Cella,	Johnson,	Moran,
Clapper,	Jones, G. E.,	Muldowney,

Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBols,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Fillip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Relly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 221, as follows:

An Act to reenact and amend the title of and the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1676) entitled "An act to provide revenue in school districts of the first class by imposing a temporary tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county assessing authority board of revision of taxes receiver of school taxes school treasurer board of public education in such districts and courts providing for compensation to certain officers and employees and imposing penalties" by continuing the provisions thereof for the year one thousand nine hundred fifty-two and succeeding years and deleting certain obsolete provisions.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 The title of and the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1676) entitled "An act to provide revenue in school districts of the first class by imposing a temporary tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county assessing authority board of revision of taxes receiver of school taxes school treasurer board of public education in such districts and courts providing for compensation to certain officers and employees and imposing penalties" are hereby reenacted and amended to read as follows:

An Act

To provide revenue in school districts of the first class by imposing a [temporary] tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county assessing authority board of revision of taxes receiver of school taxes school treasurer board of public education in such districts and courts providing for com-

pensation to certain officers and employes and imposing penalties

Section 1 Definitions The following words terms and phrases when used in this act shall have the meanings ascribed to them in this section except where the context clearly indicates a different meaning

"Resident" A person copartnership or unincorporated association or company resident located or liable to taxation within a school district of the first class levying a tax under the provisions of this act or a joint-stock company or association limited partnership bank or corporation formed created or incorporated by under or in pursuance of any law of this Commonwealth or of the United States or of any other state or government and liable to taxation within a school district of the first class levying a tax under this act

"Board" The board of revision of taxes or other county assessing authorities of any county coextensive with a school district of the first class or in which a school district of the first class located

Section 2 Tax on Mortgages Judgements etc Imposition and Rate of Tax Exceptions All personal property of the classes hereinafter enumerated owned held or possessed by any resident whether such personal property be owned held or possessed by such resident in his her their or its own right or as active trustee agent attorney-in-fact or in any other capacity or by any resident as trustee agent or attorney-in-fact jointly with one or more trustees agents or attorneys-in-fact domiciled in another state or within this Commonwealth but outside the school district levying the tax where such personal property is held and managed in such school district of the first class except as executor or administrator of the estate of a non-resident decedent and except as trustee for a resident or non-resident religious charitable or educational organization no part of the net earnings of which inures to the benefit of any private stockholder or individuals for the use benefit or advantage of any other person copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation and the equitable interest in any such personal property of the classes hereinafter enumerated owned held or possessed by any resident where the legal title to such personal property is vested in a trustee agent or attorney-in-fact domiciled in another state or within this Commonwealth but outside the school district levying the tax or where the legal title to such personal property is vested in more than one trustee agent or attorney-in-fact one or more of whom are domiciled in another state or within this Commonwealth but outside the school district levying the tax and one or more of whom are domiciled within such school district such personal property is held and managed in another state or within this Commonwealth but outside the school district levying the tax and where such resident is entitled to receive all or part of the income therefrom is hereby made taxable annually for the year one thousand nine hundred fifty and annually thereafter for public school purposes in school districts of the first class and shall be levied upon annually by the board of public education in every such school district at the rate of not less than one (1) nor more than four (4) mills on each dollar of the value thereof and no failure to assess or return the same shall discharge such owner or holder thereof from liability therefor that is to say

All mortgages all moneys owing by solvent debtors whether by promissory note or penal or single bill bond or judgment all articles of agreement and accounts bearing interest all public loans whatsoever except those issued by this Commonwealth or the United States and except the public loans and obligations of any county city borough town township school district and incorporated district of this Commonwealth and except the bonds and obligations of bodies corporate and politic of this Commonwealth known as municipal authorities all loans issued by any corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other state or

government including car-trust securities and loans secured by bonds or any other form of certificate or evidence of indebtedness whether the interest be included in the principal of the obligation or payable by the terms thereof and all scrip bonds certificates and evidences of indebtedness issued and all scrip bonds certificates and evidences of indebtedness assumed or on which interest shall be paid by any and every private corporation incorporated or created under the laws of this Commonwealth or the laws of any other state or of the United States and doing business in any school district of the first class levying the tax except first class or nonprofit corporations all shares of stock in any bank corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other state or government except shares of stock in any bank bank and trust company national banking association savings institutions corporation or limited partnership liable to a tax on its shares or a gross premiums tax or liable to or relieved from the capital stock or franchise tax for State purposes under the laws of this Commonwealth and all moneys loaned or invested in other states territories the District of Columbia or foreign countries all other moneyed capital owing to individual citizens of the school district levying the tax Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company nor to loans shares of stock or other securities held by bankers or brokers solely for trading purposes nor to accounts or debit balances owing by customers of bankers or brokers in the usual courses of business nor to interest bearing accounts in any bank or banking institution savings institution employes thrift or savings association whether operated by employes or the employer or trust company nor to personal property held in the commercial department and owned in its own right by a banking institution savings institution or trust company in liquidation by a receiver trustee or other fiduciary nor to personal property formerly held by a banking institution in its own right but assigned by it to one or more trustees for liquidation and payment to the creditors and stockholders of such banking institutions nor shall this act apply to the proceeds of any life insurance policy held in whole or part by the insurer nor the principal value of annuities nor to any personal property held in any trust forming part of a stock bonus pension or profit sharing plan of an employer for the exclusive benefit of his employes or their beneficiaries which trust under the latest ruling of the Commissioner of Internal Revenue is exempted from Federal income tax And provided further That the provisions of this act shall not apply to building and loan associations or to shares of stock issued by building and loan associations or to savings institutions having no capital stock and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the tax herein provided for or any part thereof or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the tax on any of such securities bonds or other evidences of indebtedness as may be held owned by or owing to the said savings institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief associations life casualty or fire insurance corporations having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions And provided further That corporations limited partnerships and joint-stock associations liable to tax on their shares or the aforesaid capital stock or franchise tax for State purposes shall not be required to make any report or pay any further tax

under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint-stock associations holding such securities as trustees executors administrators guardians or in any other manner except as executor or administrator of the estate of a nonresident decedent and except as trustee for a resident or nonresident religious charitable or educational organization no part of the net earnings of which inures to the benefit of any private stockholder or individual shall return and pay the tax imposed by this section upon all securities so held by them as in the case of individuals And provided further That the provisions of this section shall not apply to personal property of the classes hereinabove enumerated received or acquired with proceeds of money or property received from any person or persons copartnership or unincorporated association or company nonresident in or not located within such school district or from any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth by any person or persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any person or persons copartnership or unincorporated association or company nonresident in or not located within such school district or for the use benefit or advantage of any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth nor shall the provisions of this section apply to personal property held for the use benefit or advantage of any resident who shall have in each of the ten preceding calendar years given or contributed all of his net income to any corporation organized or operated exclusively for religious charitable scientific literary or educational purposes

The value of the equitable interest in any personal property made subject to tax by this section shall be measured by ascertaining the value of the personal property in which such resident has the sole equitable interest or in case of divided equitable interests in the same personal property then by ascertaining such part of the value of the whole of such personal property as represents the equitable interest of such resident therein

Section 3 Returns of Tax (a) For the purpose of ascertaining the amount of tax payable under this act it shall be the duty of every resident liable to pay such tax on or before the fifteenth day of February of each year to transmit to the board upon a form prescribed prepared and furnished by the board a return certified by him as full true and correct to the best of his knowledge and belief and setting forth

(1) The aggregate actual value of each part of the different classes of property made taxable by this act held owned or possessed by such resident as of the listing date fixed annually in the manner provided herein either in his own right or as trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any other person copartnership unincorporated association company limited partnership joint-stock association or corporation

(2) Such other relevant information as may be required by the board concerning each of the different classes of property enumerated in section two of this act owned held or in any manner possessed by such resident

The failure of any taxable resident to receive or procure a return form shall not excuse him from making a return

(b) The return so made shall be certified to by the person making the same if an individual and in the case of copartnerships unincorporated associations and joint-stock associations and companies by some member thereof and

in the case of limited partnerships and corporations by the president chairman or treasurer thereof

(c) Whenever any personal property taxable under the provisions of this act was owned by a decedent at the time of his death and is held by his executor or administrator return of such personal property shall be made and the tax paid if such decedent was domiciled at the time of his death in a school district of the first class notwithstanding the residence or location of such executor or administrator or of any beneficiary or the place where such securities are kept

(d) Whenever any personal property taxable under the provisions of this act is held owned or possessed as trustee agent attorney-in-fact or in any other manner as hereinabove set forth by two or more persons copartnerships unincorporated associations companies limited partnership joint-stock associations or corporations all of which are residents of the Commonwealth but not all of which are domiciled in the same school district levying this tax return of such personal property shall be made in a school district of the first class where any of the same are domiciled and there shall be paid in each such school district that portion of the tax imposed upon such personal property so held owned or possessed as the number of such trustees agents or attorneys-in-fact domiciled therein bears to the total number thereof notwithstanding the residence of any beneficiary or the place where such personal property is kept

Section 4 Listing Date The board shall on or before the fifteenth day of January one thousand nine hundred fifty and annually thereafter fix a day as of which the property made taxable by this act shall be listed and returned The day so fixed shall be between the first and the fifteenth days of the month of January both inclusive and the day so fixed shall be printed or stamped on the forms for making returns of all such property If through inadvertence mistake or otherwise the board fails to designate or fix such date or if such date does not appear on the form for making return of such property the date as of which such property shall be listed and returned shall be the immediately preceding first day of January

Section 5 Payment of the Tax The tax imposed by this act shall be due and payable at the same time and subject to the same conditions as to discounts penalties and interest as in the case of personal property taxes due and payable to the county or city coextensive with the county in which the school district of the first class levying the tax is located

Section 6 Collection and Use of Tax Compensation of Collector All taxes penalties and fines imposed under the provisions of this act shall be paid to and collected by the receiver of school taxes or in school districts in which there is no receiver of school taxes by the school treasurer Such moneys shall be collected by such collecting officials in the same manner as the personal property taxes for county purposes or in cities coextensive with counties for city and county purposes are collected There shall be paid to the school treasurer for the services rendered by him in collecting the tax an amount to be mutually agreed upon between the school treasurer and the board of public education

Section 7 Assessment by the Board Notice (a) If any taxable resident shall fail to file a return or fail to include in any return all of his property made taxable by this act or shall file a return which is false incomplete incorrect or inaccurate the board shall make an assessment of tax against such resident of the amount of the tax for which such resident is liable or for which he is believed by the board to be liable to which estimated return the board shall add twelve per cent (12%) and the aggregate amount so obtained shall be the basis for taxation

(b) The board shall notify by mail such resident of the estimated assessment If such resident is dissatisfied with the assessment so made he may on or before the day fixed for appeals from assessments present reasons supported by oath or affirmation for his failure to file a return to include all of his taxable property therein or

for having made a return which was incomplete incorrect or inaccurate and the board may if satisfied with the excuse so presented permit the taxpayer to file his own return and substitute said return for the estimated return made by the board. In all cases where a false return has been filed by the taxpayer the board may not relieve the taxpayer from the payment of the twelve per cent (12%) penalty but the estimated return shall be final except in those cases in which a true and correct return shall reveal a higher assessed value than that contained in the estimated return in which case the tax and penalty shall be based upon the true valuation.

Section 8 Assessments Made at Any Time Within Five Years. An assessment as herein provided may be made by the board at any time within five (5) years after any property owned held or possessed or alleged to have been so owned held or possessed by any resident should have been returned by him for taxation notwithstanding he shall have paid a tax assessed on the basis of returns previously made or filed and notwithstanding the board shall have made previous assessments against such resident. In any such case no credit shall be given for any penalty formerly assessed and paid.

Section 9 Petition for Reassessment Appeal (a) Any resident against whom an assessment is made may petition the board for a reassessment. Notice of an intention to file such a petition or to appear and be heard shall be given to the board within thirty (30) days after notice of such assessment is given or sent by the board to the taxpayer as provided in this act. The board shall hold such hearings as may be necessary to hear and determine petitions for reassessment at such places and at such times as may be determined by rules and regulations of the board and each petitioner who has duly notified the board of an intention to file a petition for reassessment or to appear and be heard shall be notified by the board of the time when and the place where such hearings shall be held. All such petitions shall set forth specifically and in detail the grounds upon which it is claimed the assessment is erroneous or unlawful and shall be accompanied by an affidavit under oath or affirmation certifying to the corrections of the facts stated therein. If no petition for reassessment is filed with the board the petitioner may in lieu thereof appear at the hearing and present his petition orally in which event all testimony or statements of facts shall be made under oath or affirmation.

(b) If such petitioner is dissatisfied with the action of the board on his petition for reassessment he shall have the right to appeal to the court of common pleas of the county where he resides at any time within sixty (60) days after notice of such action is given to him by the board. If any resident shall fail to give due notice of an intention to petition for reassessment and to file a petition for reassessment or to appear and be heard after due notice of his intention to do so or to appeal to the court of common pleas within the time and in the manner herein set forth the right to do so shall be forever barred and any such resident so failing shall not thereafter be permitted in a suit for the recovery of such tax to set up any ground of defense which might have been determined either by the board or the court of common pleas. In all cases of petition for reassessment and appeals the burden of proof shall be on the petitioner or appellant as the case may be and every appeal to the court of common pleas under this section shall specify all the objections to the assessment and any objection not specified in the appeal shall not be considered by the court.

Section 10 Information at Source Reports. The executor of every will and the administrator of every estate at the time of filing with the register of wills or clerk of the orphans' court the inventory and appraisal of such estate shall file with such register of wills or clerk of the orphans' court a statement in duplicate under oath or affirmation setting for the items included in such inventory and appraisal which may be liable to the tax imposed by this act. The register or clerk with whom the same is filed shall forthwith send one copy thereof to the board. It shall be the duty of the board to proceed

at once to assess the tax due from such decedent with interest as provided in this act. Such assessment shall include all property owned held or possessed by the decedent which should have been returned by him for taxation for any former year or years not exceeding five (5) years. In any case where a false incomplete incorrect or inaccurate return has been previously filed the board shall make an additional assessment for the five (5) years immediately preceding the year of assessment in the same manner as otherwise provided in this act. The school district levying the tax may proceed to collect the said tax by presenting a claim therefor to the orphans' court of the proper county or may proceed by action or suit at law in any court of competent jurisdiction or take any and all other appropriate steps or procedure for the collection of such taxes.

Section 11 Examination of Books and Witnesses Rules and Regulations (a) The board or any employee authorized in writing by it is hereby authorized to examine the books papers and records of any resident in order to verify the accuracy of any return made or if not return was made to ascertain and assess the tax imposed by this act. Every such resident is hereby directed and required to give to the board or its duly authorized employee the means facilities and opportunity for such examinations and investigations as are hereby provided and authorized. The board is hereby authorized to examine any person under oath concerning any property which was or should have been returned for taxation and to this end may compel the production of books papers and records and the attendance of all persons whether as parties or witnesses whom it believes have knowledge of such property. In the event of the refusal of any taxpayer to permit the examination of his books and records or upon his refusal to appear before the board or to testify or in the event of his refusal to produce books papers and records which the board has directed to be produced the board may have recourse to the court of common pleas of said county which court shall upon cause shown direct the attendance of witnesses and the production of such books papers and records.

(b) The board is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of the tax penalties and interest imposed by this act.

(c) The powers conferred by this act upon the board relating to the administration and enforcement of this act shall be in addition to but not exclusive of any other powers heretofore or hereafter conferred upon the said board by law.

Section 12 Compensation Employees (a) The members of the board and the receiver of school taxes and such of the assistants and employees thereof as the board and the receiver of school taxes shall respectively designate shall be paid by the school district for their services in the administration and enforcement of this act. Such compensation shall be in addition to any other salary or compensation each now or hereafter may be entitled to receive for any other duties performed or to be performed by him.

(b) Upon the respective recommendations of the board and the receiver of school taxes the board of public education shall appoint and fix the salaries which shall be paid by the school district of such other assistants and employees as the board and receiver of school taxes may respectively require to assist the board and the receiver of school taxes in the administration and enforcement of this act.

Section 13 Certified State to Board of Public Education and Collecting Officers. For the purpose of enabling the board of public education to levy the taxes imposed by this act for one thousand nine hundred fifty and for every year thereafter it shall be the duty of the board to furnish annually at the same time as it furnishes the valuation of real property to the boards of public education in school districts of the class and to the receiver of school taxes or in school districts in which there is

no receiver of school taxes to the school treasurer an estimate of the total valuation of all personal property taxable for school purposes

Section 14 Interest Tax Liens and Claims (a) The tax imposed by this act shall bear interest at the rate of six per cent per annum until paid

(b) The school district levying the tax may at any time transmit to the prothonotary of the county in which the school district levying the tax is located a certified record of taxes imposed under this act and the penalties and interest thereon. The record so transmitted shall contain the name of the taxpayer his address if known amount of tax penalty and interest due and the year during which said tax was payable and it shall be the duty of the prothonotary to enter and docket the same of record in the prothonotary's office in a docket which shall be designated "Personal Property Tax Lien Docket" and such tax lien shall be indexed as judgments are now indexed and shall be combined with liens arising from county or in cities coextensive with counties city and county personal property taxes. In no even shall the prothonotary be entitled to duplicate fees. All taxes imposed under this act together with penalties and interest thereon shall be a lien on the real estate of the taxpayer within the county until paid. After the same shall have been entered and docketed of record by the prothonotary all such liens shall have priority to and be fully paid and satisfied out of the proceeds of any judicial sale of said real estate before any other obligation judgment claim lien or estate with which the said real estate may become charged or for which it may become liable save and except only the costs of the sale and of the writ upon which it is made and the real estate taxes imposed or assessed upon said property. The lien of said tax shall continue for a period of five years from the date of entry and may be revived and continued in the manner now or hereafter provided for revival of judgments and it shall be lawful for a writ of scire facias to issue and be prosecuted to judgment in the manner in which such writs are now ordinarily employed

(c) Claims for taxes due under this act may be collected by action in assumpsit brought by the school district levying the tax against the taxpayer or may be presented at the audit of any estate in the orphans' court

Section 15 Penalties (a) It shall be unlawful for any person or persons copartnership unincorporated association limited partnership joint-stock association or corporation whatsoever in loaning money at interest to any person or persons whether such loans be secured by bond and mortgages or otherwise to require the person or persons borrowing the same to pay the tax imposed thereon by this act and in all cases where such tax shall have been paid by the borrower or borrowers the same shall be deemed and considered usury and subject to the laws governing the same

(b) Any person who shall wilfully and corruptly make a false and fraudulent return as aforesaid shall be guilty of a misdemeanor and upon [his or her] conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars (\$500) or to undergo [an] imprisonment not exceeding two (2) years or both

(c) Any person who wilfully fails or refuses to file any report containing the information required by this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to a fine of not more than five hundred dollars (\$500) or to undergo an imprisonment for not more than six (6) months or both

(d) As used in this section the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof

[Section 16 Applicability and Related Matter (a) The provision of this act shall apply only to school districts of the first class having a population of 1,500,000 or more persons. If any act reclassifying school districts is passed by the General Assembly during the session of one thousand nine hundred forty-nine the provisions of this act and under such classification apply only to school

districts of the first class and not to school districts of the first class A]

Section 17 Saving Clauses (a) Nothing contained in this act shall be construed to empower any school district of the first class to impose levy and collect the taxes hereby levied upon any personal property of any of the classes hereinbefore enumerated not within the power of the General Assembly under the Constitution of the United States

(b) If the tax or any portion of the tax imposed upon any of the personal property of any of the classes hereinbefore enumerated under the provisions of this act or if any exception of any personal property of any of the classes as hereinbefore enumerated from the imposition of the tax under the provisions of this act shall be held by any court of competent jurisdiction to be in violation of the Constitution of the United States or of the Commonwealth of Pennsylvania the decision shall not affect or impair the right to impose the taxes or the validity of the taxes so imposed upon the personal property of the other classes as hereinbefore enumerated or to impose the taxes on the personal property so excepted. It is the intent of the General Assembly that the taxes imposed or excepted so held to be unconstitutional were not to be imposed or excepted as the case may be but that the taxes imposed upon all other personal property made taxable under this act were to be imposed and that taxes on the personal property excepted were to be imposed thereon

(c) It is the intent of the General Assembly that the power vested in it to levy taxes shall not be delegated by any of the provisions of this act to any school district of the first class in violation of the provisions of the Constitution of Pennsylvania. If a court of competent jurisdiction shall hold that such power has nevertheless been so unconstitutionally delegated the rate of the tax herein imposed shall be four (4) mills on each dollar of the value of the personal property made taxable which rate the General Assembly under such circumstances intends to be imposed

Section 18 Repeal All acts and parts of acts inconsistent herewith are hereby repealed

[Section 19 The provisions of this act shall become effective immediately upon final enactment and shall continue in effect until and including the thirty-first day of December one thousand nine hundred fifty-one]

Section 2 The provisions of this reenacting and amending act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintees,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,

Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBols,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Fillp,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Roberison,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order.

The House proceeded to the third reading and consideration of House Bill No. 222, as follows:

An Act to reenact and amend the title of and the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1669) entitled "An act to provide revenue for school districts of the first class by imposing a temporary tax on persons engaging in certain businesses professions occupations trades vocations and commercial activities therein providing for its levy and collection conferring and imposing powers and duties on the Board of Public Education receiver of school taxes and school treasurer in such districts and prescribing penalties" by continuing the provisions thereof for the year one thousand nine hundred fifty-two and succeeding years and deleting certain obsolete provisions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of and the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1669) entitled "An act to provide revenue for school districts of the first class by imposing a temporary tax on persons engaging in certain businesses professions occupations trades vocations and commercial activities therein providing for its levy and collection conferring and imposing powers and duties on the Board of Public Education receiver of school taxes and school treasurer in such districts and prescribing penalties" are hereby reenacted and amended to read as follows

An Act

To provide revenue for school districts of the first class by imposing a [temporary] tax on persons engaging in certain businesses professions occupations trades vocations and commercial activities therein providing for its levy and collection conferring and imposing powers and duties on the Board of Public Education receiver of school taxes and school treasurer in such districts and prescribing penalties

Section 1 Definitions The following words and phrases

when used in this act shall have the meanings ascribed to them in this section except where the context clearly indicates a different meaning

(1) "Person" Any individual partnership limited partnership association or corporation Whenever used in any clause prescribing or imposing a penalty the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof

(2) "Business" Carrying on or exercising for gain or profit within a school district of the first class any trade business including financial business as hereinafter defined profession vocation or commercial activity or making sales to persons within such school district of the first class "Business" shall not include the following Any business conducted by a non-profit corporation or association organized for religious charitable or educational purposes the business of any political subdivision or of any authority created and organized under and pursuant to any act of Assembly the specific business conducted by any public utility operating under the laws rules and regulations administered by the Pennsylvania Public Utility Commission of furnishing or supplying service or services at the fixed rates specified in its tariffs the business of any insurance company association or exchange or any fraternal benefit or beneficial society of any other state under the laws of which insurance companies associations or exchanges or fraternal benefit or beneficial societies of this Commonwealth doing business in such other state are subjected by reason of the tax imposed by this act to additional or further taxes fines penalties or license fees by such other state and any employment for a wage or salary

(3) "Financial Business" The services and transactions: of private banks and bankers building and loan associations savings and loan associations credit unions savings banks banks bank and trust companies trust companies investment companies registered as such with the Federal Securities and Exchange Commission holding companies dealers and brokers in money credits commercial paper bonds notes securities and stocks monetary metals factors and commission merchants

(4) "Tax Year" The twelve month period corresponding to the fiscal year of the school district levying the tax

(5) "Receipts" Cash credits property of any kind or nature received in or allocable to a school district of the first class from any business or by reason of any sale made or services rendered or commercial or business transaction had within a school district of the first class without deduction therefrom on account of the cost of property sold materials used labor service or other cash interest or discount paid or any other expense "Receipts" shall exclude (a) the dollar volume of annual business covering the resale of goods wares or merchandise taken by a dealer as a trade-in or as part payment for other goods wares and merchandise in the usual and ordinary course of his business except to the extent that the resale price exceeds the trade-in allowance (b) in the case of a financial business the cost of securities and other property sold exchanged paid at maturity or redeemed and moneys or credits received in repayment of advances credits and loans but not to exceed the principal amount of such advances credits and loans and shall also exclude deposits (c) in the case of a broker any commissions paid by him to another broker on account of a purchase or sales contract initiated executed or cleared in conjunction with such other broker (d) the receipts or the portion thereof attributable to any sale involving the bona fide delivery of goods commodities wares or merchandise of the taxpayer's own manufacture growth or produce to a location regularly maintained by the other party to the transaction outside the limits of such school district and not for the purpose of evading or avoiding payment of the tax or any portion thereof imposed under this act For the purpose of determining receipts from the business of insurance such receipts shall mean those from premiums received from risks within the school district of the first class whether by mutual or stock companies domestic or foreign without any deductions therefrom for any costs or

expense whatsoever The collector shall determine from such data as he shall require from insurance companies subject to this act the amount of such receipts and shall ascertain the amount of the tax in accordance with such determination

(6) "Collector" The receiver of school taxes or in a school district of the first class in which there is no such receiver of school taxes the school treasurer

Section 2 Authority to Levy and Collect Tax Use of Tax For the year one thousand nine hundred fifty and annually thereafter every school district of the first class shall levy and collect an annual tax in the manner and at the rate hereinafter set forth Such tax shall be in addition to any other tax every such school district is empowered to levy and collect under any existing law The taxes and penalties collected under the provisions of this act shall be used by every such school district for general public school purposes

Section 3 Imposition and Rate of Tax Every person engaging in any business in any school district of the first class shall pay an annual tax at the rate of one (1) mill on each dollar of the annual receipts thereof

Where a receipt in its entirety cannot be subjected to the tax imposed by this act by reason of the provisions of the Constitution of the United States or any other provision of law the collector shall establish rules and regulations and methods of allocation and evaluation so that only that part of such receipt which is properly attributable and allocable to the doing of business in the school district levying the tax shall be taxed hereunder. The collector may make such allocation with due regard to the nature of the business concerned on the basis of mileage division of the receipt according to the number of jurisdictions in which it may be taxed the ratio of the value of the property or assets of the taxpayer owned and situated in the school district levying the tax to the total property or assets of the taxpayer wherever owned and situated and any other method or methods of allocation other than the foregoing calculated to effect a fair and proper allocation

Section 4 Computation of Annual Receipts (a) Every person subject to the payment of the tax hereby imposed who has commenced his business at least one (1) full year prior to the beginning of any tax year shall compute his annual receipts upon the actual receipts received by him during the preceding calendar year

(b) Every person subject to the payment of the tax hereby imposed who has commenced his business less than one (1) full year prior to the tax year one thousand nine hundred fifty for the tax year one thousand nine hundred fifty or who has commenced his business subsequent to the beginning of any tax year for such tax year and the succeeding tax year shall compute his annual receipts upon the actual receipts received by him during the first month of his engaging in such business multiplied by the number of months of the current tax year remaining or multiplied by twelve (12) for the first full tax year he engages in business as the case may be

(c) Every person subject to the payment of the tax hereby imposed who engages in a business temporary seasonal or itinerant by its nature shall compute his annual receipts upon the actual receipts received by him during such license year

Section 5 Returns (a) Every return shall be made upon a form furnished by the collector Every person making a return shall certify the correctness thereof

(b) Every person subject to the tax imposed by this act who has commenced his business at least one (1) full year prior to the beginning of any tax year shall on or before May fifteenth one thousand nine hundred fifty and annually thereafter file with the collector a return setting forth his name his business and business address and such other information as may be necessary in arriving at the actual receipts received by him during the preceding calendar year and the amount of the tax due

(c) Every person subject to the tax imposed by this act who has commenced his business less than one (1) full year prior to the beginning of the tax year one thousand nine hundred fifty shall on or before May fifteenth one

thousand nine hundred fifty file with the collector a return setting forth his name his business business address and such other information as may be necessary in arriving at the actual receipts received by him during his first month of business and the amount of the tax due

(d) Every person subject to the tax imposed by this act who commences business subsequent to the beginning of any tax year shall within forty (40) days from the date of commencing such business and on or before May fifteenth of the succeeding tax year file a return with the collector setting forth his name his business and business address and such information as may be necessary in arriving at the actual receipts received by him during his first month of business and the amount of the tax due

(e) Every person subject to the payment of the tax imposed by this act who engages in a business temporary seasonal or itinerant by its nature shall within seven (7) days from the day he completes such business file a return with the collector setting forth his name his business and business address and such information as may be necessary in arriving at the actual receipts received by him during such period and the amount of the tax due

Section 6 Payment at the Time of Filing the Return The person making the same shall pay the amount of tax shown as due thereon to the collector

Section 7 Powers and Duties of Collector (a) It shall be the duty of the collector to collect and receive the taxes fines and penalties imposed by this act for payment over to the school treasurer Where such school treasurer is not the collector as in the case of other school taxes collected it shall also be his duty to keep a record showing the amount received by him from each person paying the tax and the date of such receipt

(b) The collector is hereby charged with the enforcement of the provisions of this act and is hereby empowered to prescribe adopt promulgate and enforce rules and regulations relating to any matter pertaining to the administration and enforcement of this act including provisions for the re-examination and correction of returns and payments alleged or found to be incorrect or as to which an overpayment is claimed or found to have occurred Any person aggrieved by any decision of the collector shall have the right of appeal to the court of common pleas as in other cases

(c) The collector is hereby authorized to examine the books papers and records of any taxpayer or supposed taxpayer in order to verify the accuracy of any return made or if no return was made to ascertain the tax imposed Every such taxpayer or supposed taxpayer is hereby directed and required to give to the collector the means facilities and opportunity for such examinations and investigations as are hereby authorized The collector is hereby authorized to examine any person connected with any business concerning any receipts which were or should have been returned and to this end may compel the production of books papers and records and the attendance of all persons before him whether as parties or witnesses whom he believes to have knowledge of such receipts

(d) The powers conferred by this act upon the collector relating to the administration and enforcement of this act shall be in addition to but not exclusive of any other powers heretofore or hereafter conferred upon him

Section 8 Suit on Collection Penalty (a) It shall be the duty of the collector to sue for the recovery of all taxes due him not paid when due Such suits shall be begun within three (3) years after such taxes become due

(b) If for any reason the tax is not paid when due in each year interest at the rate of six per centum (6%) per annum on the amount of said tax and an additional penalty of one-half per centum ($\frac{1}{2}\%$) of the amount of the unpaid tax for each month or fraction thereof during which the tax remains unpaid shall be added and collected by the collector Where suit is brought for the recovery of any such tax the person shall be liable for and it shall be the duty of the collector to collect in addition to the tax assessed against such person the costs

of such collection and the interest and penalties herein imposed

Section 9 Penalties (a) Whoever wilfully makes any false or untrue statement on his return shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than two thousand dollars (\$2000) or to undergo imprisonment for not more than two (2) years or both

(b) Whoever wilfully fails or refuses to appear before the collector in person with his books records or accounts for examination when required under the provisions of this act to do so or who wilfully refuses to permit inspection of the books records or accounts of any business in his custody or control when the right to make such inspection by the collector is requested shall be guilty of a misdemeanor and shall be sentenced to pay a fine of not more than five hundred dollars (\$500) or to undergo imprisonment for not more than six (6) months or both

(c) Whoever wilfully fails or refuses to file a return required by this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one thousand dollars (\$1000) or to undergo imprisonment for not more than one (1) year or both

Section 10 Employee Compensation Upon the recommendation of the collector the Board of Public Education shall appoint and fix the salaries of such assistance and employees as may be necessary to aid such collector in the proper administration of this act

[Section 11 Applicability and Related Matter (a) The provisions of this act shall apply only to school districts of the first class having a population of 1,500,000 or more persons If any act reclassifying school districts is passed by the General Assembly during the session of 1949 the provisions of this act shall apply only to school districts of the first class under such classification and not to school districts of the first class A]

Section 12 Saving Clauses (a) The validity of any ordinance of part of any ordinance providing for or relating to the imposition levy or collection of any tax passed by the council of a city coextensive with a school district of the first class and any amendments or supplements thereto shall not be affected or impaired by anything contained in this act

(b) Nothing contained in this act shall be construed to empower any school district of the first class to levy and collect the taxes hereby imposed not within the taxing power of this Commonwealth under the Constitution of the United States

(c) If the tax or any portion of the tax imposed upon any person or if any exception from the imposition of the tax or any portion of the tax imposed upon any person under the provisions of this act shall be held by any court of competent jurisdiction to be in violation of the Constitution of the United States or of the Commonwealth of Pennsylvania the decision of the court shall not affect or impair the right to impose the taxes or the validity of taxes so excepted from imposition It is the intent of the General Assembly that the taxes imposed or excepted so held to be unconstitutional were not to be imposed or excepted but that the remainder of said taxes imposed hereunder were to be imposed and collected and the taxes so excepted were to be imposed

Section 13 Repeal All acts or parts of acts inconsistent herewith are hereby repealed

[Section 14 Effective Date The provisions of this act shall become effective immediately upon final enactment and shall remain in effect until and including the thirty-first day of December one thousand nine hundred fifty-one]

Section 2 The provisions of this reenacting and amending act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarrat,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucclin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Pengase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Fillip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 231, as follows:

An Act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto

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This act shall be known and may be cited as "The	
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Section 102 Definitions	
As used in this act unless the context clearly indicates	
otherwise the following words and phrases shall have the	
following meanings	
(1) "Care" shall include reception detention transfer	
parole discharge custody care treatment maintenance	
support segregation education culture training discipline	
improvement occupation employment medical and surgical	
treatment and nursing food and clothing	
(2) "Court" shall mean the court of common pleas or	
other court of record having jurisdiction or law judge	
thereof of the county in which the patient is or resides	
(3) "Criminal" shall mean any person who has been	
convicted on a criminal charge and whose period of sen-	
tence has not expired or who has a criminal tendency	
(4) "Criminal tendency" shall mean a tendency to re-	
peat offenses against the law or to perpetrate new offenses	
as shown by repeated convictions for such offenses or	
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(5) "Department" shall mean the Department of Wel-	
fare or such other department to which its powers and	
duties may be transferred	
(6) "Epileptic" shall mean any person who is or is	
thought to be suffering from epilepsy	
(7) "Inebriate" shall mean a person who is so habitually	
addicted to the use of alcoholic or other intoxicating or	
narcotic substances as to be unable or unwilling to stop	
the excessive use of such substances without help The	
term shall include "dipsomaniac" "drug addict" and	
"habitual drunkard"	
(8) "Institution" shall mean any State or licensed place	
public or private for the care of patients The term shall	
include "mental hospital" "school" "village" and every	
other place by whatever name called caring for patients	
weather or not for compensation	

(9) "Mental Defective" shall mean a person whose mental development is so retarded that he has not acquired enough self-control judgment and discretion to manage himself and his affairs and for whose welfare or that of others care is necessary or advisable. The term shall include "feeble-minded" "idiot" and "imbecile" but shall not include "mental illness" "inebriate" and "senile"

(10) "Mental hospital" shall mean an institution intended primarily for the care of patients who are or are thought to be mentally ill

(11) "Mental illness" shall mean an illness which so lessens the capacity of a person to use his customary self-control judgment and discretion in the conduct of his affairs and social relations as to make it necessary or advisable for him to be under care. The term shall include "insanity" "unsoundness of mind" "lunacy" "mental disease" "mental disorder" and all other types of mental cases but the term shall not include "mental defectiveness" "epilepsy" "inebriety" or "senility"

(12) "Patient" shall mean any person who is or is thought to be mentally ill mentally defective epileptic or inebriate or for whom admission to an institution is being sought or who is or has been an inmate of an institution. The term shall not include a person who is "senile"

(13) "Qualified physician" shall mean a physician who has been (1) a resident of Pennsylvania for at least three years (2) licensed to practice medicine in Pennsylvania and (3) in the actual practice of medicine for at least three years or has had at least one year's experience as a physician in an institution

(14) "School" shall mean any institution for the care of mental defectives or epileptics. The term shall include "village" "training school" or other institution by whatever name called for the care of such patients

(15) "Superintendent" shall mean the person in charge of the administration of an institution or person acting as such in his stead or under his direction

(16) "Transfer" shall mean the removal of a patient from one institution to another for the same kind of patients without other procedure for admission than that prescribed by the department

(17) "Trustees" shall mean the persons organized to manage and to be responsible for an institution. The term shall include "board of trustees" "board of managers" and "managers" "directors" "board of directors". The term shall not include "superintendent"

Section 103 Effective Date

The provisions of this act shall take effect on the first day of January one thousand nine hundred fifty-two except that the provisions of Article IX shall apply only to proceedings instituted on or after that date

Article II

Institutions for Patients

(a) In General

Section 201 Places for the Care of Patients

(a) In this Commonwealth patients shall be cared for

(1) In the following State institutions

Allentown State Hospital
Danville State Hospital
Farview State Hospital
Harrisburg State Hospital
Norristown State Hospital
Warren State Hospital
Wernersville State Hospital
Torrance State Hospital
Laurelton State Village
Pennhurst State School
Polk State School
Selinsgrove State Colony for Epileptics
Western State Psychiatric Institute & Clinic
Clark's Summit State Hospital
Dixmont State Hospital
Embreeville State Hospital
Hollidaysburg State Hospital
Philadelphia State Hospital

Retreat State Hospital
Somerset State Hospital
Woodville State Hospital
Mayview State Hospital

Eastern Pennsylvania Psychiatric Institute

(2) In such other institutions as may be taken over or created by the Commonwealth

(3) In such private institutions as shall have procured licenses from the department in accordance with the provisions of this act

(b) The authorities of general hospitals may set apart establish and maintain beds wards or departments for the temporary care of patients upon procuring licenses from the department in accordance with the provisions of this act

Section 202 Political Subdivisions not to Operate Institutions

No political subdivision or ward shall operate or maintain in whole or in part any institution for the care of patients

(b) Private Institutions

Section 211 License Required Penalty

(a) No person shall operate an institution other than a State institution for the care of patients without having first procured from the department in accordance with the provisions of this act an annual license to operate such institution

(b) Any person who violates the provisions of this section shall upon summary conviction thereof be sentenced to pay a fine not to exceed one hundred dollars (\$100)

Section 212 Application for and Grant of License

(a) Every person other than a State institution desiring to operate an institution shall annually file with the department an application for a license

(b) The application shall be on a form prescribed prepared and furnished by the department and together with such information as the department requires shall state

(1) The name and address of the applicant and of the trustees and superintendent of the institution and the names and addresses of all the partners or officers of a partnership or association or corporation together with the address of the principal office and state of registration organization or incorporation

(2) The location of the institution

(3) The facilities of the institution for the care of patients including sanitary and fire protection facilities

(c) Upon receipt of an application for a license the department shall make a thorough investigation of the character financial responsibility and qualifications of the applicant if the applicant is a partnership association or corporation of the officers or partners as the case may be of the trustees and superintendent of the institution the adequacy of the facilities of the institution to furnish he type of care and service specified in the application the sanitary and fire protection facilities and any other matter or thing which the department deems proper

(d) If satisfied that the applicant is qualified and responsible and that the place sought to be used as an institution is a suitable place for the care of patients and is properly equipped therefor the department shall issue a license to the applicant upon the payment of a license fee of fifteen dollars (\$15) which shall be paid into the State Treasury through the Department of Revenue

Section 213 Transfer of Private Institutions to Commonwealth

Wherever the board of directors of any corporation incorporated under the laws of this Commonwealth for the purpose of the support of an institution for the care of mental defectives epileptics or mentally ill persons shall determine that it will be for the best interests of such persons then in its charge it may transfer to the Commonwealth absolute title in fee simple to all of its properties possessions and endowments real and personal together with the care of the persons then in its charge. Upon the recommendations of the Secretary of Welfare approved by the Governor the Commonwealth shall accept such transfer. All moneys previously appropriated to such

corporation which remain unexpended after payment of all of its debts and liabilities shall be expended by the department for the maintenance of the properties so transferred and the care of the persons housed thereon

Section 214 Review of Action by Department

Any person aggrieved by any action of the department relating to his license or by rule or regulation adopted and promulgated by the department shall have the right to file a complaint with the department and to have a hearing thereon before the department. Such hearings shall be conducted and the decision of the department on the issue involved shall be rendered in accordance with the provisions of the Administrative Agency Law approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) and its amendments relating to adjudication procedure. Any person aggrieved by any adjudication of the department shall have the right to appeal therefrom to the Court of Common Pleas of Dauphin County and have a judicial review of such adjudication within the time and in the manner and with the same effect as is provided by the Administrative Agency Law and the Rules of Civil Procedure promulgated by the Supreme Court for judicial review of adjudication of agencies of the Commonwealth

(c) State Institutions

Section 221 Outpatient and Psychiatric Clinical Services

To promote prevention recognition and treatment of mental illness mental defect epilepsy and inebriety the department may establish extend operate maintain and provide outpatient services in conjunction with State institutions and separate psychiatric clinical services and may fix and establish charges for such services

Section 222 Relocation and Establishment of Additional Institutions

(a) The department may recommend to the Governor the establishment of new institutions for the care of persons afflicted with any mental illness mental defect or epilepsy or the relocation of present institutions under the supervision of the department where it appears that a present institution is no longer fit for use or for reconstruction and that the conditions of its water supply sewerage location or environment justify its abandonment

(b) Upon receiving the recommendation of the department the Governor if he approves shall direct the Department of Property and Supplies to determine desirable sites within the areas recommended by the department for the erection of such institutions. Such sites shall provide ample water supply and be capable of adequate sewerage and drainage. Consideration shall be given to the needs for expansion over a period of fifty years. The quality of soil and the acreage obtained shall be sufficient for the most productive agricultural employment of the type of persons for which the institution is planned

(c) After the Governor has approved a site from among those proposed by the Department of Property and Supplies the Department of Property and Supplies shall acquire the land and improvements thereon by purchase or by condemnation and shall proceed with the construction of necessary buildings and facilities following the recommendations of the Department of Welfare and the Governor's approval. The cost of such land buildings and facilities shall be paid from appropriations made for such purpose

(d) Upon completion of the institution it shall be administered by the same board of trustees as was appointed for the institution which was relocated or in the case of a new institution by a board of trustees which shall be appointed and organized which shall conduct its affairs in accordance with the provisions of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) known as The Administrative Code of 1929 and its amendments. The name for any new institution shall be selected by the department with the Governor's approval and shall be indicative of the political subdivision in or near which such institution is located

(e) Admissions and commitments to any institution established or relocated under the provisions of this section

and transfer release discharge or parole therefrom shall be provided in this act

(f) The Board of Commissioners of Public Grounds and Buildings shall advertise publicly in newspapers of general circulation for offers to purchase lands and buildings no longer used by the Commonwealth for institutional purposes and may make award and execute deed of conveyance to the highest responsible bidder. The board shall have the power to reject any and all bids and to postpone offer of sale from time to time. The costs of sale shall be paid from the biennial appropriation for salaries and general expenses of the Department of Property and Supplies

Section 223 Retransfer of Property from Commonwealth to Political Subdivisions

(a) Any property real or personal transferred to and vested in the Commonwealth in accordance with the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) and its reenactments and amendments if found unsuitable for use as a State institution or if abandoned by the Commonwealth as such an institution before substantial improvements thereto have been made shall revert to and vest in the political subdivision or ward from which transferred and the Commonwealth shall have no further claim or title thereto

(b) If any personal property originally transferred to the Commonwealth cannot be returned to the political subdivision or ward other personal property of equivalent value may be returned or the value thereof at the date of return may be paid by the Commonwealth to the political subdivision or ward from funds appropriated to the department for such purpose

Section 224 Obligation and Rights of Political Subdivisions

(a) All obligations incurred by a political subdivision or ward by reason of the erection acquisition or maintenance of an institution or of a place for the care and maintenance of indigent persons who are not patients which were outstanding on the date that the Commonwealth took over the operation and management of such institution or place or ordered such institution or place closed in accordance with the provision of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) its reenactments and amendments shall remain the obligations of the political subdivision or ward and shall be paid in the same manner as though the operation and management still remained in the political subdivision or ward. For the payment of such obligations the authorities of such political subdivision or ward may continue to levy and collect taxes as if control and management were still vested in the political subdivision or ward

(b) All amounts due any political subdivision or ward for the care of any patient in any institution or place for the care and maintenance of indigent persons transferred to the Commonwealth that had accrued and remained unpaid on the date that the Commonwealth took over the operation and management of the institution or place or on the date such institution or place was closed may be collected by the political subdivision or ward in the same manner as if the control and management were still vested in the political subdivision or ward

(c) Where there is a claim against the estate of any patient both on behalf of the Commonwealth and on behalf of a political subdivision or ward and there is not sufficient in the estate to pay both claims in full payment shall be made to the Commonwealth and the political subdivision or ward in the proportion of the amount of maintenance legally recoverable by each

Section 225 Management of Institutions Taken over from Political Subdivisions

(a) Each institution taken over by the Commonwealth from a political subdivision or ward in accordance with the provisions of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) its reenactments and amendments which the Governor has directed the department to operate and manage shall be operated and managed by the department as a State institution. The department is managing and

operating any such institution shall have all the powers and perform all the duties vested in and imposed upon boards of trustees of similar State institutions by the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) and its amendments known as The Administrative Code of one thousand nine hundred twenty-nine

(b) All patients in any institution at the time the management and operation thereof was assumed by the department shall have the same status as if originally committed or admitted to a State institution. Commitments may be made to any such institution patients may be cared for therein and transfers may be made therefrom and thereto in the same manner and in accordance with provisions of this act applying to other similar State institutions. The department shall have power to designate the counties of the Commonwealth from which commitments may be made to each institution

Section 226 Qualifications etc of Superintendents

(a) The superintendent of every State institution shall be a physician with training or experience or both in the care of patients. In institutions for the care of female patients the superintendent shall be a woman

(b) When adequate housing facilities exist at a State institution the superintendent shall reside there if he has a family they may reside with him. In either case the cost of maintaining the residence shall be assumed by the institution

Section 227 Trustees' Report

The trustees of every State institution shall submit a written financial report to the Auditor General the State Treasurer and the department quarterly. The report shall contain an itemized statement of the expenses of the institution during the previous quarter. Every report shall be approved or disapproved by the department the Auditor General and the State Treasurer. If the trustees of an institution fail to submit such report or until the report submitted by an institution is approved the State Treasurer shall no pay any money to the institution

Section 228 Ex Officio Visitation

In addition to the visitation and inspection powers of the department the Governor the several courts of the Commonwealth and the members of the legislature shall be ex officio visitors of State institutions

Section 229 Acceptance of Gifts

The trustees of every State institution with the approval of the department may accept grants devise or gifts of real property or any interest therein which or the income of which shall be used for the benefit of the patients of the institution or shall be devoted to the general use of the institution

Section 230 Purposes of State Institutions

(a) The department shall mine and designate the type of patients to be admitted to and cared for in all State institutions except as otherwise provided in this section

(b) The Farview State Hospital shall be exclusively devoted to the care of criminal patients

(c) The Polk State School shall be exclusively devoted to the care of mentally deficient and epileptic children and shall provide separate classification for the various grades of patients

(d) The Pennhurst State School shall be exclusively devoted to the care of mental deficient and epileptics of all ages and shall provide separate classification for the various grades of patients

(e) The Laurelton State Village shall be exclusively devoted to the care of mentally deficient women and shall provide separate classification for the various grades of patients

(f) The Selinsgrove State Colony for Epileptics shall be devoted exclusively to the care of epileptics

(g) The Western State Psychiatric Institute and Clinic and the Eastern Pennsylvania Psychiatric Institute shall be devoted to study and research into the causes treatment prevention and care of the various types of nervous disorders mental illness mental defects and epilepsy. In furtherance of such purposes they shall

(1) Provide both undergraduate and graduate students studying to become general medical practitioners with a

(2) Provide regular courses of study for personnel of State institutions

(3) Deal with the mental hygiene of the normal child in the way of study and training

(4) Focus their activities on problems of administering mental institutions and a Commonwealth mental health program and

(5) Train and teach nurses and other personnel necessary in the care and prevention of mental illness mental defect and epilepsy

Section 231 Special Education Training and Employment

(a) Agricultural training shall be primarily considered in the educational departments of the Laurelton State Village and the Polk State School and for male patients of the Pennhurst State School. The patients shall also be employed in agricultural pursuits directed toward the maintenance of the institutions

(b) At the Laurelton State Village each patient shall be instructed in English and in a manual or handicraft vocation useful to her

(c) The trustees of the Wernersville State Hospital shall provide workshops for the employment of patients and shall employ patients therein or in farm or ward work or other useful occupation directed toward the maintenance of the institution

Article III

Admission and Commitment of Patients

(a) Voluntary Admission

Section 301 Application for Voluntary Admission

(a) Application for voluntary admission as a patient may be made

(1) By any person thought to be mentally ill to the superintendent of any mental hospital

(2) By an epileptic twenty-one years of age or older to the superintendent of any school or institution for the care of epileptics

(3) By any inebriate to the superintendent of any mental hospital institution for the care of inebriates or of any general hospital maintaining a psychopathic department or ward

(b) Every such application shall be in writing and signed by the applicant in the presence of at least one witness

Section 302 Examination and Admission of Voluntary Patient

The superintendent receiving an application for voluntary admission shall examine the applicant. If he finds that the applicant is mentally competent to make such application and that he is in need of care and will be benefited by admission he may admit the applicant as a patient

Section 303 Admission of Inebriate Conditioned on Bond

No inebriate shall be admitted to any State institution on his voluntary application until a bond in the amount of five hundred dollars (\$500) payable to the Commonwealth conditioned on the payment of the costs of his care and maintenance at the full rate established by the Department of Revenue has been furnished to the superintendent of the institution to which he has applied for admission

Section 304 Limits of Detention of Voluntary Patients

Notice to Relatives etc

(a) No person voluntarily admitted shall be detained for more than ten days after he has given written notice to the superintendent of his intention or desire to leave the institution where he is detained

(b) In any case where the superintendent finds it inadvisable to discharge a person thought to be mentally ill he shall notify the patient's friends relatives or other persons liable for his support

(b) Admission on Application etc with Qualified Physician's Certificate

Section 311 Admission by Superintendent on Application of Relative etc and Physician's Certificate

(a) Application for admission as a patient may be made in the interest of

(1) Any person who appears to be mentally ill or in such condition as to need the care required by persons who are mentally ill to the superintendent of any mental hospital or

(2) Any resident mental defective under twenty years of age and incapable of being properly educated and trained in the public schools or over twenty years of age and of such inoffensive habits as to make him a subject for classification and discipline in a school to the superintendent of any school or

(3) Any epileptic twenty-one years of age and over to the superintendent of any school or institution for the care of epileptics

(b) Application may be made by the patient's relative friend legal guardian the person having his custody or the liability for his support or by any other responsible person

(c) Every application shall be in writing on a form prescribed by the department. The applicant shall state the name sex age and residence of the patient the opinion that the patient is mentally ill mentally defective or epileptic and that the patient is a fit subject for care and will be benefited by admission the facts on which such opinions are based and any other information required by the department. If any information required is unknown to the applicant he shall so state

(d) Every application shall be accompanied by the certificate of one qualified physician in the case of a mental defective or epileptic and two qualified physicians in the case of a person thought to be mentally ill. The certificate shall not authorize the admission of the patient unless he shall be admitted within two weeks of the date thereof

(e) In the case of a person thought to be mentally ill such application and certificate shall be sworn to or affirmed before a person authorized to administer an oath in the Commonwealth who shall certify to the genuineness of the signatures

(f) On receipt of an application and certificate the superintendent may receive and detain the person sought to be admitted as a patient

(g) The provisions of this section shall not apply to the admission of mentally defective or epileptic children sought to be admitted to any State institution from any judicial district in which there is a municipal court vested with the exclusive jurisdiction over proceedings concerning children suffering from epilepsy and nervous and mental defects

Section 312 Contents of Physician's Certificate Penalty for False Statement

(a) In every qualified physician's certificate required by this act for the admission or commitment of a patient the physician issuing the same shall state

(1) His residence
(2) That he has resided in this State for at least three years

(3) That he has been licensed to practice medicine in this State

(4) That he has been in the actual practice of medicine for at least three years or has had at least one year's experience as a physician in an institution

(5) That he is not related by blood or marriage to the patient or applicant

(6) That he is not connected in any way as medical attendant or otherwise with the institution to which application has been made for the admission of the patient

(7) That he has examined the patient with care and diligences within a week of making the certificate

(8) That in his opinion the patient is or is thought to be mentally ill mentally defective inebriate or epileptic or is in need of and will be benefited by care and the admission applied for

(9) The information relative to the patient given him by others and the facts as to the physical and mental condition and the behavior of the patient which he has observed and on which he bases his opinion and

(10) Such other information as the particular request for admission or commitment or as the department may require

(b) Any physician who falsely certifies to the mental illness mental defectiveness inebriety or epilepsy of any person or whose false certificate as to mental illness defectiveness inebriety or epilepsy of any person is proved to be the result of negligence or deficient professional skill or who signs such a certificate for pecuniary reward or promise thereof or other consideration of value or operating to his advantage other than the professional fee usually paid for such service shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not to exceed five hundred dollars (\$500) or to imprisonment not to exceed one (1) year or both

Section 313 Admission of Minor Epileptic Limit of Detention

(a) Application for admission as a patient may be made to the superintendent of any school or institution for the care of epileptics in the interest of any person under twenty-one years of age suffering from epilepsy

(b) The application shall be in writing and may be made by the epileptic's parent or guardian or other person liable for his support or by any other responsible person

(c) On receipt of the application the superintendent may receive and detain the minor epileptic as a patient. No minor epileptic so admitted shall be detained for more than ten days after the person who applied for his admission has given written notice to the superintendent of intention or desire to remove the patient

Section 314 Admission for Temporary Detention

(a) Application may be made to the superintendent of any mental hospital for admission as a patient for temporary care in the interest of any person who is or is thought to be suffering from mental illness

(b) The application shall be in writing and may be made by a relative legal guardian or friend of the person sought to be admitted. It shall be accompanied by the certificate of at least one qualified physician which shall also state that immediate temporary care in a mental hospital is necessary for the person sought to be admitted by reason of mental illness

(c) Upon receipt of the application and certificate which he shall retain the superintendent may receive and detain the patient for temporary care for a period of not more than ten days

Section 315 Examination Discharge or Further Detention of Person Temporarily Detained

(a) After admitting any person as a patient for temporary care during the ten day period of detention the superintendent shall examine such patient for further disposition

(b) If the superintendent finds on such examination that the patient does not require such temporary care he shall either discharge him or notify the applicant for his admission to remove him

(c) If the superintendent finds on such examination that the patient requires further care he may admit the patient on a voluntary application or he shall notify the applicant to apply for the patient's commitment by application to him or by order of court or to remove the patient

Section 316 Admission of Violent or Dangerous Person Temporary Detention

(a) Application may be made to the superintendent of any mental hospital for admission as a patient for temporary care in the interest of any person who is violently or dangerously mentally ill or whose case is otherwise of an emergency nature

(b) The application may be made by a relative friend guardian or committee of the patient and shall be evidenced by the certificate of two qualified physicians who shall also state therein that the person is violently or dangerously ill or that his case is otherwise of an emergency nature. The certificate need not be sworn to or affirmed

(c) At the request of the applicant or one of the certifying physicians the sheriff or a constable or police officer shall deliver the patient to the superintendent

(d) The superintendent may admit and detain any such patient for care for a period not to exceed ten days
Section 317 Disposition of Violent or Dangerous Person

Within ten days after the admission of any person who is violently or dangerously mentally ill or whose condition is otherwise of an emergency nature such person shall be either

(1) Committed by order of court of the county where the patient is resides or was apprehended on application of the person who sought his temporary admission or

(2) Admitted on his voluntary application or

(3) Removed by the applicant for his temporary admission

(c) Commitments Other Than Criminals Etc

Section 326 Petition of Commitment

(a) A petition may be presented to a court of the county in which a patient resides or is for the commitment of any

(1) Person who is mentally ill to a mental hospital or

(2) Person who is thought to be mentally ill for observation diagnosis and treatment to a mental hospital or

(3) Epileptic not dangerous to himself or others to an institution for the care and treatment of epileptics or

(4) Person who by reason of epilepsy is dangerous to himself or others to a mental hospital or a State institution for epileptics or

(5) Mental defective to a school or

(6) Inebriate to a State or other mental hospital or institution for inebriates

(b) The petition which shall be sworn to or affirmed may be made in the case of

(1) A person who is mentally ill or who by reason of epilepsy is dangerous to himself or others by any responsible person

(2) A person who is thought to be mentally ill and in need of observation diagnosis and treatment by his guardian committee relative or friend

(3) An epileptic not dangerous to himself or others or a mental defective by his parent or guardian or other responsible person

(4) An inebriate by at least two citizens who shall be his spouse parent child committee of the estate or next friends

(c) Every such application or petition shall be in the form prescribed by the department It shall state the name sex age and residence of the person sought to be committed the opinion of the petitioner that such person is mentally ill epileptic mentally defective or inebriate and as is a fit subject for care or needs observation diagnosis and treatment in the type of institution to which commitment is sought together with the facts on which such opinion is based and such other facts as the department may require If any of the facts are unknown the petition shall so state

(d) Every such petition shall be accompanied by the sworn or affirmed certificate of two qualified physicians

(e) The court shall not entertain any such petition or certificate executed more than two weeks prior to its presentation

Section 327 Appointment of Commission by Court Powers and Duties of Commission

(a) Whenever petition is made to a court for an order for the commitment of any person thought to be mentally ill to a hospital the court may immediately appoint a commission to inquire into and report upon the facts in the case

(b) Such commission shall be composed of three persons two qualified physicians and an attorney-at-law Each member of the commission shall receive the sum of five dollars (\$5) for each day he is necessarily employed in the duty of his appointment The attorney-at-law member shall prepare and file all necessary notices reports and other papers and shall receive the additional sum of five dollars (\$5) for such services

(c) The commission shall hear such evidence as may be offered or as they may require relating to the mental condition of the person sought to be committed as well

as his or his counsel's statement If such person shall refuse to submit to an examination before the commission the court may issue a warrant to bring him before the commission for examination

(d) The commission shall make a written report to the court setting forth whether or not they find that the patient is in fact mentally ill and a proper subject for commitment to a hospital and the facts on which their conclusion is based

Section 328 Hearings Commitment

(a) Upon receipt of a petition for the commitment of a patient or of the report of a commission if one has been appointed the court may fix a day for hearing to be held at such place as the court directs When the hearing is to be held the court shall notify the parties in interest The court may require the presence of the person sought to be committed

(b) In the case of a petition for the commitment of an inebriate the court shall hold such hearing and shall issue its warrant for his presence before the court

(c) If the court approves the report of a commission that the person in question is mentally ill and is a proper subject for admission to a mental hospital or is satisfied that the person sought to be committed is a proper subject for care or that the safety and welfare of the public require such commitment the court shall make an order committing the person to the institution named in the petition and direct his removal thereto by a proper person

(d) No order shall authorize the commitment of a patient unless he is admitted within two weeks from its date

(e) No order shall authorize the commitment of a mental defective inebriate or epileptic unless the superintendent or trustees of the institution to which the commitment is to be made shall approve

(f) The order shall authorize the superintendent to detain the patient until he is removed in accordance with the provisions of this act

Section 329 Detention of Inebriate

When any inebriate is committed in accordance with this act he shall remain in the institution until the superintendent certifies to the court that care is no longer beneficial or necessary to the inebriate The court which committed him shall then order his discharge under such supervision and restriction as it may impose No inebriate shall be detained for a period of more than one year

Section 330 Detention of Mental Defective After Reaching Majority

When any mentally defective person has been committed to any school by a juvenile court the superintendent shall have the authority to detain such person after he reaches the age of twenty-one years Thereafter in the discretion of the superintendent such person may be discharged or allowed a leave of absence upon the order of a court of the county in which the commitment was made

Section 331 Disposition of Person Committed for Observation Diagnosis and Treatment

(a) Whenever the court commits a person thought to be mentally ill to a hospital for observation diagnosis and treatment it shall make such commitment for a definite period and with such limitations as it may direct

(b) Before the expiration of the period of commitment the superintendent shall report the patient's mental condition in writing to the committing court If the court is satisfied that he is not mentally ill it shall order his discharge Other wise the court shall make such order for his further disposition as may seem proper

Section 332 Copies of Application etc to Accompany Patient Filing

(a) A certified copy of every order of commitment and copies of the application or petition and certificate therefor shall accompany the patient and be given to the superintendent of the institution to which he is committed

(b) The application certificate report of commission if any and order of the court shall be kept on file in a special docket in the court

(d) Commitment of Criminals and Persons
Charged with Crime Etc

Section 341 Commitment of Person Acquitted of Crime
Because of Insanity

(a) Whenever any person charged with any crime is acquitted on the ground of insanity or having been insane at the time he committed the crime the jury shall state such reason for acquittal in its verdict

(b) The court before which any such person has been tried may order the commitment of such person to a mental hospital on its own initiative or upon the report of a commission or for observation diagnosis and treatment in accordance with the provisions of this act for the commitment of persons who are not criminals or who have not been charged with crime

Section 342 Commitment of Person Charged with Crime

Whenever any person charged with crime upon production or appearance before the court appears to be mentally ill or in need of care in a mental hospital the court shall designate a responsible person to apply for his commitment or for his commitment for observation treatment and diagnosis by order of such court in accordance with the provisions of this act for the commitment of persons who are not criminals or who have not been charged with crime

Section 343 Commitment of Convicted Person in Lieu of
Sentence After Report of Psychiatrist

(a) Whenever any person is convicted of a crime punishable by sentence to a penal or correctional institution the trial court may defer sentence and order a mental examination of the defendant to guide it in determining his disposition. Such action may be taken on the court's initiative or on the application of the district attorney the defendant or his counsel or other person acting in his interest

(b) The court shall order his examination by a psychiatrist employed by the department in a State institution or otherwise. The examiner shall make a written report of his findings to the court and the report shall be available to the district attorney and counsel for the defendant. The examiner shall be paid the actual expenses incurred by him but shall receive no other compensation. The county of conviction shall pay his expenses on bills approved by the court

(c) On the report of the examiner that the defendant is so mentally ill or defective that it is advisable for his welfare or the protection of the community that he be committed to other than a penal or correctional institution the court may commit him to a State institution for the care of such mental cases in lieu of sentence to a penal or correctional institution and direct his detention until further order of the court. If the examiner's report indicates no such mental illness or deficiency he shall be sentenced as in other cases

(d) When a defendant is committed to an institution an appeal shall lie in the same manner and with like effect as if sentence to a penal or correctional institution had been imposed and may be taken by defendant or his counsel

Section 344 Petition for Commitment of Prisoner or Person Released on Bail

(a) Petition for the commitment of

(1) Any person detained in any penal or correctional institution who is thought to be mentally ill or in such condition that he requires care in a mental hospital or who is thought to be a mental defective or epileptic

(2) Any person charged with a crime and released on bail pending trial who is thought to be a mental defective or epileptic may be made to the court under the order of which such person is detained or which has jurisdiction of the charge

(b) The application shall be in writing on a form prescribed by the department. It may be made by the superintendent warden jail physician or other executive officer of the institution in which the person sought to be committed is detained or by any responsible person whether or not he is connected with such institution

(c) No application shall be made for the commitment of any mental defective convicted of first degree murder

Section 345 Examination of Prisoner etc by Physicians or
Commission Hearing Commitment

(a) Upon receipt of an application the court shall order and examination of the person sought to be committed by two qualified physicians or a commission. The physicians or commission shall report to the court on such examination and shall state whether the person is of criminal tendency. The report by physicians shall be by certificate and by a commission as in other cases under this act

(b) The court may hold a hearing summon other witnesses and secure further evidence subsequent to receipt of the report of such examination

(c) If the court is satisfied that the person sought to be committed is mentally ill mentally defective or epileptic it shall order the commitment or transfer of such person to a mental hospital or an institution for mental defectives. If the person is undergoing sentence or is found to have a criminal tendency the commitment shall be to a State hospital for the criminal insane

Section 346 Deportation of Criminals

Whenever any person is detained in a mental hospital after having been charged with or convicted of crime and is subject to deportation from the Commonwealth under the laws of the United States the court committing such person to the mental hospital upon the petition of the superintendent of such hospital or the department may enter an order directed to the superintendent to release such person from detention into the custody of an agent of the United States for the purposes of deportation

Section 347 Effect of Commitment on Pending Criminal Proceedings

If any person is committed while awaiting indictment or trial or has been arraigned or is being tried proceedings against him shall be stayed until his recovery. Upon his recovery if he was previously confined in a penal or correctional institution he shall be returned upon proper order of the court to the penal or correctional institution from which he was transferred for the disposition of the charges against him. If he was committed before trial he shall be returned to the court having jurisdiction of him for trial or such other disposition of such charges as the court may make

Section 348 Effect of Commitment on Criminal Serving Sentence

(a) If the person committed is a convict serving sentence the time during which he is committed as a patient shall be computed as part of the term for which he was sentenced

(b) If the person committed is a convict serving sentence and such sentence expires before his recovery the department may transfer him to any other institution for care until his recovery when he shall be discharged

(c) If the person committed is a convict serving sentence and recovers before the expiration of his sentence or is found after observation not to be mentally ill mentally defective or epileptic the superintendent of the institution to which he has been committed shall certify such fact to the committing court and he shall be returned on the order of such court to the penal or correctional institution from which he was transferred

(e) Provisions Applicable to All Commitments

Section 351 Habeas Corpus

Every commitment made under the provisions of this act may be appealed by writ of habeas corpus which may be sued out at any time by any person restrained or any one acting on his behalf

Section 352 Superintendent of Institution to Ascertain
Whether Patient Is a Veteran

(a) Whenever any person is received for care in any institution the superintendent shall endeavor to ascertain whether such person has served in the armed forces of the United States

(b) Whenever the superintendent finds or has reason to believe that a patient received is a veteran of the armed forces of the United States he shall notify the Department of Military Affairs together with the information concerning such service

Section 353 Commitment of Veteran to United States Veterans' Hospital

Whenever it appears that any person sought to be committed is (1) mentally ill or mentally defective (2) a veteran of any war military occupation or expedition (3) eligible for treatment in a United States Veterans' Hospital and (4) commitment to such hospital is necessary for his proper care the court may commit him to a United States Veterans' Hospital upon receipt of a certificate of eligibility from the United States Veterans' Administration

Section 354 Superintendent Not Liable for Detention

No superintendent or other officer of any institution shall be held personally liable for the detention of any patient who has been received committed or detained in such institution in compliance with the provisions of this act

Section 355 When Person Liable for Another's Detention

No verdict or judgment shall be entered in any action or indictment against any person who is subject to the provisions of this act and who has complied with its requirements for the detention of any person as a patient in any institution without compliance with this act unless the court after trial and verdict certifies that there was proof that the person charged acted with gross negligence or corruptly or without reasonable or probable cause or was actuated by motives other than the good of the person restrained

Article IV

Transfer of Patients

Section 401 Transfer from One Institution to Another

(a) The department may in its discretion and for any reason which to it seems sufficient transfer any patient from any institution to which the patient has been admitted under any of the provisions of this act to any other like institution within the Commonwealth

(b) No transfer shall be made to or from a private institution except upon the joint application of the superintendent thereof and of the legal or natural guardian or other person liable for the support of the patient

(c) No patient under sentence by any court or committed by any court after having been charged with any crime and acquitted on the ground of insanity may be transferred without an order of such court authorizing such transfer

(d) A voluntary patient may be transferred only if the patient has consented in writing to such transfer

(e) Whenever any patient not a convict who has been committed by order of a court is transferred the order of commitment shall be held to apply to the institution to which the patient is transferred as though the institution had been the one to which the order of commitment had originally been made

Section 402 Papers to Accompany Patient on Transfer

Whenever any patient is transferred certified copies of the application of the certificate of physicians or report of commission and of the order of court if any and the order of the department authorizing the transfer shall accompany the patient to the institution to which he is transferred together with a copy of all clinical records or a full abstract thereof containing all essential particulars including results of mental and physical examinations and laboratory tests relating to the patient

Section 403 Transfer of Patient Requiring Different Care

Whenever the superintendent of any institution finds that any patient therein needs care in an institution for patients of a different kind he shall report the facts relative to the patient to the department. The department may order that application be made for the admission of the patient to any proper institution by any of the procedures provided by this act for admission of patients to such institution

Section 404 Transfer of Non-Residents

(a) If upon investigation the department finds that any patient supported wholly or in part at the expense of the Commonwealth is not a legal resident of this Commonwealth it may by order addressed to the trustees or has been admitted return him to that State or country

the superintendent of the institution to which such patient in which he has a legal residence or where he belongs

(b) Any patient returned to another State or country shall be suitably clothed and unless he is fully competent to travel alone shall be attended by a person of his own sex who shall exercise due care over him until he has reached the destination agreed upon by the department and the proper authorities of the State or country to which he is returned. If competent to travel alone and unable to pay the costs of travel he shall be furnished with funds sufficient for sustenance and travel to the destination agreed upon

Section 405 Interstate Agreements

The department may enter into the agreement with the authorities of other States which have legislation consistent with this act for the arbitration of disputed questions between such States and this Commonwealth respecting the residence of patients and for the return of patients to their proper residences

Section 406 Determination of Residence by Department

Whenever any indigent patient is to be returned to the Commonwealth by the proper authorities of another State or whenever any patient is to be transferred by the department from one institution district to another the legal residence of the patient may be determined by the department and the commitment of such person shall be made in accordance with such determination. The determination of the department shall be binding unless and until changed by a court of competent jurisdiction

Section 407 Transfer of Patient to United States Veterans' Hospital

Any veteran of any war military occupation or expedition who has been committed to an institution within the Commonwealth prior to the passage of this act who is eligible for treatment in a United States Veterans' Hospital and who is actually confined in an institution or on parole may be transferred to a United States Veterans' Hospital by order of the superintendent of the institution in which the veteran is confined or by order of the department if such veteran is on parole or in either case by order of the court which committed the veteran

Article V

Escapes and Interstate Extradition

Section 501 Escapes

Any patient who escapes from an institution may be apprehended and returned thereto by any sheriff constable or police officer or by any officer or employee of the institution at the expense of the institution

Section 502 Application for Extradition of Escaped Patient

The Governor may upon demand deliver to the executive of any other State any patient who has escaped from an institution to which he has been admitted under the laws of such State and who may be dangerous to the safety of the public or may upon application appoint an agent to demand of the executive authority of any other State any patient who has escaped from an institution in this Commonwealth. The demand or application shall be accompanied by an attested copy of the commitment and sworn evidence of the superintendent of the institution stating that the patient demanded has escaped from the institution within six months preceding the date of the application or demand and by such further evidence as the Governor may require

Section 503 Warrant for Extradition Habeas Corpus Penalty

(a) If the Governor is satisfied that the demand conforms to law and ought to be complied with he shall issue his warrant under the seal of the Commonwealth to an officer authorized to serve warrants in criminal cases directing him at the expense of the agent who makes the demand at the time designated in the warrant to take and transport the patient to the boundary line of the Commonwealth and there deliver him to such agent. For this purpose the officer may require aid as in criminal cases

(b) No person so arrested shall be delivered to the agent of another State until he has been notified of the

demand for his surrender and has had an opportunity to apply for a writ of habeas corpus if he claims the right of the officer who makes the arrest. If such writ is applied for notice thereof and the time and place of hearing shall be given to the Attorney General or district attorney for the county in which the arrest is made. Pending the determination of the court on the application for the writ the person shall be detained in custody in a suitable institution.

(c) Any officer who delivers a person in his custody to an agent for extradition without having complied with the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not more than one thousand dollars (\$100).

Article VI

Discharge Leaves of Absence and Boarding Out of Patients

(a) Discharge

Section 601 Discharge by Trustees and Superintendents

(a) The trustees of any institution or the superintendent when given authority by the trustees may discharge any patient from the institution if in their or his opinion no harm will arise from the action. No patient shall be discharged until notice of the action has been given to the Department of Revenue. The following patients shall not be discharged:

(1) A patient under sentence for crime or charged with crime and acquitted on the ground of insanity without an order of the court in which he was sentenced or acquitted.

(2) A patient known to be homicidal or otherwise dangerous to be at large without examination by and consent of the department nor without a sufficient guarantee by the person liable for his support and care that the safety of the public or any individual will be safeguarded.

(3) A patient whose parent guardian or friend liable for his support opposes his discharge without notice to the parent guardian or friend and an opportunity to state his reasons.

(4) A mental defective or inebriate committed by order of court without the recommendation of the chief medical officer in charge and an order of the court. The provisions of this clause do not apply to a person discharged by lapse of time from leave of absence or escape or to an inebriate who has been under hospital care for one year.

(5) A mental defective who prior to his transfer to an institution for mental defectives has been arraigned and convicted or in custody on a criminal charge before he might have been discharged from the penal or correctional institution from which he was originally transferred to the institution for mental defectives.

Section 602 Return of Mental Defectives to Institution District

A mental defective forty-five years of age and over not having criminal tendencies and no longer requiring care in a school for mental defectives may be returned by the department upon recommendation of the superintendent and trustees to the institution district of the county to which he belongs. If committed by a court the consent of the court shall be obtained.

Section 603 Discharge by Department

The department may in its discretion order and compel the discharge from any institution of any patient except a criminal under sentence or a person charged with any crime and acquitted on the ground of insanity. Before issuing such order the department shall give due notice to the trustees or superintendent of the institution wherein the patient is under care and to the person at whose instance the said patient is detained and shall give reasonable opportunity to such trustees or superintendent and person to justify further detention of the said patient.

Section 604 Discharge by Order of Court

(a) Any court may order and compel the discharge of any patient committed by the court to any institution if upon hearing it appears that such discharge is for the best

interest of the patient and not incompatible with the public welfare and safety.

(b) Before ordering a discharge the court shall require that notice of the application be given to the Department of Revenue.

(c) In making an order not in accordance with the expressed opinion of the superintendent of the institution the court shall set forth the reasons for its decision which reasons shall be part of the order. The order and reasons and the opinion of the superintendent shall be entered in the clinical record of the patient.

(d) The court may in its discretion admit in evidence the sworn statement of the superintendent or the physician in charge of the patient as to the condition of the patient without requiring the appearance and personal examination of the superintendent or physician.

Section 605 Discharge by Lapse of Time

(a) Any patient except a criminal under sentence or one charged with crime and acquitted on the ground of insanity who has been continuously absent with or without leave for a period of twelve months from the institution in which he was under care shall be deemed to be discharged therefrom and cannot be readmitted except as provided by this act for admission or commitment.

(b) The provisions of this section shall not apply to a mental defective who is on indefinite leave of absence when away from the institution. Unless formally discharged such mental defective may be returned to the institution without a new commitment.

(b) Leaves of Absence

Section 611 Leaves of Absence

(a) The superintendent of any institution in his direction may allow a leave of absence to any patient whose condition is such as to warrant the action for a period not exceeding twelve months and upon such conditions as he may prescribe not inconsistent with the provisions for discharge of patients as provided in this act.

(b) Leaves of absence may be terminated by the superintendent who may if necessary authorize the apprehension and return of the patient by any sheriff constable or police officer who shall apprehend and return the patient.

(c) Boarding Out

Section 616 Boarding Out of Patients

(a) The superintendent and the board of trustees of any State institution may by contract or otherwise arrange for the boarding out of committed patients who have no criminal suicidal or homicidal tendencies who are not addicted to the use of alcohol or narcotics and who in the opinion of the superintendent and board of trustees may be otherwise suitable. Such arrangements shall be made only with the approval of and subject to regulations prescribed by the department.

(b) Such patients shall be considered remaining inmates of the State institution and shall be considered as on parole subject to return should the condition of the patient or other circumstances in the opinion of the superintendent and the trustees make such return necessary.

(c) Subject to the approval of the department patients if physically and mentally able may earn the cost of their maintenance or a portion thereof by engaging in suitable employment.

Section 617 Colonies for Mental Defectives

(a) Whenever in the judgment of the superintendent and trustees of any State institution for mental defectives there is a group of patients in such institution of such a character that their interests and the interests of the Commonwealth would be better served through their colonization in a colony outside of the institution and if such a colony can be established without damage to private property or detriment to the public welfare these facts may be brought to the attention of the department.

(b) If the department approves it may authorize the superintendent with the approval of the trustees of the

institution to establish a colony by the rental or purchase of suitable property

(c) The patients of the colony may be employed on and about the premises of the colony or under supervision by residents of the community. Strict account shall be kept by the treasurer of the institution of the cost of administration thereof of wages of the patients and any other direct compensation paid to them and of all financial transactions of the colony. The superintendent and the ment shall determine the wages of the patients the port-trustees of the institution with the approval of the department of the wages to be paid the Commonwealth as maintenance reimbursement the portion to be set aside for the benefit of the patients of the institution or colony and the portion to be paid the patient

Article VII

Costs

(a) In General

Section 701 Liability for Costs of Care of Patient

Except as otherwise specifically provided in this act liability for all costs of care of any patient in any institution is hereby imposed in the following order against

- (1) The patient's real and personal property
- (2) The persons liable for the patient's support
- (3) The Commonwealth or in the case of an inebriate the county or institution district in which he resides

Section 702 Liability for Costs of Care of Convicted Criminal Patient Undergoing Sentence

(a) Liability for all costs of care of any convicted criminal undergoing sentence prior to the expiration of the term of such sentence is hereby imposed in the following order against

- (1) The county in which such patient was convicted
- (2) Such patient's real and personal property
- (3) The persons liable for such patient's support
- (b) Any county paying any costs may recover the same from the patient's estate or the persons liable for his support but not from the institution district of his residence

Section 703 Court Order for Payment of Costs

(a) When any patient is committed by order of court the committing court at the time of commitment shall make an order for the payment of the costs of care of the patient

(b) When any patient is or has been admitted to any institution any court of the county in which the patient resided prior to his admission shall have power to make an order for the payment of the costs of care of the patient.

(c) Before making any order the court shall take into consideration the ability to pay of the patient or the persons liable for his support

(d) Any court having the power or duty to make an order shall have the power or duty to modify or revise the order from time to time on cause shown

(e) Every order shall be entered in the prothonotary's office and shall have the effect of a judgment

Section 704 Reports of Guardians etc to Department of Revenue

(a) Every trustee committee guardian or other person nominated or appointed to take charge of the estate of any patient in any State institution or of any patient receiving public funds in any private institution within three months after his appointment shall make a report under oath to the Department of Revenue what changes if any there are in the estate

(b) Every executor or administrator of any deceased patient in any State institution or of any patient receiving public funds in any private institution within three months after letters testamentary or of administration have been issued shall make a true full and complete report under oath to the Department of Revenue of the extent and character of the estate

(c) Whenever any fiduciary shall file in any court an account of his administration of such property or estate he shall file a duplicate of his account with the Depart-

ment of Revenue. No account shall be confirmed except upon proof to the court of the filing of a copy with the Department of Revenue. The fiduciary shall also notify the Department of Revenue when where and by whom his account will be audited. No report of the auditor or final adjudication thereof by any court shall be confirmed except after proof to the court of the giving of such notice

(d) Any person failing to make any report to the Department of Revenue hereby required shall be personally liable for such amount due the Commonwealth which amount may be recovered by suit brought in the Justice in the same manner as other debts are recoverable name of the Commonwealth through the Department of Section 705 Investigation of Financial Status of Patient

Whenever any person is maintained as a patient in any institution wholly or in part at the expense of the Commonwealth the Department of Revenue may investigate the financial ability of the patient or of the person liable for his support to defray the expenses of his care in whole or in part. If upon investigation by the Department of Revenue it appears that the patient's estate or the financial ability of the persons liable for his support are such that the full cost of his care or a part thereof can be paid the Department of Revenue shall require the payment of same if the patient was admitted upon voluntary application or if the patient was committed by order of court the Department of Revenue through the Department of Justice shall ask the court to revise its order so as to provide for the payment of the care in full or in part as the case may be

Section 706 Collection of Costs

(a) All moneys due the Commonwealth from the estate of a patient or the persons liable for the patient's support for his care in an institution owned and operated by the Commonwealth shall be collected by the Department of Revenue as collection agency for such institution and shall be promptly transmitted by the Department of Revenue to the State Treasurer

(b) Where there is a claim against the estate of any indigent patient or the persons liable for his support on behalf of any political subdivision or ward for his care in any institution either owned and operated by the Commonwealth or prior to its transfer to the Commonwealth owned and operated by such political subdivision or ward the political subdivision or ward shall collect such claim from said estate

(c) Where there is a claim against the estate of any indigent patient or the persons liable for his support both on behalf of the Commonwealth and on behalf of any political subdivision or ward and there is not sufficient in the estate to pay the claim in full the same shall be paid pro rata to the Commonwealth and to the political subdivision or ward in proportion to the amount of their respective claims

(d) For amounts due the Commonwealth from the counties for the care of criminal patients in an institution owned and operated by the Commonwealth the Department of Revenue after the last day of each calendar month shall promptly transmit to the county commissioners of the several counties a certified account of the expenses of the care of such patients for the calendar month together with an order payable to the Department of Revenue drawn on the county commissioners of the county who shall accept and promptly pay same to the Department of Revenue

(b) Admission and Commitment

Section 716 Admission and Commitment Costs

Costs of admission and commitment shall include

- (1) Removal of the patient to the institution
- (2) Fees of physicians or commission

(3) All other necessary expenses incurred in connection with such admission or commitment

Section 717 Payment of Costs of Commitment Proceedings Adverse to Petitioners

When any commission appointed by a court to report on the mental illness of any person finds that the person is not mentally ill or is not a fit subject for care in an

institution or otherwise reports adversely to the petitioners for the commitment the appointing court may impose the costs of the proceedings upon the county in which such person resides

Section 718 Payment of Costs of Admission and Commitment When Patient etc Unable

Whenever the patient or persons liable for his support are unable to pay the whole or any part of the costs of his admission or commitment the institution district of which the patient is a resident shall be liable for the unpaid amount of such costs

Section 719 Patient Detained for Temporary Care

(a) Costs of admission of any person admitted to an institution for temporary care shall include those for his maintenance during the temporary period and removal if he is removed during the period The person applying for temporary detention shall be liable for the costs

(b) When any patient admitted for temporary care is committed the costs of the commitment shall include the expenses incident to his admission for temporary care

Section 720 Costs of Admission of Dangerous Person

(a) The applicant for the admission of any patient who is alleged to be dangerous or violent or whose case is otherwise of an emergency nature shall be liable for the costs of his admission or commitment

(b) If the applicant does not have the patient committed during the period of temporary detention or does not remove him and if the patient is not voluntarily admitted the applicant shall be liable for all costs incident to the care of the patient in the institution

Section 721 Costs of Commitment of Persons Charged with Crime etc Not Undergoing Sentence

(a) The costs of commitment and removal to or from a mental hospital of any person charged with a criminal offense but who is not in custody or who is arraigned or brought before the court under any other circumstances or of any prisoner who before or during trial is found or thought to be mentally ill or in such condition as to make it necessary that he be cared for in a mental hospital shall be paid by the county in which the person or prisoner is committed

(b) Whenever any person convicted of any crime but not sentenced or charged with any crime and acquitted on the ground of insanity is committed to any mental hospital the costs of commitment and of removal to or from the hospital shall be paid by the county in which the crime was committed

(c) In any case the county may recover costs paid by it from the estate of the patient or from the persons liable for his support but not from any institution district

(c) Maintenance

Section 726 Mental Defectives and Epileptics in Schools

(a) No superintendent or any school shall accept an application for the admission of any mental defective or epileptic until the Department of Revenue has fixed the amount if any to be paid for the maintenance of the patient The amount shall be fixed according to the ability to pay of the parent of the patient or according to the value of his estate Payment of the amount so far as there is ability to pay shall be required as a condition to the admission or detention of the patient The amount may be changed from time to time by the Department of Revenue upon its receiving further information concerning ability to pay

(b) When neither the patient nor his parent has the ability to pay for his maintenance in the school his maintenance at the school shall be provided for by annual appropriations at such per capita rates as shall be appropriated by the General Assembly on the application of the trustees after submission to and approval by the department

(d) Transfer

Section 731 Costs of Transfer

Whenever any patient is transferred under the provisions of this act the cost of transfer or removal shall be paid by the patient or by the persons liable for his

support if the transfer was made at the request of such person Otherwise the costs shall be paid out of the appropriations for the care treatment and removal of indigent persons made to the department

Section 732 Costs of Returning Non-Residents

The actual expenses of returning a patient who is a non-resident of the Commonwealth to the place of his residence shall include travel costs and sustenance during travel All costs shall be paid by the Commonwealth

(e) Leave of Absence and Discharge

Section 736 Costs of Return Leave of Absence

Whenever the leave of absence of any patient is terminated by a superintendent the costs incurred by any sheriff constable or police officer in apprehending and returning the patient shall be paid by the person in whose charge the patient was allowed to leave If such person is unable to pay the costs they shall be paid by the person liable for the costs of care charged to the patient

Section 737 Payment of Traveling Expenses of Certain Patients Discharged

If any patient in an institution is ordered by the department to be discharged and such patient and the persons liable for his support are financially unable to pay the costs relating to discharge the superintendent of the institution shall pay his traveling expenses to his home The institution shall be reimbursed by the Commonwealth from current appropriations

(f) Other Costs

Section 741 Expenses of Extradition

If the application for the arrest of a patient escaped from any institution in this Commonwealth to another State is granted and an agent is appointed for the purpose of returning the patient the account of the agent shall be paid by the institution from which the patient escaped but the Governor may direct the whole or any part of the account to be paid by the Commonwealth

Section 742 Costs of Habeas Corpus Proceedings

The respondent in any writ of habeas corpus shall be liable for the costs and charges of every habeas corpus proceeding instituted on behalf of any patient unless the court certifies that there were sufficient grounds for detaining the patient

Article VIII

Miscellaneous Provisions Relating to Patients and Institutions

(a) Patients

Section 801 Rights of Patient

Every patient in any institution shall have the right

(1) To communicate with and to be alone at any interview with his counsel or representative of the department

(2) To religious freedom and to be visited by any minister of any religious denomination Religious services rendered by such minister shall be personal to the patient desiring the same and shall not interfere with the established order of religious services in the institution

(3) To be employed at a useful occupation in so far as the condition of the patient may permit and the institution is able to furnish useful employment to the patient

(4) In the discretion of the superintendent to sell articles the product of his individual skill and labor and the produce of any small individual plot of ground which may be assigned to and cultivated by him and to keep or expend the proceeds or send the same to his family

(5) To be furnished with writing materials and reasonable opportunity in the discretion of the superintendent for communicating under seal with any person outside of the institution Communications shall be stamped and mailed

(6) To be discharged as soon as he is restored to reason and competent to manage his own affairs

(7) To be visited and examined at all reasonable hours by any medical practitioner designated by him or by any

member of his family or "near friend" with the sanction of a court of the county in which he resided prior to his commitment to such institution. With the consent of the patient and of the superintendent the medical practitioner may attend the patient for all maladies other than mental illness in the same manner as if the patient were in his own home.

Section 802 Habeas Corpus

(a) Any patient or person acting on his behalf may petition any court for a writ of habeas corpus on the grounds that the patient is unjustly deprived of his liberty. The petition shall be in writing and shall be sworn to or affirmed.

(b) On the petition the court shall issue a writ of habeas corpus requiring the patient to be brought before the court for a public hearing where the question of his mental illness, mental deficiency, epilepsy or inebriety may be determined. The burden of proof shall rest upon the persons responsible for his admission or commitment.

Section 803 Female Patients

(a) Whenever any female patient is to be removed to or from her home or any institution and whenever any such patient is transferred she shall be accompanied by a female attendant unless such patient is accompanied by a member of her family.

(b) The court committing such patient or if such patient has not been committed by the court the persons liable for her support shall provide a female attendant for her.

Section 804 Employment of Patients
(a) All inmates of any institution which is wholly or in part maintained by the Commonwealth may make manufacture or produce supplies, manufactured articles, goods and products for the institution or for the Commonwealth or for any political subdivision or any State institution or any educational or charitable institution receiving aid from the Commonwealth.

(b) All the manufactured goods manufactured in institutions shall bear a stamp giving the full name or title of the institution wherein the goods were manufactured.

(c) Supplies, manufactured articles, goods and products so made, manufactured or produced may be sold or exchanged to or with the Commonwealth or any political subdivision or any State institution or any educational or charitable institution receiving aid from the Commonwealth. In the case of State institutions the proceeds of any sales of products shall be collected by the Department of Revenue to be by it transmitted to the State Treasurer. Each board of trustees shall keep an accurate record of the dates, quantities and prices of all sales made hereunder, which record shall at all times be subject to examination and audit by the Auditor General.

(d) Any trustee or superintendent or other person connected with the management or control of any institution who violates any of the provisions of this section by permitting any supplies, manufactured articles, goods or products to be sold or exchanged in any other way except as herein provided shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred dollars (\$500.00).

Section 805 Effect of Admission etc. to United States Veterans' Hospital

Any veteran after admission to a United States Veterans' Hospital either upon commitment or transfer under the provisions of this act shall be subject to the rules and regulations of such hospital. The chief officers thereof or of any similar United States Veterans' Hospital to which the veteran may thereafter be transferred shall be vested with the same powers authorized by law to be exercised by a superintendent in this Commonwealth with reference to retention of custody or of discharge of the veteran so committed or transferred. Any discharge granted by such chief officer upon a certificate of sanity shall have the same effect as that granted by a superintendent or by the department under the provisions of this act.

(b) Officers of Institutions

Section 811 Statement of Officer of Institution as to Condition of Patient

Whenever the superintendent or any physician or psychiatrist of any State-owned mental hospital or manager of a veterans' administration hospital is required to appear and testify before any court or commission issued out of such court in a civil proceeding relating to the mental condition of any patient in his charge in such hospital, the deposition of or sworn statement by such superintendent, manager, physician or psychiatrist may be admissible in evidence as to the condition of the patient in lieu of the appearance and testimony of the superintendent, manager, physician or psychiatrist.

Section 812 Payment of Cash Balance to Patient at Discharge

Upon discharge from an institution the superintendent shall determine whether any balance to the credit of a patient shall be immediately paid over to the discharged patient or his guardian or shall be held in trust by the treasurer of the institution until such time as in the judgment of the department it would serve the best interests of the patient to pay to him or to his guardian the balance or any part thereof.

(c) Penalties

Section 821 Penalty for Furnishing Liquor

Any person who delivers or causes to be delivered any alcoholic or other intoxicating or narcotic substance to any patient in any institution or psychopathic department or ward of a general hospital without the knowledge or consent of the superintendent thereof is guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not to exceed fifty dollars (\$50) or to undergo imprisonment not to exceed three months or both.

Section 822 Penalty for Furnishing Weapons

Any person who directly or indirectly sells, gives or furnishes to any patient in any institution any weapon or other instrument which may be used to injure any person in such institution is guilty of a felony and upon conviction thereof shall be sentenced to pay a fine not to exceed one thousand dollars (\$1,000) or to undergo imprisonment not to exceed five years or both.

Article IX

Guardian Of The Person

(a) Appointment

Section 901 Petition for Appointment of a Guardian of the Person

(a) When any person domiciled in this Commonwealth is or is thought to be mentally ill, mentally defective, epileptic or inebriate any of his relatives by blood or marriage or other responsible person may petition the court of the county of his residence for the appointment of a guardian of the person for him in the interest of his safety and well-being.

(b) Upon receipt of any petition after notice to the person alleged to be mentally ill, mentally defective, epileptic or inebriate and to such other persons as the court may direct, the court shall set a day for a hearing.

(c) The person for whom the guardian is requested shall be present at the hearing unless the court is satisfied by the presentation of positive testimony that he cannot be brought into court with safety to himself.

Section 902 Jury Trial on Request

Any person in whose interest a proceeding for the appointment of a guardian of the person has been taken shall be entitled to a trial by a jury on the fact of his alleged mental illness, mental defectiveness, epilepsy or inebriety.

Section 903 Appointment of Guardian Exclusiveness

(a) If the court finds after hearing or trial that the appointment of a guardian of the person is necessary for the safety and well-being of the person in whose interest the petition has been presented, it shall appoint a guardian.

(b) When a court has appointed a guardian of the person in accordance with this act, no other court shall appoint a similar guardian within the Commonwealth.

Section 904 Qualification for Appointment as Guardian

The court shall not appoint any natural person as

guardian of the person who is less than twenty-one years of age or who is not qualified to have the care and custody of the ward Any institution maintaining or having the care and custody of the patient may be appointed guardian of the person

(b) Removal Discharge

Section 911 Grounds for Removal

The appointing court shall have exclusive power to remove a guardian of the person when

(1) He has failed to perform any duties imposed by law or

(2) He has been adjudged mentally ill mentally defective inebriate or epileptic or

(3) He has become unable to discharge the duties of his office because of sickness or physical or mental incapacity or

(4) He has removed from the Commonwealth or has ceased to have a known place of residence therein or

(5) For any other reason the interests of the person for whom he has been appointed guardian are likely to be jeopardized by his continuance in office

Section 912 Removal of Guardian

The court on its own motion may and on the petition of any interested person alleging adequate grounds for removal shall order the guardian to appear and show cause why he should not be removed or when necessary to protect the ward may summarily remove him Upon removal the court may appoint a new guardian of the person for the ward Any guardian summarily removed may apply by petition to have the decree of removal vacated and to be reinstated and if the court vacates the decree of removal and reinstates him it shall make any orders appropriate to accomplish the reinstatement

Section 913 Discharge of Guardian

The appointing court shall have exclusive power to discharge by appropriate order any guardian of the person

(1) Upon petition of and proof by the ward that he is no longer mentally ill mentally defective epileptic or inebriate or

(2) Upon petition of the guardian while the ward is still mentally ill mentally defective epileptic or inebriate accompanied by a petition for the appointment of a new guardian or by proof that no new guardian need be appointed No guardian shall be discharged on his own petition until the court appoints a substitute guardian or determines that no new guardian need be appointed

(c) Duties and Authority of Guardian

Section 916 Orders for Care and Custody

When a court has appointed a guardian of the person for any one found to be mentally ill mentally defective epileptic or inebriate it may make and modify such orders for his care and custody as it deems necessary

Section 917 Filing of Inventory

If no guardian of the estate has been appointed for the ward the guardian of the person within forty days of his appointment shall file in the office of the prothonotary an inventory complete to his knowledge of all the property of the ward and shall file a supplemental inventory for any other such property which afterwards comes into his possession

Section 918 Filing Account

Whenever a guardian of the person is appointed separately from a guardian of the estate for a person mentally ill mentally deficient epileptic or inebriate he shall settle an account of his transactions as such in the office of the prothonotary whenever the appointing court so orders

(d) Costs

Section 921 Costs of Proceedings for Appointment etc of Guardian of the Person

(a) In every proceeding for the appointment of a guardian of the person under this act the appointing court shall order payment of the costs of proceeding by any of the interested parties in such proportions as it may direct

(b) Whenever in such a proceeding the court finds the petition for a guardian of the person unfounded or un-

necessary it shall order payment of all costs by the petitioner

Article X

Repeals

Section 1001 Specific Repeals

The following acts and parts of acts and all amendments and reenactments thereof are hereby repealed to the extent hereinafter specified

(1) Acts Relating to Mental Health Generally

Section three seven ten and eleven of the act approved the twentieth day of April one thousand eight hundred sixty-nine (P. L. 78) entitled "An act to provide for the admission of certain classes of the insane into hospitals for the insane in this Commonwealth and their discharge therefrom" absolutely

The act approved the twenty-seventh day of April one thousand eight hundred seventy-four (P. L. 114) entitled "An act to make appropriations for the Pennsylvania State Lunatic Hospital at Harrisburg" absolutely

The act approved the twenty-third day of March one thousand eight hundred seventy-six (P. L. 8) entitled "A further supplement to an act to provide for the admission of certain classes of the insane into hospitals for the insane in this Commonwealth and their discharge therefrom approved April twentieth Anno Domini one thousand eight hundred and sixty-nine" absolutely

The act approved the eighth day of May one thousand eight hundred eighty-nine (P. L. 127) entitled "An supplement to the act of April twentieth one thousand eight hundred and sixty-nine entitled 'An act to provide for the admission of certain classes of the insane into hospitals for the insane in this Commonwealth and their discharge therefrom' fixing the amount of compensation to be paid to the commissioners appointed under section six of said act and declaring who shall be liable therefor and for the costs of proceedings under said section" absolutely

The act approved the twenty-first day of May one thousand eight hundred eighty-nine (P. L. 258) entitled "A supplement to an act 'to provide for the care and treatment of the indigent insane of the several counties of the Commonwealth in State hospitals for the insane' approved the thirteenth day of June Anno Domini one thousand eight hundred and eighty-three" absolutely

The act approved the twenty-fifth day of June one thousand eight hundred ninety-five (P. L. 270) entitled "An act to define who shall be responsible for the maintenance of patients placed in hospitals for the insane by courts and judges in the different counties of this Commonwealth" absolutely

Sections two and three of the act approved the eighteenth day of July one thousand nine hundred one (P. L. 674) entitled "An act to carry out the provisions of acts of Assembly relating to the care and treatment of the indigent insane approved the thirteenth day of June one thousand eight hundred and eighty-three and the twenty-second day of June one thousand eight hundred and ninety-one and the twenty-sixth day of June one thousand eight hundred and ninety-five and the twenty-fifth day of May one thousand eight hundred and ninety-seven and the tenth day of May one thousand eight hundred and ninety-nine and making an appropriation therefor and providing for an additional appropriation for the care and detention of chronic insane under the provisions of the act approved the twenty-second day of June one thousand eight hundred and ninety-one during the two fiscal years beginning June first one thousand nine hundred and one" absolutely

The act approved the sixteenth day of April one thousand nine hundred three (P. L. 211) entitled "An act to authorize and provide for the commitment of persons habitually addicted to the use of alcoholic drink or intoxicating drugs to a proper hospital or asylum for restraint care and treatment" absolutely

The act approved the twenty-eighth day of May one thousand nine hundred seven (P. L. 290) entitled "An act to provide for the employment of the insane feeble-minded and epileptic persons confined in institutions

wholly or in part maintained by the State for the care and treatment of the insane feeble-minded and epileptic persons and providing for the distribution of the supplies manufactured articles goods and products made in State institutions for the care of the insane feeble-minded and epileptic persons" absolutely

The act approved the twentieth day of June one thousand nine hundred eleven (P. L. 1076) entitled "An act permitting in certain cases imposition of costs upon the proper county in proceedings for the commitment of an alleged insane person" absolutely

The act approved the twenty-fifth day of July one thousand nine hundred thirteen (P. L. 1306) entitled "An act to provide for the selection of a site and the erection of a State institution for the detention care and treatment of inebriates or persons habitually addicted to the use of alcoholic drink or intoxicating drugs to be called the State Institution for Inebriates and making an appropriation therefore" absolutely

Sections one through six and section eight of the act approved the fourteenth day of April one thousand nine hundred fifteen (P. L. 120) entitled "An act relating to persons habitually addicted to the use of alcoholic or drugs and providing for the care and treatment of such persons at the expense of the county and State if indigent" absolutely

The act approved the first day of June one thousand nine hundred fifteen (P. L. 661) entitled "An act relating to the maintenance of insane feeble-minded and other persons confined in the various institutions of the Commonwealth fixing liability for their support providing for the collection of the moneys due the Commonwealth therefor and for proceedings relating thereto" in so far as inconsistent with the provisions of this act

The act approved the twenty-sixth day of April one thousand nine hundred seventeen (P. L. 106) entitled "An act authorizing trustees of the insane or directors or overseers of the poor to provide a building or rooms for the care treatment and maintenance of persons temporarily mentally deranged" absolutely

Section two of the act approved the twenty-fifth day of July one thousand nine hundred seventeen (P. L. 1212) entitled "A supplement to an act approved the twenty-fifth day of July one thousand nine hundred and thirteen entitled 'An act to provide for the selection of a site and the erection of a State institution for the detention care and treatment of inebriates or persons habitually addicted to the use of alcoholic drink or intoxicating drugs to be called the State Institution for Inebriates and making an appropriation therefor' making an appropriation and providing for the admission of patients to said institution and providing for the payment of the costs and fees of hearings and of maintenance of patients by the respective counties" absolutely

The act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 998) entitled "An act for the prevention and treatment of mental diseases mental defect epilepsy and inebriety regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics governing the transfer discharge interstate rendition and deportation of mental patients providing for the payment by individuals counties or the Commonwealth of the cost of the admission care and discharge of mental patients and imposing penalties" absolutely

The act approved the eleventh day of April one thousand nine hundred twenty-nine (P. L. 487) entitled "An act authorizing the Department of Welfare to determine the legal residence of indigent insane feeble-minded and epileptic persons returned to this Commonwealth by the authorities of another State or transferred from one poor district to another by the department and requiring the proper district to pay the costs of the care and treatment of such persons in accordance with the laws relating to indigent insane persons" absolutely

The act approved the twenty-sixth day of March one thousand nine hundred thirty-one (P. L. 8) entitled "An act empowering courts to order the release of criminal insane for deporation by the United States" absolutely

The act approved the second day of May one thousand nine hundred thirty-three (P. L. 224) entitled "An act providing for the deferring of sentences in certain cases pending the mental examination of defendants authorizing trial judges to require psychiatrists employed by the Department of Welfare or county or State mental hospitals to examine certain such defendants without additional compensation except expenses payable by counties providing for the commitment of defendants to certain institutions where the reports show the same to be advisable and providing for the payment by individuals counties or the Commonwealth of the cost of admission care and discharge of such defendants" absolutely

The act approved the fifteenth day of July one thousand nine hundred thirty-five (P. L. 1005) entitled "An act requiring authorities in charge of State State-aid or county institutions offering treatment to mental patients to furnish certain information to the Department of Military Affairs" absolutely

Section two through 8.1 inclusive of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) entitled "An act relating to institutions of counties cities and institution districts for the care maintenance and treatment of mental patients providing for the transfer of such institutions to the Commonwealth providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the retransfer of certain property to institution districts under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities and institution districts certain powers and duties prohibiting cities counties and institution districts from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws" absolutely

The act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 815) entitled "An act authorizing the Department of Welfare with the approval of the Governor to establish additional institutions or to relocate present institutions for the care and treatment of persons afflicted with mental disorders or for the detention of persons sentenced by the courts authorizing the Department of Property and Supplies to acquire by purchase or condemnation certain sites for such institutions and to improve or erect buildings thereon providing for the administration of relocated of new institutions and empowering the Board of Commissions of Public Grounds and Buildings to dispose of institutions no longer used" in so far as it relates to institutions for the care of persons afflicted with mental disorders

The act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1190) entitled "An act authorizing the transferring to the Commonwealth of the properties and possessions of corporations formed for the support of a hospital for the insane and the disposition of unexpended moneys theretofore appropriated to such corporations" absolutely

The act approved the twenty-third day of May one thousand nine hundred forty-seven (P. L. 293) entitled "An act permitting certain personnel of State-owned mental hospitals to certify as to the condition of mental patients in lieu of attendance in person before any court in certain cases" absolutely

(2) Acts Relating to the Appointment Etc of a Guardian of the Person for Persons Mentally Ill Mentally Defective Epileptic or Inebriate

Sections one through fourteen sixteen through nineteen forty-one forty-two and sixty-three through sixty-seven of the act approved the thirteenth day of June one thousand eight hundred thirty-six (P. L. 589) entitled "An act relating to lunatics and habitual drunkards" in so far as inconsistent with the provisions of this act

Section two of the act approved the sixteenth day of April one thousand eight hundred forty-nine (P. L. 663) entitled "A supplement to the act relating to lunatics and habitual drunkards to punish aldermen and justices of the

peace for misdemeanor relating to arbitrations in the district court in the city and county of Philadelphia relative to deeds of assignment relative to judgments liens relating to limitation of actions and relating to liens and terre tenants and for the more effectual punishment of the crime of arson" absolutely

Section seven of the act approved the fifteenth day of April one thousand eight hundred fifty-one (P. L. 713) entitled "An act to annul the marriage contract between William Mead and Eliza his wife to the uniformed militia of Perry and Luzerne counties to the Cumberland Valley Railroad to the sale of the real estate of John Berge deceased to lunatics and habitual drunkards and to the Susquehanna Canal Company" absolutely

The act approved the eighth day of May one thousand eight hundred seventy-four (P. L. 122 (Act. No. 55)) entitled "An act limiting the time within which inquisitions of lunacy or habitual drunkenness may be traversed" absolutely

The act approved the tenth day of June one thousand eight hundred ninety-seven (P. L. 137) entitled "An act giving priority in the trial of lunacy cases traversing inquisitions of sheriff's juries in the courts of this Commonwealth" absolutely

The act approved the fifteenth day of July one thousand eight hundred ninety-seven (P. L. 301 (Act No. 234)) entitled "An act regulating applications for commissions to inquire into the lunacy or habitual drunkenness of inmates of any soldiers' and sailors' home almshouse home for the friendless or other charitable institutions" absolutely

(3) Acts Relating to the Several State Institutions

The act approved the fourth day of March one thousand eight hundred forty-one (P. L. 57) entitled "An act to establish an Asylum for the Insane of this Commonwealth" absolutely

Sections two through seventeen of the act approved the fourteenth day of April one thousand eight hundred forty-five (P. L. 440) entitled "An act to establish an asylum for the insane poor of this commonwealth to be called 'The Pennsylvania State Lunatic Hospital and Union Asylum for the Insane'" absolutely

The act approved the eleventh day of April one thousand eight hundred forty-eight (P. L. 535) "A supplement to the act to establish an asylum for the insane poor of this commonwealth passed April fourteenth one thousand eight hundred and forty-five" absolutely

The act approved the seventh day of April one thousand eight hundred forty-nine (P. L. 462) entitled "A further supplement to the act relative to the Pennsylvania State lunatic hospital passed April fourteenth one thousand eight hundred and forty-five" absolutely

Section five of the act approved the eighth day of April one thousand eight hundred sixty-one (P. L. 248) entitled "A supplement to the several acts of Assembly relative to the Pennsylvania State Lunatic Hospital" absolutely

The act approved the twenty-seventh day of March one thousand eight hundred seventy-three (P. L. 54) entitled "An act to organize the State Hospital for the insane at Danville and provide for the government and management of the same" absolutely

Sections one two and four through twelve of the act approved the fifth day of May one thousand eight hundred seventy-six (P. L. 121) entitled "An act to provide for the selection of a site and the erection of a state hospital for the insane for the city and county of Philadelphia and the counties of Bucks Montgomery Delaware Chester Northampton and Lehigh to be called the State Hospital for the Insane for the South-eastern District of Pennsylvania and for the management of the same" absolutely

The act approved the eighth day of June one thousand eight hundred eighty-one (P. L. 83) entitled "An act to organize the state hospital for the insane at Warren Pennsylvania" absolutely

Sections one two and four through seventeen of the act approved the twenty-second day of June one thousand eight hundred ninety-one (P. L. 379) entitled "An act to provide for the selection of a site and the erection

of a State asylum for the chronic insane to be called the State asylum for the chronic insane of Pennsylvania and making an appropriation therefor" absolutely

Sections one two four through ten seventeen through twenty of the act approved the third day of June one thousand eight hundred ninety-three (P. L. 289) entitled "An act to provide for the selection of a site and the erection of a State institution for the feeble minded to be called the Western Pennsylvania State Institution for the Feeble Minded and making an appropriation therefor" absolutely

Sections one two four through twelve of the act approved the eighteenth day of July one thousand nine hundred one (P. L. 737) entitled "An act to provide for the selection of a site and the erection of a State Hospital for the treatment of the insane under homeopathic management to be called the Homeopathic State Hospital for the Insane and making an appropriation therefor" absolutely

Sections one two four through nine sixteen eighteen nineteen of the act approved the fifteenth day of May one thousand nine hundred three (P. L. 446) entitled "An act to provide for the selection of a site and the erection of a State Institution for the Feeble-Minded and Epileptic to be called The Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor" absolutely

Sections one two four through thirteen of the act approved the eleventh day of May one thousand nine hundred five (P. L. 400) entitled "An act to provide for the selection of a site and the erection of a State Hospital for the treatment and care of the criminal insane to be called the State Hospital for the Criminal Insane and making an appropriation therefor" absolutely

The act approved the twentieth day of June one thousand nine hundred eleven (P. L. 1090) entitled "An act supplementing an act approved the fifteenth day of May Anno Domini one thousand nine hundred and three entitled 'An act to provide for the selection of a site and the erection of a State Institution for the Feeble-Minded and Epileptic to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor' by abolishing the commission therein established providing for the completion of said institution regulating the powers of the board of trustees and repealing the tenth and seventeenth sections thereof" absolutely

Section one of the act approved the twelfth day of June one thousand nine hundred thirteen (P. L. 494) entitled "An act supplementing and amending an act entitled 'An act to provide for the selection of a site and the erection of a State Institution for the Feeble-Minded and Epileptic to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor' approved the fifteenth day of May Anno Domini one thousand nine hundred and three prescribing the purposes of said institution amending the ninth and thirteenth sections of said act so as to extend the powers of the trustees of said institution and provide for the method of admission to said institution and of discharge therefrom providing that the court may make orders for the payment for the care and maintenance of certain inmates providing for the payment for the care and maintenance of indigent inmates of said institution by the Commonwealth and the payment of the costs of all committals thereto by the several counties authorizing transfers of idiotic feeble-minded and epileptic persons to and from said institution and repealing the eleventh twelfth fourteenth and fifteenth sections of said act and repealing section two of an act entitled 'An act supplementing an act approved the fifteenth day of May Anno Domini one thousand nine hundred and three entitled 'An act to provide for the selection of a site and the erection of a State Institution for the Feeble-Minded and Epileptic to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor' by abolishing the commission therein established providing for the completion of said institution regulating the powers of the board of trustees and

repealing the tenth and seventeenth sections thereof' approved the twentieth day of June Anno Domini one thousand nine hundred and eleven" absolutely

Sections one two four through eleven of the act approved the twenty-fifth day of July one thousand nine hundred thirteen (P. L. 1319) entitled "An act to establish a State village for feeble-minded women providing for the appointment of a board of managers to select a tract of land for that purpose in the State forest reserve and to erect and furnish buildings on the same and to manage said institution and providing for the commitment thereto of feeble-minded females between the ages of sixteen and forty-five years defining the powers and duties of the board of managers and making an appropriation for the purposes aforesaid also for the expenses of maintenance until June one one thousand nine hundred and fifteen" absolutely

Sections two through fourteen of the act approved the eighteenth day of June one thousand nine hundred fifteen (P. L. 1055) entitled "An act to provide for the selection of a site and the erection of buildings for a State Hospital for the Insane to be erected west of the Allegheny Mountains and to be known as the Western State Hospital for the Insane providing for the management of the same and making an appropriation for the purchase of said site and the preparation of plans for the construction of buildings for the said hospital" absolutely

Sections two through fourteen of the act approved the twenty-fifth day of July one thousand nine hundred seventeen (P. L. 1206) entitled "An act to provide for the selection of a site and the erection of buildings for a State Hospital for the Insane to be erected east of the Allegheny Mountains and to be known as the Eastern State Hospital for the Insane providing for the management of the same and making an appropriation for the purchase of said site and the preparation of plans for the construction of buildings for the said hospital" absolutely

The act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 502) entitled "A supplement to an act entitled 'An act to establish an asylum for the insane poor of this Commonwealth to be called "The Pennsylvania State Lunatic Hospital and Union Asylum for the Insane"' approved the fourteenth day of April Anno Domini one thousand eight hundred and forty-five (Pamphlet Laws page four hundred and forty)" absolutely

The act approved the fifth day of March one thousand nine hundred twenty-five (P. L. 22) entitled "An act ratifying and confirming the action of the Department of Welfare in classifying the Wernersville State Hospital as a hospital for the care and treatment of the indigent insane" absolutely

Section two of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 1199) entitled "An act for the acceptance of a site from the University of Pittsburgh and for surveys and the preparation of preliminary plans and estimates for a Western State Psychiatric Hospital providing for the erection construction and equipment of said hospital when appropriations are made available and for its management by the Department of Welfare" in so far as inconsistent

Sections one and six of the act approved the eighteenth day of April one thousand nine hundred forty-nine (P. L. 599) (Act No. 126) entitled "An act establishing within the limits of Philadelphia the Eastern Pennsylvania Psychiatric Institute as a State institution providing for a board of trustees and a medical advisory board therefor conferring powers and imposing duties upon the Department of Property and Supplies the Department of Welfare the board of trustees and the medical advisory board" in so far as inconsistent

Section one and two of the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1643) entitled "An act authorizing the Department of Property and Supplies to lease to the University of Pittsburgh the Western State Psychiatric Institute and Clinic in Allegheny County and providing for the management thereof by the University of Pittsburgh" in so far as inconsistent

Section 1002 General Repeal

All other acts and parts of acts in so far as they are inconsistent with the provisions of this act are hereby repealed

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. I simply desire, Mr. Speaker, to inquire specifically as to whether there is any new legislation in this code, and, if there is, what the new legislation is. I simply want that as a matter of record.

Mr. TOOMEY. There are no new laws enacted in this bill. This is merely a codification, a simplifying and bringing the laws together, that is, the Mental Health Act of 1923. There are some of laws that go into it that are nearly a hundred years old.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraff,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weldner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovanssek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 257, as follows:

An Act to further amend section 652 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing the measure of pupil teacher ratio in computing the real estate tax for school purposes in school districts of the first class and first class A. The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 652 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" as amended by the acts approved the second day of May one thousand nine hundred forty-nine (P. L. 855) and the ninth day of May one thousand nine hundred forty-nine (P. L. 1017) is hereby further amended to read as follows

Section 652 Tax Levy Purposes Limitations In all school districts of the first class and first class A the school taxes for the following fiscal year shall be levied annually by the board of public education thereof on or after the second Monday of November and before the first Monday of December following The board of public education thereof shall annually levy a tax on each dollar of the total assessments of all property assessed and certified for taxation in said district which tax shall be ascertained determined and fixed by adding together the following

(1) An amount which with all moneys received from the Commonwealth applicable thereto shall be sufficient to pay the minimum salaries and increments of the teaching and supervisory staff thereof as fixed and provided by law and to pay the contributions of said district to the teachers' retirement system For the purpose of computing the amount required to pay the minimum salaries and increments fixed by law but without otherwise limiting the rights of the district to employ teachers or other employees (i) The number of teachers on the salary schedule of the elementary schools shall not exceed one for every thirty pupils in average daily [attendance] membership in such schools (ii) The number of teachers on the salary schedule of the junior high schools shall not exceed one for every twenty-two pupils in average daily [attendance] membership in such schools (iii) The number of teachers on the salary schedule of the senior high schools shall not exceed one for every twenty-two pupils in average daily [attendance] membership in such schools (iv) The number of teachers with salaries and increments fixed by law on any salary schedule now established or hereafter established and not specially mentioned in this act shall not exceed one for every twenty-two pupils in average daily [attendance] membership (v) The number of principals in the elementary schools and the principals in charge of all other character of schools now established or hereafter established and not specially mentioned in this act shall not exceed one for every six hundred pupils in average daily [attendance] membership in such schools (vi) The number of principals in the junior and senior high schools shall not exceed one for every twelve hundred pupils in average daily [attendance] membership in such schools (vii) The number of supervisors in all schools shall not exceed one for every fifteen hundred pupils in average daily [attendance] membership (viii) The number of attendance officers and home and school visitors shall not

exceed one for every two thousand pupils in average daily [attendance] membership in all elementary and secondary schools (ix) In all adult and extension school classes the number of teachers shall not exceed one for every twenty pupils in average daily [attendance] membership in such schools

The salary and increments fixed by law of members of the teaching and supervisory staff whose number is not in some manner limited hereby shall not be included within the purposes authorized by clause (1) of this section but shall be construed and regarded as constituting expenses within the meaning of clause (3) of this section

Average daily [attendance] membership as used herein shall be based upon [attendance] membership during the preceding school term

(2) An amount sufficient to pay the interest on and retire at maturity the principal of the indebtedness of said district incurred as authorized by law

(2.1) An amount sufficient to pay any rentals agreed to be paid to the State Public School Building Authority or any other authority created by the General Assembly having State-wide jurisdiction

(3) An amount sufficient to pay all other expenses and requirements of said school district which amount shall be equivalent to not less than three nor more than five mills on the dollar of the total assessment of all property assessed and certified for taxation therein

The total annual school tax levy for all purposes in any school district of the first class shall not be more than eleven and three-quarter (11¾) mills on the dollar of the total assessment of all property assessed and certified for taxation in the territory constituting the district

Section 2 The provisions of this act shall become effective on the first day of July one thousand nine hundred fifty-one

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraff,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dalrymple,	Kline,	Penglass,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBols,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,

Erb.	Leisey.	Polen.	Westrick.
Ewing.	Leonard, L.	Price, H. W. Jr.	Whalley.
Fenrich.	Leonard, W. C.	Price, R. A.	Wheeler.
Ferster.	Leven.	Readinger.	White.
Filip.	Light.	Reagan.	Williams.
Filo.	Limper.	Reese.	Wilt.
Firmstone.	Loftus.	Reidenbach.	Wood.
Flack.	Lopresti.	Reilly, J. M.	Yeakel.
Frost.	Lovett.	Rigby.	Yester.
Gaffney.	Lutty.	Riley, R. L.	Yetzer.
Geer.	Lyons.	Robertson.	Young.
Gibson.	Madden.	Rose.	Ziegler.
Gleason.	Madigan.	Rosen.	Sorg.
Good.	Markley.	Rovansek.	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 439, as follows:

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "A supplement to the act approved the second day of June one thousand nine hundred and fifteen (P. L. 736) entitled as amended 'An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties' as reenacted and amended providing for the payment of compensation to volunteer firemen or their dependents" by extending the provisions thereof to certain persons who extinguish forest fires and further defining compensation in the case of self employers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "A supplement to the act approved the second day of June one thousand nine hundred and fifteen (P. L. 736) entitled as amended 'An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties' as reenacted and amended providing for the payment of compensation to volunteer firemen or their dependents" as last amended by the act approved the eighteenth day of April one thousand nine hundred forty-nine (P. L. 507) is hereby further amended to read as follows

Section 1 In addition to those persons included within the definition of the word "employee" as defined in section one hundred and four of the act approved the second day of June one thousand nine hundred and fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" as last reenacted and amended at the regular legislative session of one thousand nine hundred and thirty-nine there shall be included all members of volunteer fire companies or volunteer fire departments of the various cities boroughs incorporated towns and townships who shall be and are hereby declared to be "employees" of such cities boroughs incorporated towns townships for all the purposes of said act and shall be entitled to receive compensation in case of injuries

received while actually engaged as firemen or while going to or returning from any fire which the fire companies or fire department of which they are members shall have attended or while performing any other duties of such companies or fire departments authorized by such cities boroughs incorporated towns and townships and there shall be included all individuals who extinguish forest fires and are entitled to compensation therefor as determined by authorized officers of the Department of Forests and Waters and such individuals are hereby declared to be "forest fire fighters" and "employees" of the department for all the purposes of said act and shall be entitled to receive compensation in case of injuries received while actually engaged in extinguishing forest fires or while going to or returning from forest fires or while performing any other duties in connection with extinguishing forest fires authorized or ratified by the department's officers

The city borough incorporated town or township or the Department of Forests and Waters as employer shall in all cases be deemed to have knowledge of all other employment of all members of its volunteer fire companies or volunteer fire departments or of its forest fire fighters as the case may be including self employment and shall be liable for compensation on account of all wages and earnings resulting therefrom In all cases where an injury compensable under the provisions of this act is received by a member of a volunteer fire company or volunteer fire department or by a forest fire fighter of the department who is in whole or in part a self employer and loss of earnings results therefrom such earnings shall for the purpose of this act be regarded as wages The average weekly wage as so regarded shall be that most favorable to the employee computed by dividing by thirteen the total earnings of the employee in the first second third or fourth period of thirteen consecutive calendar weeks in the fifty-two weeks immediately preceding the accident.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando.	Goodling.	Maxwell.	Royer.
Andrews.	Graybill.	Mazza.	Rubin.
Banker.	Greenwood.	McConnell.	Sarra.
Barkdoll.	Greer.	McCormack.	Sax.
Baumunk.	Guarnieri.	McCullough.	Scanlon.
Bear.	Gutendorf.	McDermitt.	Schmidt.
Beaver.	Guthrie.	McGee.	Schuster.
Beech.	Hagerty.	McInroy.	Scott.
Berkstresser.	Hall.	McKinney.	Seyler.
Blair.	Hamilton, R. K.	McMillen.	Shoemaker.
Bloom.	Hamilton, W. H.	McNally.	Shotwell.
Boles.	Harney.	Metz.	Smith.
Bolton.	Haudenschild.	Mihm.	Snider.
Bomberger.	Headlee.	Mikula.	Sollenberger.
Boorse.	Helm.	Miller, H. G.	Spencer.
Bower.	Hersch.	Miller, J. C.	Stank.
Breisch.	Hewitt.	Mills.	Stimmel.
Breth.	Hocker.	Mintess.	Stoner.
Brown.	Hoggard.	Monroe.	Swartz.
Bucchin.	Hunter.	Moore, C. E.	Swope.
Byrne.	Jenkins.	Moore, H. A.	Tahl.
Cella.	Johnson.	Moran.	Taylor.
Clapper.	Jones, G. E.	Muldowney.	Thompson, E. F.
Clendenning.	Jones, J. M.	Munley.	Thompson, R. L.
Cochran.	Jones, P. F.	Murray.	Toll.
Conway.	Jones, T. H. W.	Musto.	Tompkins.
Cooper.	Jump.	Najaka.	Toomey.
Corr.	Kamyk.	Naugle.	VanSant.
Costa.	Keller.	Needham.	Varallo.
Coyle.	Kent.	Olsen.	Varnier.
Dalrymple.	Kline.	Penglase.	Verona.
Davis.	Kohl.	Peta.	Wachhaus.
Dennison.	Kolankiewicz.	Petrosky.	Wargo.
Dougherty.	Kornick.	Pettigrew.	Waterhouse.
Dowling.	Kratz.	Pfaff.	Watkins.
DuBols.	Kubacki.	Pichney.	Weldner.
Duffy.	Lafore.	Pitzer.	Welsh.

Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 512, as follows:

An Act to further amend subsection (b) of Section 4 of and to add Section 36.1 to the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by requiring taxing districts to pay the premiums on corporate bonds of the tax collector in townships of the first class and further regulating the fixing of the compensation of elected tax collectors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of Section 4 of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" as amended by the act approved the fifth day of June one thousand nine hundred forty-seven (P. L. 453) is hereby further amended to read as follows

Section 4 Bonds of Tax Collectors

(b) In boroughs towns and townships of the second class the elected tax collector shall be the collector of borough town or township taxes as the case may be and of county and institution school and vocational school district taxes He shall before he enters upon the duties of his office take and subscribe an oath of office and file the same in the office of the clerk of the court of quarter sessions of the county He shall enter into one surety bond to the Commonwealth for all taxes to be collected by him in an amount to be fixed by the court of quarter sessions of the county which amount shall never exceed the estimated amount of taxes charged in the duplicates to be delivered to him in one year Such bond may at the option of the tax collector be an annual bond or many cover the full term of office for which the tax collector shall have been elected Such bond shall have thereon at least two sufficient sureties or one bonding company and the sufficiency of the sureties on the bond shall be approved by the court of quarter sessions at any time prior to the delivery of a tax duplicate to the tax collector The bond

shall be filed in the office of the clerk of the court of quarter sessions on or before the fifteenth day of March of the year in which the tax collector qualifies for office and annually thereafter except where the first bond given by the tax collector covers the full term of office for which he was elected Should any of the taxing districts be of the opinion at any time that the bond given by the tax collector is not sufficient in amount or as to the surety thereon the said taxing district may apply to the court by petition to have the tax collector furnish additional bond in the manner provided by this section Thereupon the tax collector shall furnish such additional bond if any as the court of quarter sessions may prescribe but not exceeding the limitations as to the amount hereinbefore prescribed [After the thirty-first day of December one thousand nine hundred forty-nine]

(b.1) In boroughs towns and townships of the second class and after the thirty-first day of December one thousand nine hundred fifty-three in townships of the first class where the surety on a tax collector's bond or on the bond of a township treasurer as tax collector is a bonding company the premium on the bond shall be paid by the respective taxing districts Each taxing district shall be liable to pay that percentage of the bond premium as the total taxes charged in the duplicate of the taxing district bears to the total taxes charged in the duplicate of all of the taxing districts In any case where a tax collector is required to furnish additional bond the premium on such additional bond shall be paid by the taxing district which petitioned the court for the additional bond Prior to the first day of January one thousand nine hundred [fifty] fifty-four where the surety on a tax collector's bond in a township of the first class is a bonding company any taxing district may pay its percentage of the bond premium as above provided

* * * * *

Section 2 Said act is hereby amended by adding thereto immediately following section 36 a new section to read as follows

Section 36.1 When any taxing district or taxing authorities propose to either raise or reduce the compensation or salary for the office of an elected tax collector such action shall be by ordinance or resolution finally passed or adopted at least ten days prior to the last day fixed by law for candidates to withdraw their names from nomination previous to the day of the municipal election

Section 3 All acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	S. X,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelschi,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Minness,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,

Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Tompkins,
Conway,	Jones, T. H. W.,	Musto,	Toll,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Verner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weldner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 587, as follows:

An Act providing a method for the reestablishment of townships of the first class from any city to which they have been annexed regulating the proceedings pertaining thereto and reestablishing the same as separate school districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Reestablishment authorized within ten years after the annexation of a township of the first class to a city a petition may be presented to the Court of Quarter Sessions of the county wherein the whole or the greater portion of the territory of the former township is located for the reestablishment of the annexed territory as a township of the first class

Section 2 Petitions Petitions for the reestablishment of townships as provided in the preceding section shall be signed by registered electors equal in number to at least five per centum of the highest total vote cast within the former township of the first class boundaries for candidates for any office in the city affected at the last preceding municipal election Where candidates for any city office have as yet not been elected by the residents of such former township then a petition for the reestablishment of any such township may be signed by fifty of the registered electors of such former township Such petition shall be sworn to and subscribed by at least three of the signers

Such petitions shall set forth the name of the proposed township to be reestablished and shall specify the reasons for such reestablishment One such petition in each such proceeding shall be accompanied by an accurate map or plot prepared by an engineer showing the lines of the township to be reestablished Where natural marks are on such lines they shall be shown

Section 3 Confirmation Nisi of Petition Notice of Filing Upon the presentation of any such petition the same shall be confirmed nisi and the court shall by its order require that notice thereof be given by the petitioners to the residents of such former township and the city by advertisement once a week for three weeks in two newspapers in or circulated throughout the territory where such residents reside

Section 4 Exceptions Confirmation Absolute of Petition Within thirty days after the filing of such petition any taxpayer of the city affected may file exceptions to such petition questioning the sufficiency of the number of signers or the legality of any signatures or the accuracy or sufficiency of the map or plot attached thereto The court upon the filing of any exceptions shall fix a day for hearing of which such notice shall be given as the court may direct At such hearing the court shall hear all parties interested and their witnesses If the exceptions in the opinion of the court are sustained and the court deems the petition not amendable it shall dismiss the petition otherwise it shall confirm the same absolutely after any amendments permitted by the court have been made

Section 5 Elections When any petition is confirmed absolutely the court shall order an election to be held on the question of the reestablishment of such township which shall be held on the day of the next general or municipal election occurring at least ninety days after such order of court Such election shall be held at the regular polling places only within that part of the city which was formerly the township of the first class which was annexed to the city affected At any such election all of the registered electors of that part of the city which was the township of the first class prior to its annexation to said city affected shall have the right to vote The ballots or ballot labels at such election shall be furnished by the county commissioners and the question to be placed thereon shall be framed and printed on the ballots or on the ballot labels of voting machines as provided by the Pennsylvania Election Code

Section 6 Return of Election Decree The election officers of the consolidated territory or if they have not as yet been elected then the election officers of the former township after the polls have been closed shall count and certify the number of votes cast for and against such township reestablishment to the clerk of the court of quarter sessions who shall tabulate and compute the same and lay the result before the court If it shall appear that a majority of the votes cast in that part of the city which was the township of the first class prior to its annexation to said city affected are in favor of the reestablishment of the township the court shall order and decree the reestablishment of the township agreeably to the name and lines set forth in the petition and the government of the reestablished township shall be organized and become effective on the first Monday of January next succeeding such election If a majority of the votes cast in any such election are against the reestablishment of such township no further action shall be had upon said proceedings No new proceedings shall be entertained by the court for a period of two years

Section 7 Boundary Monuments The court may when deemed necessary cause the lines of any such reestablished township to be appropriately marked with stone monuments placed at intervals not exceeding fifteen hundred feet the cost thereof to be paid by the reestablished township

Section 8 Classification of Reestablished Townships Townships reestablished as herein provided shall be and remain townships of the first class unless and until by subsequent proceedings in accordance with law its classification shall be changed

Section 9 Costs When a township of the first class is reestablished as hereinbefore provided the costs of the proceedings shall be paid by such reestablished township and where any petition is dismissed or a majority of the electors shall vote against the reestablishment of any such township the costs of the proceedings shall be paid as the court may direct

Section 10 Property Debt and Tax Adjustment All prop-

erty vested in such township as of the date of its annexation to the city affected shall again be vested in such township as of the date of its reestablishment as a township. All bonded indebtedness of such township as of the date of its annexation shall be the debt of such township as of the date of its reestablishment as a township and the township shall not be liable for any part of the bonded indebtedness of such city existing prior to its annexation to such city. All unpaid taxes assessed and levied within such township during such annexation shall continue to be due until paid to the taxing authority of such city.

Section 11 Officers for Reestablished Townships Whenever a township of the first class shall be reestablished in accordance with the procedure in this act the court of quarter sessions shall divide such township into districts not in excess of fifteen nor less than two each of which shall contain not less than three hundred and fifty registered voters. The said court shall appoint five commissioners and the other elective officers to which a township of the first class is entitled and fix the polling place or places in such township. The officers so appointed shall hold their offices from the first Monday of January following the election reestablishing such township until the first Monday of January following the municipal election at which officers of the township are elected as hereinafter provided.

Section 12 Election of Commissioners in Reestablished Townships At the first municipal election following the reestablishment of a township as hereinbefore provided there shall be elected by the registered electors of each district of the township one township commissioner who shall reside in the district for which he is elected. At such election the township commissioners elected in even-numbered districts shall be elected for terms of two years each and those in odd-numbered districts for terms of four years each from the first Monday of January next following such election. The ballots or ballot labels at such election shall designate the term for which each commissioner is elected. Their successors shall be elected for terms of four years.

Section 13 Election of Treasurer in Reestablished Townships At such municipal election the qualified electors of such reestablished township shall elect a township treasurer for a two or four year term so that his term shall expire at the same time as the terms of treasurers of other townships of the first class as provided by law. Thereafter the term of treasurer of said township shall be four years from the first Monday of January next following his election.

Section 14 Election of Township Assessor and Assistant Township Assessor in Reestablished Townships At such municipal election one township assessor shall be elected for a term of four years and one assistant township assessor for a term of two years. Thereafter the terms of such township assessor and assistant township assessor shall be four years from the first Monday of January succeeding their respective elections.

This section shall not apply to townships in counties having county boards for the assessment and revision of taxes where assessors under existing laws are appointed.

Section 15 Certificate of Creation of Townships to State Departments Whenever a township of the first class is reestablished the clerk of the court shall certify such reestablishment to the Department of Internal Affairs and Department of Highways of the Commonwealth. The clerk of the court shall be allowed a fee of three dollars and fifty cents for his services to be paid as part of the costs of the proceedings.

Section 16 School Districts Upon the reestablishment of a township of the first class the territory comprising the same shall be reestablished as a separate school district of the class to which it is entitled.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SEYLER. Mr. Speaker, this is the bill we discussed last week and action on it was postponed. I have no desire to review at length the arguments made at that time. The facts were brought out however that this has its origin in an entirely local problem, local dispute. It has been brought to the Legislature, and according to the provisions of our Constitution it has been put into a general form that will affect every first class township which has become a part of a city and every city in the Commonwealth that at some future time may have such an annexation. If there are Members who have decided to swallow a principle in order to assist in the solution of a local difficulty I would just like briefly to remind them what the principle is that they are prepared to swallow.

The principle very simply is this: in case of a secession of a part of any type of municipality and type of political subdivision, which is to remove itself from that subdivision, if we follow the principle set forth in this particular piece of legislation we will see that they can depart in peace, provided a majority of the people in the small area involved in the secession vote to do that. That means that all of you interested in second class townships, first class townships, boroughs, cities, should consider the effect that this principle will have upon your problem if you come to this legislature asking for legislation with regard to secession.

I reviewed the last time the history of the three bills; one proposed by one of the sponsors of this present bill, the other two voted on by this House affirmatively, in which this House took a stand when any part of a political subdivision wished to secede it should only be by a vote of the entire political subdivision. Members of the House are on record twice in the last session as favoring that principle as to affected townships. I personally do not see how Members of this House can consistently go on record today in favoring the proposal as it applies to cities, and it will have, I am sure an effect in the future when any legislation of this type is involved, certainly the principle that we lay down today will become an issue. Therefore I ask the Members to vote "no" on this particular bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS--109

Banker,	Frost,	Madigan,	Sax,
Barkdoll,	Geer,	Markley,	Scott,
Baumunk,	Gibson,	Mazza,	Shoemaker,
Bear,	Gleason,	McConnell,	Smith,
Beech,	Graybill,	McCormack,	Sollenberger,
Blair,	Greenwood,	McInroy,	Spencer,
Bloom,	Greer,	McMillen,	Stimmel,
Bolton,	Gutendorf,	Metz,	Stoner,
Bomberger,	Guthrie,	Mikula,	Swartz,
Boorse,	Hall,	Miller, H. G.,	Tahl,
Bower,	Hamilton, W. H.,	Miller, J. C.,	Thompson, E. F.,
Brelsch,	Harney,	Mintess,	Thompson, R. L.,
Brown,	Haudenshield,	Moore, O. E.,	Tompkins,
Cells,	Helm,	Moore, H. A.,	Toomey,
Clapper,	Hewitt,	Murray,	VanSant,
Clendening,	Johnson,	Najaka,	Varnier,
Cooper,	Jones, T. H. W.,	Naugle,	Wachhaus,
Coats,	Jump,	Pichney,	Watkins,
Dalrymple,	Keller,	Pitzer,	Weidner,
Davis,	Kent,	Price, H. W. Jr.,	Wescott,
Dennison,	Kline,	Reagan,	Whalley,

Dowling, DuBois, Dunn, Erb, Ewing, Ferster, Flack,	Kohl, Kratz, Lafore, Leisey, Leonard, W. C., Light,	Reilly, J. M., Rigby, Riley, R. L., Robertson, Royer, Rubin,	White, Wilt, Wood, Yeakel, Young, Sorg, Speaker
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NAYS—82

Amarando, Andrews, Beaver, Berkstresser, Boles, Breth, Bucchin, Byrne, Cochran, Conway, Corr, Coyle, Dougherty, Duffy, Fenrich, Filip, Filo, Gaffney, Good, Goodling, Guarnieri,	Hagerty, Hamilton, R. K., Headlee, Hersch, Hocker, Hoggard, Hunter, Jenkins, Jones, G. E., Jones, J. M., Jones, P. F., Kamyk, Kolankiewicz, Kornick, Lederer, Leonard, L., Leven, Limper, Lopresti, Lovett, Lutty,	Lyons, Madden, McCullough, McDermitt, McGee, McNally, Monroe, Moran, Muldowney, Munley, Musto, Needham, Olsen, Penglase, Peta, Petrosky, Pettigrew, Pfaff, Polaski, Polen,	Price, R. A., Reidenbach, Rose, Rosen, Rovansek, Sarraf, Scanlon, Schmidt, Schuster, Seyler, Snider, Swope, Taylor, Toll, Varallo, Wargo, Welsh, Westrick, Williams, Yester,
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NOT VOTING 16

Firmstone, Kubacki, Loftus, Maxwell,	McKinney, Mihm, Mills, Readinger,	Reese, Shotwell, Stank, Verona,	Waterhouse, Wheeler, Yetzer, Ziegler,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 656, as follows:

An Act to add Section 1709 to the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for traveling expenses of members of joint school boards and joint school committees in attending meetings of the same

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article VII of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended by adding after Section 1708 a new section to read as follows

Section 1709 Traveling Expenses at Meetings of Joint Boards or Joint School Committees Each school director of a school district having established a joint school or department with another school district or in case the affairs of such joint school or department are being managed by a joint school committee then each member of such committee shall receive for his necessary traveling expenses mileage at the rate of six cents (6c) per mile for the distance necessary to be traveled in going to and from the meetings of such joint board or joint school committee not in excess however of twelve (12) meetings a year Said amount shall be paid by warrant drawn on the joint board treasurer by the president and secretary of the joint board or joint school committee

Section 2 The provisions of this act shall become effective

on the first day of July one thousand nine hundred fifty-one

And said bill having read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando, Andrews, Banker, Barkdoll, Baumunk, Bear, Beaver, Beech, Berkstresser, Blair, Bloom, Boles, Bolton, Bomberger, Boorse, Bower, Breisch, Breth, Brown, Bucchin, Byrne, Cella, Clapper, Clendenning, Cochran, Conway, Cooper, Corr, Costa, Coyle, Dalrymple, Davis, Denhison, Dougherty, Dowling, DuBois, Duffy, Dunn, Erb, Ewing, Fenrich, Ferster, Filip, Filo, Firmstone, Flack, Frost, Gaffney, Geer, Gibson, Gleason, Good,	Goodling, Graybill, Greenwood, Greer, Guarnieri, Gutendorf, Guthrie, Hagerty, Hall, Hamilton, R. K., Hamilton, W. H., Harney, Haudenschild, Headlee, Helm, Hersch, Hewitt, Hocker, Hoggard, Hunter, Jenkins, Johnson, Jones, G. E., Jones, J. M., Jones, P. F., Jones, T. H. W., Jump, Kamyk, Keller, Kent, Kline, Kohl, Kolankiewicz, Kornick, Kratz, Kubacki, Lafore, Lederer, Leisey, Leonard, L., Leonard, W. C., Leven, Light, Limper, Loftus, Lopresti, Lovett, Lutty, Lyons, Madden, Madigan, Markley,	Maxwell, Mazza, McConnell, McCormack, McCullough, McDermitt, McGee, McInroy, Hall, McMillen, McNally, Metz, Mihm, Mikula, Miller, H. G., Miller, J. C., Mills, Mintess, Monroe, Moore, C. E., Moore, H. A., Moran, Muldowney, Munley, Murray, Musto, Najaka, Naugle, Needham, Olsen, Penglase, Peta, Petrosky, Pettigrew, Pfaff, Pichney, Pitzer, Polaski, Polen, Price, H. W. Jr., Price, R. A., Readinger, Reagan, Reese, Reidenbach, Reilly, J. M., Rigby, Riley, R. L., Robertson, Rose, Rosen, Rovansek,	Royer, Rubin, Sarraf, Sax, Scanlon, Schmidt, Schuster, Scott, Seyler, Shoemaker, Shotwell, Smith, Snider, Sollenberger, Spencer, Stank, Stimmel, Stoner, Swartz, Swope, Tahl, Taylor, Thompson, E. F., Thompson, R. L., Toll, Tompkins, Toomey, VanSant, Varallo, Varner, Verona, Wachhaus, Wargo, Waterhouse, Watkins, Weidner, Welsh, Wescott, Westrick, Whalley, Wheeler, White, Williams, Wilt, Wood, Yeakel, Yester, Yetzer, Young, Ziegler, Sorg, Speaker
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NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 696, entitled:

An Act to further amend clause XIII of Section 702 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending re-

vising consolidating and changing the law relating thereto" by authorizing supervisors to provide insurance for employes of the township and providing for payments to beneficiaries

On the question,

Will the House agree to the bill on third reading?

Mr. JOHNSON. Mr. Speaker, at the request of the sponsors, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Section 1, page 3, line 13, by striking out after the word "the" and before the word "such" the following: [dependents of] and inserting in lieu thereof the following: "beneficiaries designated by."

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 697, entitled:

An Act to amend Section 1137 of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by authorizing boroughs to purchase annuity or life insurance contracts for the purpose of paying pensions annuities or disability or death benefits to policemen or their dependents

On the question,

Will the House agree to the bill on third reading?

Mr. JOHNSON. Mr. Speaker, at the request of the sponsors, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Section 1, page 2, line 14, by striking out after the word "the" and before the word "such" the following: [dependents of] and inserting in lieu thereof, the following: "beneficiaries designated by."

The SPEAKER. Will the House give unanimous consent to the offering of amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 698, entitled:

An Act to amend Section 1415 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by authorizing townships to purchase annuity contracts or life insurance policies for payment of pensions annuities and disability and death benefits to policemen or their dependents

On the question,

Will the House agree to the bill on third reading?

Mr. JOHNSON. Mr. Speaker, at the request of the sponsors, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 14, by striking out after the word "to" at the end of the line, the following: "[depend-]" by inserting in lieu thereof the following: "the beneficiaries"

Amend Section 1, page 2, line 15, by striking out at the beginning of the line before the word "such" the following: "[ents of]" and inserting in lieu thereof the following: "designated by."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 699, as follows:

An Act to further amend Section 1917 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class amending revising consolidating and changing the law relating thereto" by permitting lands or buildings to be set aside or acquired as recreation places and to provide for the supervision operation and maintenance thereof without approval by the electors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1917 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class amending revising consolidating and changing the law relating thereto" as reenacted revised and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 14581) is hereby further amended to read as follows

Section 1917 Approval of Electors for Acquisition of Land The township supervisors hereby are authorized on behalf of the township to accept the title to lands which may be donated to the township for any of the purposes mentioned in this article but none of the other powers conferred upon them by sections one thousand nine hundred and eight to one thousand nine hundred and sixteen in-

clusive of this article shall be exercised by them except after the approval thereof by the electors of said township at an election for the purpose held on a regular municipal election day of which election notice shall be given by publication in a newspaper of general circulation in the county in which the township is located said publication to be at least ten days before the day of the election

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer.
Andrews,	Graybill,	Mazza,	Rubin.
Banker,	Greenwood,	McConnell,	Sarraf.
Barkdoll,	Greer,	McCormack,	Sax.
Baumunk,	Guarnieri,	McCullough,	Scanlon.
Bear,	Gutendorf,	McDermitt,	Schmidt.
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott.
Berkstresser,	Hall,	McKinney,	Seyler.
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Relly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg.
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 700, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by further defining clarifying adding to and otherwise changing the laws relating to the affairs of townships

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 420 and 515 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as last amended by the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1562) are hereby further amended to read as follows

Section 420 Supervisors If the electors of any township shall fail to choose a supervisor or if any person elected to such office shall neglect or refuse to serve therein or if a vacancy shall occur in the office by death resignation removal from the township or otherwise the two remaining supervisors may appoint a successor [to] and upon their failure to make such appointment within thirty days after the vacancy occurs the court of quarter sessions shall appoint a successor upon the presentation of a petition signed by a supervisor and not less than five registered electors In either case the successor so appointed shall hold the office until the first Monday of January succeeding the first municipal election occurring at least sixty days after the office became vacant at which election a supervisor shall be elected for the unexpired term When a vacancy is so filled [the supervisors] by the two remaining supervisors they shall within fifteen days thereafter certify such appointment to the clerk of the court of quarter sessions

[If the two remaining supervisors in the event of a vacancy as aforesaid shall be unable to agree on such appointment for a period of thirty days after vacancy occurs the court of quarter sessions shall upon the presentation of a petition signed by a supervisor and by not less than five registered electors appoint a person to hold such office for the unexpired term]

Section 515 Compensation of Supervisors Supervisors shall receive from the general township fund as compensation not less than four dollars nor more than six dollars for each meeting which they attend The amount of the compensation for attending meetings shall be determined by the township auditors The township auditors shall also allow to the supervisors reasonable compensation for making a semi-annual inspection of the roads and bridges The compensation of supervisors when acting as superintendents roadmasters or laborers shall be fixed by the township auditors either per hour per day per week semi-monthly or monthly which compensation shall not exceed compensation paid in the locality for similar services and such other reasonable compensation for the use of [vehicular equipment] a passenger car or a two-axled four-wheeled motor truck having a chassis weight of less than two thousand pounds and a maximum gross weight of five thousand pounds when required and actually used for the transportation of road and bridge laborers and their hand tools as the auditors shall determine and approve but no supervisor shall receive compensation as a superintendent or roadmaster for any day he receives compensation for attending a meeting of supervisors unless such meeting is held during the nighttime

Section 2 Section 611 of said act as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) is hereby further amended to read as follows

Section 611 Delegates Each county association of township supervisors shall elect one township supervisor or township secretary for each ten townships or fraction thereof within said county as a delegate to each annual meeting of said State association

Section 3 Section 612 of said act as last amended by the act approved the twentieth day of May one thousand

nine hundred forty-nine (P. L. 1562) is hereby further amended to read as follows

Section 612 Expenses and Mileage The expenses of the delegates attending the annual meeting shall not exceed [ten] twelve dollars per day for each delegate for not more than three days together with [the actual mileage at the prevailing rate of railroad fare] eight cents per mile in going to and returning from such meeting and shall be paid by the respective county associations

Section 4 The first paragraph of Section 702 of said act as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) is hereby further amended to read as follows

Section 702 Supervisors to Exercise Powers The corporate powers of townships of the second class shall be exercised by the township supervisors Where no specific authority is given for the expenditures incident to the exercise of any power hereinafter conferred or where no specific fund is designated from which such expenditures shall be made appropriations for such expenditures shall be made only from the general township fund In addition to the duties imposed upon them by section 516 hereof they shall have power

Section 5 Clause II of said Section 702 of said act as last amended by the act approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1187) is hereby further amended to read as follows

Section 702 * * * *

II Contracts and Assessments for Lighting On the petition of the owners of a majority of the lineal feet frontage along any road highway or portion thereof within the township to enter into contract with electric gas or other lighting companies to light and illuminate said roads and highways and other public places [in villages] with electric light gas light or other illuminant

The township supervisors shall annually assess or cause to be assessed the cost and expense of the maintenance of said lights by an equal assessment on all property with two hundred and fifty (250) feet of such lighting in proportion to the number of feet the same fronts on the street or highway or portion thereof to be lighted The supervisors may provide for an equitable reduction from the frontage of lots at intersections or where from the peculiar or pointed shape of lots an assessment of the full frontage would be inequitable No such assessment shall be made against any farm land but vacant lots between built-up sections whether tilled or untilled shall not be deemed to be farm lands Provided however That the assessment per front foot against vacant lots shall be only twenty-five per centum of the assessment per foot front against property with improvements thereon All such assessments for street lighting shall be filed with the township tax collector who shall give thirty days written or printed notice that the assessments are due and payable stating the due date to each party assessed either by service on the owner of the property or by mailing such notice to the owner at his last known post office address The tax collector shall be entitled to the same commission for the collection of such assessments as he is entitled to by law for the collection of the township road tax If the assessments or any of them remain unpaid at the expiration of not exceeding ninety days the exact time to be fixed by the township supervisors they shall be placed in the hands of the township solicitor for collection The solicitor shall collect the same together with five per centum as attorney's commission and interest from the date such assessments were due by a municipal claim filed against the property of the delinquent owner in like manner as municipal claims are by law filed and collected Where an owner has two or more lots against which there is an assessment for the same year all such lots shall be embraced in one claim All assessments when collected shall be paid over to the township treasurer who shall receive and shall keep the same in a separate account and pay out the same only upon orders signed by the chairman of the township supervisors attested by the secretary The tax collector and the treasurer shall make a report to the auditors of the township annually

Section 6 Clause III of said Section 702 of said act as last amended by the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1562) is hereby further amended to read as follows

Section 702

* * * * *

III Contracts and Tax Levy for Fire Purposes On the petition of the surface property owners of a majority of the lineal feet frontage along any highways streets roads and alleys or portion thereof [in any village] within the township to enter into contract with water companies for the placing of fire hydrants to water mains maintaining pressures approved by the fire insurance underwriters along said highways streets roads and alleys or to provide for or acquire a water supply system equipped to supply sufficient water for the protection of property from fire

The moneys necessary for acquiring any such water system may be obtained by proceeding in accordance with either of the methods set forth in paragraphs A and B as follows

A The supervisors shall levy for the acquisition of a water system for the maintenance of such fire hydrants and for the purchase of hose et cetera an annual tax upon the property abutting upon said highways streets roads and alleys and upon property within six hundred feet of any fire hydrant in the district benefited thereby based upon the assessment for county purposes No such tax shall be levied against any farm land or land used as an aviation field or against other property in the district not benefited thereby Such tax shall be collected in the same manner as other taxes The collector shall receive the same commission as on the township tax The township treasurer shall receive all such taxes collected for fire protection and keep the same in a separate account and pay the same out only upon orders signed by the chairman of the board of supervisors attested by the secretary The treasurer shall make a report to the auditors of the township annually

B The township supervisors shall annually assess or cause to be assessed the cost and expense for the acquisition of a water system for the maintenance of such fire hydrants and for the purchase of hose et cetera by an equal assessment on all property abutting upon said highways roads and alleys within six hundred feet of any fire hydrant in the district benefited thereby in proportion to the number of feet the said property fronts on any street highway road or alley upon which a water main is laid or within six hundred feet of any fire hydrant on such street highway road or alley The supervisors may provide for an equitable reduction from the frontage of lots it intersects or where from the peculiar or pointed shape of lots an assessment of the full frontage would be inequitable No such assessment shall be made against any farm land but vacant lots between builtup sections either tilled or untilled shall not be deemed to be farm lands All such assessments for fire protection shall be filed with the township tax collector who shall give thirty (30) days written or printed notice that the assessments are due and payable stating the due date to each party assessed either by service on the owner of the property or by mailing such notice to the owner at his last known post office address The tax collector shall be entitled to the same commission for the collection of such assessments as he is entitled to by law for the collection of the township road tax If the assessments or any of them remain unpaid at the expiration of not exceeding ninety (90) days the exact time to be fixed by the township supervisors they shall be placed in the hands of the township solicitor for collection The solicitor shall collect the same together with five percent as attorney's commission and interest from the date such assessments were due by a municipal claim filed against the property of the delinquent owner in like manner as municipal claims are by law filed and collected Where an owner has two or more lots against which there is an assessment for the same year all such lots may be embraced in one claim All assessments when collected shall be paid over to the township treasurer who shall receive and shall keep the same in a separate account and pay the same only upon orders signed by the chairman of

the township supervisors attested by the secretary The tax collector and the treasurer shall make a report to the auditors of the township annually

Section 7 Clauses IV VIII X XXXVII and XLI of said Section 702 of said act as added or reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) are hereby amended or further amended as the case may be to read as follows

Section 702 * * * * *

IV Fire Protection To purchase or contribute to the purchase of fire engines and fire apparatus for the use of the township and to appropriate moneys to fire companies located therein for the operation and maintenance thereof and for the purchase and maintenance of fire apparatus and for the construction repair and maintenance of fire company houses in order to secure fire protection for the inhabitants of the township An annual report of the expenditure of such appropriated moneys shall be made to the township supervisors for each completed fiscal year of the township by such fire companies verified by an officer thereof before any further payments shall be made to such fire companies out of appropriations for any current fiscal year To ordain rules and regulations for the government of such fire companies and their officers and to regulate the method to be followed in the extinguishment of fires To enter into contracts with the proper authorities of near or adjacent cities boroughs or townships or fire departments fire companies or fire company therein for the furnishing to such townships of fire protection by the fire department fire departments fire companies or fire company of such cities boroughs or townships and to make appropriations therefor Provided That such contracts before being entered into by township supervisors shall be first approved by the township auditors

* * * * *

VIII Garbage Regulations [To provide for the care and removal of ashes garbage and other refuse material including the imposition and collection of reasonable fees and charges therefor and] To prohibit accumulations of garbage and rubbish upon private property including the imposition and collection of reasonable fees and charges for the collection and removal thereof They shall also have power to

(1) provide by contract or otherwise for the collection removal and disposal through incinerating works garbage plants or otherwise of ashes garbage and rubbish and to prescribe penalties for the enforcement thereof any such contract may be made for a period not exceeding three years To erect maintain and operate garbage or incinerating plants either within or without the limits of the township in order to provide for the destruction of garbage and other refuse material and to provide for the payment of the cost and expense thereof either in whole or part out of the funds of the township and to acquire and to maintain lands and places for the dumping of ashes and other refuse material or in the absence of such collection removal and disposal plan for the entire township the entire township the supervisors shall

(2) on petition of a majority of the adult taxable residents of any territory within the township which has been definitely defined set apart and limited by the township supervisors with the approval of the township auditors as a village prior to the filing of any such petition [the supervisors shall] either with township employees and facilities or with independent contractors provide for the removal from the village of ashes or garbage or other refuse material as the case may be and for the disposal thereof The supervisors shall levy a per capita assessment upon all adult residents of any such village sufficient to defray the cost of such removal and disposal Such assessment shall be collected in the same manner as per capita taxes and the collector shall receive the same commission thereon The treasurer of the board of supervisors shall receive all such assessments collected and keep the same in a separate account and pay the same out only upon orders signed by the chairman and attested by the secretary of the board of supervisors The treasurer shall make an annual report of the account to the auditors of the township

* * * * *

X Roads To purchase or hire material equipment machinery teams and implements as shall be necessary for the construction repair and maintenance of roads and bridges Records shall be kept of the rental paid for all equipment machinery teams and implements hired To lease or lend for adequate consideration such equipment machinery and implements to contract to construct reconstruct improve or maintain driveways on lands owned or occupied by school districts of the township to construct reconstruct and improve and to contract for the construction reconstruction and improvement of roads in the township

* * * * *

XXXVII Naming of Streets Numbering of Buildings To provide for and regulate the naming of streets roads and highways and to require and regulate the numbering of buildings

* * * * *

XLI Ordinances To adopt ordinances prescribing the manner in which such specific powers of the township shall be carried out All such ordinances unless otherwise provided by law shall be published prior to passage at least once in one newspaper circulating generally in the township [An ordinance shall not become effective until ten days after the passage aforesaid] Except as otherwise provided in this act all such ordinances shall be advertised after passage once in one newspaper circulating generally in the township shall be recorded in the ordinance book of the township and shall become effective five days after such advertising In any case in which maps plans or drawings of any kind are adopted as part of an ordinance the supervisors may instead of publishing the same as part of the ordinance refer in publishing the ordinance to the place where such maps plans or drawings are on file and may be examined The board of supervisors may prescribe fines and penalties not exceeding three hundred dollars in any instances for the violation of any such township ordinances which fines and penalties may be collected by suit or summary proceeding brought in the name of the township before any justice of the peace Proceedings for the violation of township ordinances and for the collection of fines and penalties imposed thereby may be commenced by warrant or by summons at the discretion of the justice of the peace before whom the proceeding is begun No warrant shall be issued except upon complaint on oath or affirmation specifying the ordinance for the violation of which the same is issued All proceedings shall directed to and be served by a constable of the township Warrants shall be returnable forthwith and upon such return like proceeding shall be had as in cases of summary conviction All fines and penalties collected for the violation of township ordinances shall be paid over to the township treasury Upon judgment against any person by summary conviction or by proceedings by summons on default of the payment of the fine or penalty imposed and the costs the defendant may be sentenced and committed to the township lockup for a period not exceeding five days or to the county jail or workhouse for a period not exceeding thirty days

[Except as otherwise provided in this act no ordinance shall be considered in force until same is recorded in the ordinance book of the township and is advertised as required in this subsection]

Any person aggrieved may within thirty days after any ordinance or resolution takes effect make complaint as to the legality of such ordinance or resolution to the court of quarter sessions upon entering into recognizance with sufficient surety to prosecute the same with effect and for the payment of costs The determination and order of the court thereon shall be conclusive

Section 8 Said Section 702 of said act as so reenacted and amended and as amended by the acts approved the thirteenth day of May one thousand nine hundred forty-nine (P. L. 1324) and the twentieth day of May one thousand nine hundred forty-nine (P. L. 1562) is hereby further amended by adding immediately following clause XLVI thereof new clauses to read as follows

XLVII Public Safety To take all needful means for securing the safety of persons or property within the township

XLVIII Committing Magistrate To designate from time to time one of the justices of the peace to sit at the police station or town hall as a committing magistrate

XLIX Fire Houses To provide and maintain suitable places for the housing of engines hose carts and other apparatus for the extinguishment of fire No such building shall be erected or maintained without obtaining the assent of the electors thereof expressed at an election to be held at the place time and under the same regulations as provided by law for the holding of municipal elections

L Building Regulations To prohibit or regulate the erection of wooden buildings in certain parts of the township and make regulations for the construction of new buildings and the alteration and repair of old ones and to require that before the work begins municipal approval of the plans and specifications therefor be secured to classify buildings or parts of buildings according to the use to be made of them to specify the mode of construction of such different classes of buildings and to require that before any use or occupancy be changed from any classification to a different classification as to which more stringent regulations are prescribed under the provisions of any ordinance relating thereto municipal approval of the plans and specifications therefor be secured

LI Building Sanitation Regulations In addition to other remedies provided by law and in order to promote the public health safety morals and the general welfare to enact and enforce suitable ordinances to govern and regulate the construction alteration repairs occupation maintenance sanitation lighting ventilation water supply toilet facilities drainage use and inspection of all buildings or parts of buildings constructed erected altered designed or used in whole or in part for human habitation and of the sanitation and inspection of land appurtenant thereto In case any building or structure is constructed reconstructed altered repaired converted or maintained or any building or land is used in violation of any ordinance enacted under authority conferred hereby the township supervisors in addition to penalties provided by ordinances enacted hereunder may institute appropriate actions or proceedings at law or in equity to prevent and restrain such unlawful construction reconstruction alteration repairs conversion maintenance or use and to restrain correct or abate such violation and to prevent the occupancy of said building or structure The ordinances enacted pursuant to this clause shall not be inconsistent with the provisions of any statute governing the same matter but all regulations prescribed by such ordinances which are additional or supplementary to the statute law and not inconsistent therewith or enacted for the purpose of carrying into effect the provisions of the statute law shall be valid and binding Such ordinances may adopt any standard building code published and printed in book form covering any or all of the above items without incorporating such building code in the ordinance or any township may enact such building code as its ordinance authorized under the provisions of this clause In either event such building code shall not be published or advertised in full as provided by this section in the case of the adoption of ordinances Provided That notice of the adoption of such standard building code as the building ordinance of the township together with a brief summary thereof setting forth the principal provisions of said ordinance in such reasonable detail as will give adequate notice of its contents pursuant to a uniform form which shall be prepared or approved by the Department of Labor and Industry and a reference to the place or places within the township where copies of the building code adopted are deposited and may be examined shall be published in the manner provided by this section for the publication of ordinances Not less than three such copies shall be made available to public inspection and use during business hours for a period of not less than three months after the adoption of such building code

LII Building Inspectors To provide for the inspection of

the construction and repair of buildings including the appointment of one or more building inspectors to prescribe limits wherein none but buildings of non combustible material and fireproof roofs shall be erected or substantially reconstructed or removed thereinto to provide penalties for the violation of such regulations Any building erected reconstructed or removed contrary to the provisions of any ordinance passed for any of the purposes therein specified is declared to be a public nuisance and abatable as such

LIII Building Lines To establish by ordinance and maintain uniform building lines upon any or all public streets or highways of the township

Section 9 Section 802 of said act as last amended by the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1562) is hereby further amended to read as follows

Section 802 Letting Contracts Each township shall have the power to make to authorize and to ratify expenditures for lawful purposes from funds available therefor by borrowing within legal limitations Provided That all contracts or purchases in excess of [five hundred dollars (\$500)] seven hundred fifty dollars except those hereinafter mentioned shall not be made except with and from the lowest responsible bidder after due notice in one newspaper of general circulation published or circulating in the county in which the township is situated at least [three] two times at intervals of not less than three days where daily newspapers of general circulation are employed for such publication or in case weekly newspapers are employed the notice shall be published once a week for two successive weeks The first advertisement shall be published not less than ten days prior to the date fixed for the opening of bids

The amount of the contract shall in all cases whether of straight sale price conditional sale bailment lease or otherwise be the entire amount which the township pays to the successful bidder or his assigns in order to obtain the services or property or both and shall not be construed to mean only the amount which is paid to acquire title or to receive any other particular benefit or benefits of the whole bargain

The acceptance of bids shall only be made by public announcement at the meeting at which bids are received or at a subsequent meeting the time and place of which shall be publicly announced when bids are received If for any reason one or both of the above meetings shall not be held the same business may be transacted at subsequent meetings Provided That at least five days' notice thereof shall be published in the newspaper aforesaid

The successful bidder when advertising is required herein shall be required to furnish a bond with suitable reasonable requirements guaranteeing performance of the contract with sufficient surety in the amount of fifty per centum (50%) of the amount of the contract within twenty days after the contract has been awarded unless the supervisors shall prescribe a shorter period not less than ten days and upon failure to furnish such bond within such time the previous award shall be void Delivery accomplishment and guarantees may be required in all cases of expenditures including the exceptions herein

The contracts or purchases made by any supervisors involving an expenditure of over [five hundred dollars (\$500)] seven hundred fifty dollars which shall not require advertising or bidding as hereinbefore provided are as follows

(a) Those made for maintenance repairs or replacements for water electric light and other public works of the township provided they do not constitute new additions extensions or enlargements of existing facilities and equipment but a bond may be required by the supervisors as in other cases of work done

(b) Those made for improvements repairs or maintenance of any kind made or provided by any township through its own employees Provided however That this shall not apply to construction materials used in a road improvement

(c) Those where particular types models or pieces of new equipment articles apparatus appliances vehicles or

parts thereof are desired by the supervisors which are patented and manufactured products

(d) Those involving any policies of insurance or surety company bonds those made for public utility service under tariffs on file with the Pennsylvania Public Utility Commission those made with another political subdivision county the Commonwealth of Pennsylvania or the Federal Government or any agency of the Commonwealth or Federal Government or any municipal authority including the sale leasing or loan of any supplies or materials by the Commonwealth or the Federal Government or their agencies but the price thereof or the expenditure therefor shall not be in excess of those fixed by the Commonwealth the Federal Government or their agencies

(e) Those involving personal or professional services Except as herein provided no township official either elected or appointed who knows or who by the exercise of reasonable diligence could know shall be interested to any appreciable degree either directly or indirectly in any contract for the sale or furnishing of any supplies or materials for the use of the township or or any work to be done for such township involving the expenditure by the township of more than three hundred dollars (\$300) in any year but this limitation shall not apply to cases where such officer or appointee of the township is an employe of the person firm or corporation to which the money is to be paid in a capacity with no possible influence on the transaction and which he cannot be possibly benefited thereby either financially or otherwise Provided however That in the case of a supervisor if he knows that he is within the exception just mentioned he shall so inform the supervisors and shall refrain from voting on the expenditures or any ordinance relating thereto and shall in no manner participate therein Provided further That any such official or appointee who shall knowingly violate this provision shall be subject to surcharge to the ouster from office and shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars (\$500) Provided That in the case of the purchase of material for the construction reconstruction maintenance and improvement of roads and bridges the contract which shall be in writing and shall be let only on standard specifications of the Department of Highways and materials so purchased shall only be used in accordance with specifications of said department

Section 10 Article VIII of said act as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) is hereby further amended by adding immediately following Section 802 thereof a new section to read as follows

Section 802.1 Evasion of Advertising Requirements It shall be unlawful for any township supervisor or supervisors to evade the provisions of section eight hundred two of this act as to advertising for bids by purchasing or contracting for services and personal properties piecemeal for the purpose of obtaining prices under seven hundred fifty dollars upon transactions which transactions should in the exercise of reasonable discretion and prudence be conducted as one transaction amounting to more than seven hundred fifty dollars any supervisor or supervisors knowingly violating such provisions shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than five hundred nor more than one thousand dollars and in default of payment thereof be imprisoned for not less than six months or more than one year and shall in addition forfeit his office in the case of any violation of such provision the township auditors shall determine whether such violation has resulted in a financial loss to the township and shall surcharge the offending officers with the resulting loss of all fines recovered under this section shall be paid to the township treasurer for the use of the township

Section 11 Clause 4 of Section 905 of said act as last amended by the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1562) is hereby further amended to read as follows

Section 905 Township and Special Tax Levies A The board of township supervisors may by resolution levy

taxes upon all real property and upon all occupations or upon real property alone within the township made taxable for township purposes as ascertained by the last adjusted valuation for county purposes for the purposes and at the rates hereinafter specified All taxes shall be collected in cash

* * * * *

4 A tax not exceeding two mills and not exceeding the amounts hereinafter limited for the purpose of purchasing and maintaining fire apparatus and to provide with the assent of the electors of the township as hereinafter provided a suitable place for the housing of the same and to make appropriations to fire companies for the purchase and maintenance of fire apparatus [but the total expenditure for the purchase of fire apparatus by the township together with the amount of appropriation to one or more fire companies from such taxes shall not for the first fiscal year exceed in all the sum of seven thousand five hundred dollars nor shall any] but no new fire apparatus shall thereafter purchased by the township or by any fire company from appropriations made by the township without the consent of the electors as herein-after provided

Section 12 Article IX of said act as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) is hereby further amended by adding immediately following Section 911 thereof a new section to read as follows

Section 912 Road Machinery Fund Special Tax Townships are hereby empowered to create a special fund to be known as the road machinery fund and to accumulate therein moneys to be used exclusively for purchasing road machinery Such special fund may consist of (1) moneys transferred during any fiscal year from appropriations made from the general township fund (2) moneys transferred from surplus moneys in the general township fund at the end of any fiscal year and (3) moneys appropriated to the fund in the annual budget from the receipts of a special tax which the supervisors may levy and collect for that purpose annually upon all property taxable for township purposes Except as herein otherwise provided such special tax shall not exceed two mills on the dollar In any year in which the tax levy for road bridge and general township purposes is less than nine mills the tax herein provided for may be increased up to the number of mills necessary to cause those two levies to equal but not exceed eleven mills

Section 13 Section 1101 of said act as amended by the act approved the second day of May one thousand nine hundred forty-nine (P. L. 819) is hereby further amended to read as follows

Section 1101 Power to Lay Out Open Widen Vacate Et Cetera The township supervisors may by ordinance enact ordain survey lay out open widen straighten vacate and relay all roads and parts thereof which are wholly within the township upon the petition of a majority in interest of the owners of property or properties through whose land such road passes or upon whose land it abuts or without petition of the owners of abutting property if in the judgment of the supervisors it is necessary for the public convenience Such power shall include authority to vacate in whole or in part roads laid out by the Commonwealth where the same have remained unopened for a period of thirty years and also the authority to lay out and open a public road which will be a continuation or extension of a street already opened by an adjacent city [or] borough or township and to provide in any ordinance for the vacation of a road that all or part thereof shall be a private road

The township supervisors may also by ordinance enact ordain survey lay out open widen straighten vacate and relay roads partly within the township where similar concurrent action is taken by the authorities of all political subdivisions wherein the road is located

When any petition is presented to the township supervisors under the provisions of this section and the supervisors fail to act on the petition within sixty (60) days the petitioners may present their petition to the court

of quarter sessions which shall proceed thereon as provided by the general road law

No such road shall be laid out and opened through any burial ground or cemetery nor through any grounds occupied by a building used as a place for public worship or as a public or parochial school or educational or charitable institution or seminary unless the consent of the owner or corporation or person controlling the premises is first secured

Section 14 Sections 1102 1103 and 1104 of said act as added by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) and Section 1102 of which was also amended in part by the act approved the second day of May one thousand nine hundred forty-nine (P. L. 819) are hereby amended to read as follows

Section 1102 Hearing Report Exceptions Thereto View and Notice (a) [The] Prior to the passage of any ordinance for the laying out opening changing or vacating of any road or section thereof the supervisors shall give ten days' written notice to the property owners affected thereby of the time and place when and where all parties interested may meet and be heard Witnesses may be summoned and examined by the supervisors and by the parties interested at such meeting or any adjournment thereof

(b) After such hearing and a consideration of the matter should the supervisors or a majority thereof decide in favor of exercising the power so conferred they shall make written report together with a draft or survey of the road fixing the width thereof and noting the improvements along the line thereof and the names of the owners of property through which the same shall pass or whereon it shall abut [Such] Duplicate copies of such report and draft shall be filed in the office of the clerk of the court of quarter sessions Upon the filing of such report and draft the supervisors may enact the necessary ordinance

(c) Any citizen or freeholder of the township may within thirty days after the filing of the report of the supervisors upon entering in the court sufficient surety to indemnify them for all costs incurred in the proceedings file exceptions to the report together with a petition for a review Thereupon the court of quarter sessions shall appoint viewers from the county board of viewers for the purpose of the review

(d) Upon favorable action on such matter by the supervisors and after the expiration of the term allowed for filing exceptions or upon the order of the court upon the disposition of any exceptions if in either case the compensation for the damages or benefits accruing therefrom have not been agreed upon the court of common pleas or any law judge thereof in vacation on application by petition by the supervisors or any person interested shall appoint three viewers from the county board of viewers to assess the damages and benefits occasioned by the proceeding in the manner provided by this act for such proceedings

(e) After the passage or approval of any ordinance by the supervisors for the opening widening straightening extending or vacating any road notice shall within ten days thereafter be given by handbills posted in conspicuous places along the line of the [proposed improvement] road Such notice shall state the fact of the passage or approval of the ordinance and the date of the passage or approval

(f) Petitions by property owners shall include the name and address of a person upon whom notices may be served All petitions shall be acted on within sixty (60) days after the hearing thereon Within such period the supervisors shall notify the person designated in the petition of their action thereon If the prayer of the petition is refused the petitioners or a majority of them may within thirty days after receipt of the notice petition the court of quarter sessions for the appointment of viewers and proceedings shall be had thereon in accordance with the general road law

Section 1103 Width of Public Roads The width of a public road in townships of the second class shall not be

less than thirty-three feet or more than one hundred and twenty-feet [unless in any particular case the supervisors shall determine that a road lesser width will be sufficient for public use and travel] Provided That when the public road desired to be opened is in a built up section of any township of the second class of the type commonly known as an alley and is not an integral part of a through route the minimum width may be fifteen feet And provided That the limits of width shall not be construed to include the width required for necessary slopes in cuts or fills when the limits of the road and the extra width required for such slopes exceed the limits of width herein specified

Section 1104 Laying Out Roads Under the General Road Law All roads partly within townships of the second class where one of the termini of such roads is without the township shall be laid out widened changed or vacated only by the courts of quarter sessions as heretofore in the manner provided by the general road law and the amendments additions and supplements thereto except where concurrent action is taken by all political subdivisions wherein such road is located But no such road shall be opened changed widened altered or vacated unless and until the supervisors of the township shall have passed a resolution consenting and approving thereto and shall have filed with the clerk of said court a copy of such resolution duly certified by the township secretary All damages and benefits occasioned by such laying out and the subsequent opening thereof or by any such widening changing or vacation shall be assessed collected and paid in the manner provided by the general road law and the amendments additions and supplements thereto Provided That all damages occasioned by such laying out and the opening thereof or by the widening changing or vacating of all roads within townships of the second class shall be assessed collected and paid by such townships of the second class

Section 15 Section 1135 of said act as last amended by the acts approved the fourteenth day of April one thousand nine hundred forty-nine (P. L. 474) and the twentieth day of May one thousand nine hundred forty-nine (P. L. 1562) is hereby further amended to read as follows

Section 1135 Petition of Property Owners Any township may grade curb gutter pave or otherwise improve with brick stone or any suitable materials any public street or road or part thereof laid out for and opened in the township Such work may be done by employees of the township or by contract as the board of supervisors shall determine No street or road or any part thereof shall be improved under the provisions of this section except upon the petitions of owners of property representing a majority in number of feet front of the properties abutting on the street or road or part thereof proposed to be improved

Section 16 Said act as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) is hereby further amended by adding immediately following Section 1147 of subdivision (i) of Article XI thereof a new section and by adding immediately following Article XII thereof a new Article to read as follows

(i) Deeds of Dedication Dedicated Roads Streets and Drainage Facilities

* * * * *

Section 1148 Scope of Subdivision (i) The provisions of this subdivision (i) of Article XI shall be applicable only in cases where a township shall fail to adopt and enforce land subdivision regulations as provided in Article XII-A of this act and to situations not covered by such regulations

Article XII-A

Land Subdivision

Section 1201-A Supervisors Empowered to Adopt Regulations For the purpose of assuring sites suitable for building purposes and human habitation and to provide for the harmonious development of townships for adequate open spaces for traffic recreation light and air and

for proper distribution of population thereby creating conditions favorable to the health safety morals and general welfare of the citizens the boards of township supervisors are hereby empowered to adopt by resolution land subdivision regulations. Such regulations may include denitions design standards plan requirements plan processing procedures improvement construction requirements and conditions of acceptance of public improvements by the township

Section 1202-A Public Hearing No such regulations shall first be adopted until after a public hearing in relation thereto at which parties in interest and citizens shall have an opportunity to be heard. Notice of the time and place of such hearing shall be published in an official paper if one has been designated by the Board of Township Supervisors or if none has been designated then in a paper of general circulation in the township once a week for two successive weeks

Section 1203-A Subdivision Control Where subdivision regulations have been adopted under the authority of this article no subdivision of any lot tract or parcel of land shall be affected no street sanitary sewer storm sewer water main or other facilities in connection therewith shall be laid out constructed opened or dedicated for public use or travel or for the common use of occupants of buildings abutting thereon except in strict accordance with the provisions of such regulations

Section 1204-A Definition of Subdivision Subdivision may be defined as the division of a single lot tract or parcel of land or a part thereof into two or more lots tracts or parcels of land including changes in street lines or lot lines for the purpose whether immediate or future of transfer of ownership or of building development. Provided however That divisions of land for agricultural purposes in parcels of more than ten acres not involving any new street or easement of access shall be exempted

Section 1205-A Subdivisions Wherein Lots Abut Existing Improved Streets of Sufficient Width Such regulations may provide that plans of subdivisions wherein lots abut existing improved streets of sufficient width shall be subject to approval or rejection by the township engineer or a committee appointed by the board of township supervisors as specified in the resolution establishing the regulations. In the event such a plan is disapproved the reasons therefor shall be set forth in writing and given to the applicant. Any person aggrieved by the decision of the township engineer or the committee may appeal to the board of township supervisors and such appeal shall be considered by the board at its next regular meeting. The decision of the board shall be final

Section 1206-A Subdivisions Wherein Abut Existing Streets of Insufficient Width or Proposed Streets

(a) Plans Subject to Approval or Rejection by Supervisors Plans of subdivisions wherein lots abut existing streets of insufficient width or streets proposed to be laid out through unimproved land shall be subject to approval or rejection by the board of township supervisors. In the event such a plan is disapproved the reasons therefor shall be set forth in writing and given to the applicant. Any party aggrieved by the decision of the board of township supervisors may appeal to the court of quarter session of the county as hereinafter provided

(b) General Requirements Prerequisite to Approval of Plan The board of township supervisors shall not approve any subdivision plan unless all streets shown thereon shall be of sufficient width and proper grade and shall be so located as to accommodate the probable volume of traffic thereon afford adequate light and air facilitate fire protection provide access of fire fighting equipment to buildings and provide a coordinated system of streets conforming to the township's official plan of streets and unless the land whereon buildings are to be constructed shall be of such character that it can be used for building purposes without danger to health or peril from fire flood or other hazard

(c) Improvements or Guarantee Thereof Prerequisite to Approval of Plan Before approving any subdivision plan for recording the board of township supervisors shall

either require that the necessary grading paving and other street improvements including where specified by the board curbs sidewalks street lights fire hydrants water mains sanitary sewers and storm sewers shall have been installed in strict accordance with the standards and specifications of the township or that the township be assured by means of a proper completion guarantee in the form of a bond or the deposit of funds or securities in escrow sufficient to cover the cost of the required improvements as estimated by the township engineer or township supervisors that the said improvements will subsequently be installed by the owner

(d) Public Hearing Before acting on any subdivision plan the board of township supervisors may arrange for a public hearing thereon after giving such notice as the board may deem desirable in each case

(e) Modifications The board of township supervisors may alter any subdivision plan and specify changes or modifications therein which it deems necessary and may make its approval subject to such alterations changes or modifications

(f) Appeals Where Supervisors Refuse Approval In any case where the board of township supervisors disapproves a subdivision plan any person aggrieved thereby may within thirty days thereafter appeal therefrom by petition to the court of quarter sessions of the county which court shall hear the matter de novo and after hearing enter a decree affirming reversing or modifying the action of the board as may appear just in the premises. The court shall designate the manner in which notices of the hearing of any such appeal shall be given to all parties interested. The decision of the court shall be final

(g) Recording The action of the board of township supervisors or of the court on appeal in approving any subdivision plan and an approved duplicate copy of such plan shall within thirty days of the date of approval be recorded by the owner in the office of the recorder of deeds of the county

(h) Recorded Plan Become Part of Official Plan After a subdivision plan has been duly recorded the streets parks and other public improvements shown thereon shall be considered to be a part of the official plan of the township

(i) Offer of Dedication May Be Noted on Recorded Plan Streets parks and other public improvements shown on a subdivision plan to be recorded may be offered for dedication to the township by formal notation thereof on the plan or the owner may note on the plan that such improvements have not been offered for dedication to the township

(j) Streets Parks and Other Improvements Private Until Dedicated or Condemned Every street park or other improvement shown on a subdivision plan that is recorded as provided herein shall be deemed to be a private street park or improvement until such time as the same has been offered for dedication to the township and accepted by resolution or until it has been condemned for use as a public street park or other improvement

Section 1207-A Sale of Lots Issuance of Building Permit or Erection of Building Where subdivision regulations have been adopted under the authority of this article not lot in a subdivision may be sold no permit to rect alter or repair any building upon land in a subdivision may be issued and no building may be erected in a subdivision unless and until a subdivision plan has been approved and where required recorded and until the improvements required by the board of township supervisors in connection therewith have either been constructed or guaranteed as hereinabove provided. Where owing to special conditions a literal enforcement of this provision would result in unnecessary hardship the board of township supervisors may make such reasonable exception thereto as will not be contrary to the public interest and may permit the sale of a lot issuance of a permit or erection of a building subject to conditions necessary to assure adequate streets and other public improvements

Section 1208-A Penalty Any person copartnership or corporation who or which shall subdivide any lot tract

or parcel of land lay out construct open or dedicate any street sanitary sewer storm sewer or water man for public use or travel or for the common use of occupants of building abutting thereon sell any lot or erect any building in a subdivision without having first complied with the provisions hereof and the subdivision regulations adopted hereunder shall be guilty of a misdemeanor and upon conviction thereof such person or the members of such copartnership or the officers of such corporation responsible for such violation shall be sentenced to suffer imprisonment not exceeding two years or pay a fine not exceeding one thousand dollars or both in the discretion of the court

Section 17 Sections 1402 1403 and 1901 of said act as so reenacted and amended are hereby further amended to read as follows

Section 1402 Construction of Sidewalks or Sidewalks and Curbs Upon Petition of Property Owners The township supervisors may construct sidewalks or sidewalks and curbs [or both] of suitable material along the roads or highways through towns and villages in such townships upon the petition of owners of property representing a majority in number of feet front of the properties abutting on the roads or highways where such sidewalks or sidewalks and curbs are to be constructed Whenever any such petition is filed with the supervisors the owner of the property shall be given notice by the supervisors to construct such sidewalk or sidewalk and curb and in case of the failure of the owner to complete such sidewalk or sidewalk and curb within a period of sixty days after the receipt of such notice the supervisors may construct such sidewalk or sidewalk and curb as herein provided Whenever any sidewalks or sidewalks and curbs are constructed by the supervisors the expense of the construction of such sidewalk or sidewalk and curb shall be paid by the abutting property owners in proportion to their frontage If such owners fail to so pay the expenses of the construction of such sidewalk or sidewalk and curb the township supervisors may recover the amount by action of assumpsit or may file municipal liens therefor against the abutting properties in the manner provided by law for the filing and collection of municipal liens

Section 1403 Power to Establish Lines Grades and Width of Curbs Sidewalks or Footpaths Supervisor of townships may regulate by [resolution] ordinance the grade and width of curbs sidewalks or footpaths constructed along the roads or highways in such townships and shall have general supervision over the same and may establish a grade or grades for curbs sidewalks or footpaths which grade or grades may be separate and apart from the grade or grades established for the cartway or roadway In case the highway is a State or county highway the written consent of the Department of Highways or the county commissioners as the case may be shall first be obtained

Section 1901 Designation and Acquisition of Lands The supervisors of any township may by ordinance designate and set apart for use as parks playgrounds playfields gymnasiums public baths swimming pools or indoor recreation centers hereinafter called recreation places any lands or buildings owned by such township and not dedicated or devoted to other public use Such township may in such manner as may be authorized or provided by law for the acquisition of lands or buildings for public purposes in such township acquire lands or buildings therein for any of such purposes or if there be no law authorizing such acquisition the township supervisors may acquire lands or buildings for such purposes by gift or purchase or may lease lands or buildings in such township for temporary use for such purposes Whenever the supervisors designate or acquire any lands with or without buildings under the provisions of this section except when the acquisition is under a lease for temporary use they may construct buildings and facilities thereon for the purposes herein indicated

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelschi,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Denhlison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fehrlich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Fillo,	Light,	Reagan,	Williams,
Firmstone,	Limper,	Reese,	Wilt,
Flack,	Loftus,	Reidenbach,	Wood,
Frost,	Lopresti,	Reilly, J. M.,	Yeakel,
Gaffney,	Lovett,	Rigby,	Yester,
Geer,	Lutty,	Riley, R. L.,	Yetzer,
Gibson,	Lyons,	Robertson,	Young,
Gleason,	Madden,	Rose,	Ziegler,
Good,	Madigan,	Rosen,	Sorg,
	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 701, as follows:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by changing requirements for contracts and purchases and imposing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1802 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" as reenacted revised and amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1955) is hereby further amended to read as follows

Section 1802 General Regulations Concerning Contracts (a) All contracts or purchases made by any township involving the expenditure of over [five hundred] seven hundred fifty dollars except those hereinafter mentioned shall be in writing and shall be made only after notice by the secretary published in one newspaper of general circulation published or circulating in the county in which the township is situated at least [three] two times at intervals of not less than three days where daily newspapers of general circulation are employed for such publication or in case weekly newspapers are employed then the notice shall be published once a week for two successive weeks. The first advertisement shall be published not less than ten days prior to the date fixed for the opening of bids. All plans and specifications shall be on file at least ten days in advance of opening bids. The amount of the contract shall in all cases whether of straight sale price conditional sale bailment lease or otherwise be the entire amount which the township pays to the successful bidder or his assigns in order to obtain the services or property or both and shall not be construed to mean only the amount which is paid to acquire title or to receive any other particular benefit or benefits of the whole bargain.

(b) In every instance in which any contract for any public work construction materials supplies or other matters or things for any township shall be awarded upon competitive bids it shall be the duty of the authorities authorizing the same to award said contract to the lowest responsible bidder. Any published notice for bids shall contain full plans and specifications or refer to the places where copies thereof can be obtained and give the time and place of meeting of the township commissioners at which meeting bids shall be publicly opened and read. If through lack of a quorum or other reason no meeting shall be held at such time and place notice of the same kind shall be repeated once at least six days before the meeting of the subsequent time and place fixed and the foregoing provisions as to bids shall apply. The same course shall be pursued until a meeting shall actually be held for receiving and opening bids. Any contract made in violation of the provisions hereof shall be void. But nothing herein contained shall prevent the making of contracts for governmental services for a period exceeding one year but any contract so made shall be executory only for the amounts agreed to be paid for such services to be rendered in succeeding fiscal years. Provided That if prior to the letting of any contract taxpayers of the township whose valuation as assessed for taxable purposes within the township shall amount to sixty per centum or over of the total property valuation as assessed for taxable purposes within the township shall sign and file with the township secretary of the board a written protest against such contemplated contract then such contract shall not be let.

(c) The successful bidder when advertising is required shall be required to furnish bond with suitable reasonable requirements guaranteeing the performance of the contract with sufficient surety in the amount of fifty per centum of the amount of the liability under the contract within twenty days after the contract has been awarded unless the township commissioners shall prescribe a shorter period of not less than ten days. Upon failure to furnish such bond within such time the previous award shall be void. Deliveries accomplishment and guarantees may be required in all cases of expenditures including exceptions herein.

(d) The contracts or purchases made by the commissioners involving an expenditure of over [five hundred] seven hundred fifty dollars which shall not require advertising or bidding as hereinbefore provided are as follows

(1) Those for maintenance repairs or replacements for water electric light or other public works of the township provided they do not constitute new additions extensions or enlargements of existing facilities and equipment but a bond may be required by the commissioners as in other cases of work done.

(2) Those made for improvements repairs and maintenance of any kind made or provided by any township through its own employees. Provided however That this shall not apply to construction materials used in a street improvement.

(3) Those where particular types models or pieces of new equipment articles apparatus appliances vehicles or parts thereof are desired by the commissioners which are patented and manufactured products.

(4) Those involving any policies of insurance or surety company bonds those made for public utility service under tariffs on file with the Pennsylvania Public Utility Commission those made with another political subdivision or a county the Commonwealth of Pennsylvania the Federal Government any agency of the Commonwealth or the Federal Government or any municipal authority including the sale leasing or loan of any supplies or materials by the Commonwealth or Federal Government or their agencies. But the price thereof shall not be in excess of that fixed by the Commonwealth the Federal Government or their agencies.

(5) Those involving personal or professional services.

Section 2 Article XVIII of said act as reenacted revised and amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1955) is hereby further amended by adding thereto immediately following section 1802 a new section to read as follows

Section 1802.1 Evasion of Advertising Requirements. It shall be unlawful for any township commissioner or commissioners to evade the provisions of section one thousand eight hundred two of this act as to advertising for bids by voting for the purchase of or contracting for service and personal properties piecemeal for the purpose of obtaining prices under seven hundred fifty dollars upon transactions which transactions should in the exercise of reasonable discretion and prudence be conducted as one transaction amounting to more than seven hundred fifty dollars. This provision is intended to make unlawful the practice of evading advertising requirements by making a series of purchases or contracts each for less than the advertising requirements price or by making several simultaneous purchases or contracts each below said price when in either case the transactions involved should have been made as one transaction for one price. Any commissioner who so votes in violation of this provision and who knows or should by the exercise of reasonable care and prudence as a commissioner know that the transaction upon which he so votes is or ought to be a part of a larger transaction and that it is being divided in order to evade the requirements as to advertising for bids shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than five hundred nor more than one thousand dollars and in default of payment thereof be imprisoned for not less than six months nor more than one year and shall in addition forfeit his office. The township commissioners whose votes shall have approved any transaction in violation of this section shall be jointly and severally subject to surcharge for the full amount of the contract or purchase price of the transaction. Wherever it shall appear that a commissioner may have voted in violation of this section but the purchase or contract on which he so voted was not approved this section shall be inapplicable. All fines recovered under this section shall be paid to the township treasurer for the use of the township.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraff,
Barkdoll,	Greer,	McCormack,	Sax,
Baumauk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boiton,	Harney,	Metz,	Smith,
Bomberger,	Haudenshield,	Mihm,	Snider,
Boorse,	Headlee,	Mikula,	Sollenberger,
Bower,	Helm,	Miller, H. G.,	Spencer,
Brelsah,	Hersch,	Miller, J. C.,	Stank,
Breth,	Hewitt,	Mills,	Stimmel,
Brown,	Hocker,	Mintess,	Stoner,
Buccchin,	Hoggard,	Monroe,	Swartz,
Byrne,	Hunter,	Moore, C. E.,	Swope,
Cella,	Jenkins,	Moore, H. A.,	Tahl,
Clapper,	Johnson,	Moran,	Taylor,
Clendening,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Cochran,	Jones, J. M.,	Munley,	Thompson, R. L.,
Conway,	Jones, P. F.,	Murray,	Toll,
Cooper,	Jones, T. H. W.,	Musto,	Tompkins,
Corr,	Jump,	Najaka,	Toomey,
Costa,	Kamyk,	Naugle,	VanSant,
Coyle,	Keller,	Needham,	Varallo,
Dalrymple,	Kent,	Olsen,	Varner,
Davis,	Kline,	Penglase,	Verona,
Dennison,	Kohl,	Peta,	Wachhaus,
Dougherty,	Kolankiewicz,	Petrosky,	Wargo,
Dowling,	Kornick,	Pettigrew,	Waterhouse,
DuBois,	Kratz,	Pfaff,	Watkins,
Duffy,	Kubacki,	Pichney,	Weidner,
Dunn,	Lafore,	Pitzer,	Welsh,
Erb,	Lederer,	Polaski,	Wescott,
Ewing,	Lelsey,	Polen,	Westrick,
Fenrich,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Filip,	Leven,	Readinger,	White,
Filo,	Light,	Reagan,	Williams,
Firmstone,	Limper,	Reese,	Wilt,
Flack,	Loftus,	Reidenbach,	Wood,
Frost,	Lopresti,	Reilly, J. M.,	Yeakel,
Gaffney,	Lovett,	Rigby,	Yester,
Geer,	Lutty,	Riley, R. L.,	Yetzer,
Gibson,	Lyons,	Robertson,	Young,
Gleason,	Madden,	Rose,	Ziegler,
Good,	Madigan,	Rosen,	Sorg,
	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 702, entitled:

An Act to futher amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by further regulating the affairs of boroughs and revising amending and changing the law relating thereto

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMENDED

Mr. WOOD. Mr. Speaker, I move that this bill be recommended to the Committee on Municipal Corporations for the purpose of amendment.

The motion was agreed to.

BILL PASSED OVER

There being no objection

House Bill No. 716, Printer's No. 112 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 717, as follows:

An Act making a deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-nine and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-nine

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of ten million dollars (\$10,000,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Public Assistance for the payment of the deficiency in the appropriation for the payment of assistance and administrative expenses as provided by the Public Assistance Law and for the payment of attorneys' fees and court costs necessary for the proper conduct of the work of the Department of Public Assistance for the two fiscal years beginning June first one thousand nine hundred forty-nine and for the payment of assistance and administrative expenses at attorneys' fees and court costs accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-nine

Section 2 Out of the moneys appropriated by section one of this act the Department of Public Assistance shall allocate funds from time to time for the several assistance programs (old age assistance aid to dependent children pensions for the blind general assistance and other programs provided by the Public Assistance Law) for administrative expenses of the several county boards of assistance for such administrative expenses incurred by the department which are chargeable to such boards and for the payment of attorneys' fees and court costs necessary for the proper conduct of the work of the department

Section 3 Out of the moneys appropriated by section one of this act quarterly allocations shall be made to the Department of the Auditor General and the Treasury Department respectively in such amounts as may be deemed necessary to pay the administrative expenses of such departments in auditing and disbursing appropriations for or relating to public assistance including any Federal sums supplementing such appropriations In the case of the Department of the Auditor General said allocation shall be made by the Governor President pro tempore of the Senate Speaker of the House of Representatives and the Auditor General or a majority thereof and in the case of allocations made to the Treasury Department such allocations shall be made by the Governor President pro tempore of the Senate Speaker of the House of Representatives and the State Treasurer or a majority thereof

Section 4 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, I simply wanted to call the attention of the House to the fact that in these deficiency bills we operate with a pistol at our heads. Apparently there is no limit except the discretion of the Governor as to the amount of the deficiency that any operating Department may incur.

To those who are interested in riding herd upon the way Departments spend money, I suggest that something be done to establish some sensible system of control that will prevent Departments from incurring deficiencies in any amount that the department heads, with the consent of the Governor, may elect.

We are appropriating \$10 million to the Department of Public Assistance. It could just as well have been \$20 million, or \$30 million, or \$40 million, and some day we will have to attack that problem in sensible fashion.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Cleandening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr.,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Fillip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 719, as follows:

An Act making a deficiency appropriation to the Department of Welfare to reimburse State-aided hospitals for part of the cost of training student nurses in approved schools of nursing

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of four hundred forty thousand dollars (\$440,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Welfare for the payment of the deficiency in the appropriation for the two fiscal years commencing the first day of June one thousand nine hundred forty-nine to be paid to State-aided medical and surgical hospitals for the purpose of reimbursing such hospitals for part of the cost of training student nurses in approved schools of nursing Payments from the appropriation herein made shall be made to such hospitals from time to time at the rate of seventy-five dollars (\$75) annually for each student nurse being trained in a hospital

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Cleandening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr.,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,

Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 788, as follows:

An Act providing for the construction and equipping of the Pennsylvania Institution for Mental Defectives providing for the acquisition of land providing for the care maintenance and control of inmates imposing duties and conferring powers on the Department of Welfare and the Department of Property and Supplies The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Welfare with the approval of the Governor shall select for acquisition by the Department of Property and Supplies in the name of the Commonwealth land for the erection and construction thereon of a new institution for mental defectives with a capacity of not less than six hundred inmates Such land shall provide ample water supply and be capable of adequate sewerage and drainage and the acreages obtained shall be sufficient for the most productive agricultural employment of the inmates

Section 2 Upon the acquisition of any land in the name of the Commonwealth the Department of Property and Supplies shall construct thereon a new institution which shall be known as the "Pennsylvania Institution for Mental Defectives" The plans and specifications of the institution shall be subject to the approval of the Department of Welfare and shall provide for suitable buildings and an adequate water supply system sewage treatment works heat and electric power plant or plants service lines and other necessary equipment structures and improvements The buildings shall be of modern design plain and substantial and capable of extension as the needs of the institution may require

Section 3 The Department of Welfare shall receive into the custody of such institution for care guidance and control mental defectives in accordance with the provisions of the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 998) known as The Mental Health Act of one thousand nine hundred twenty-three as amended

Section 4 The management and operation of the school and the care maintenance and employment of the inmates shall be the function of the Department of Welfare Subject to and in the manner provided in The Administrative Code of one thousand nine hundred twenty-nine and its amendments the Department of Welfare shall have power to employ and fix the compensation of a superintendent deputy superintendent chaplain guards physicians mechanics clerks stenographers and other employees as may be deemed necessary for the proper maintenance and management of the school and the safekeeping therein of its inmates The compensation of all persons so appointed and all other expenses in connection with the care and maintenance of inmates of the institution shall

be paid from the appropriation made to the Department of Welfare for such purposes The Commonwealth shall be reimbursed for such expenditures by the respective counties from which such inmates were committed

Section 5 In the management of the Pennsylvania Institution for Mental Defectives the Department of Welfare shall have all the power conferred and perform all the duties imposed by the laws of the Commonwealth on the boards of trustees of the mental hospitals in Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Buchlin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Cleodening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Mwsto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weldner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Westcott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

Senate Bill No. 77, Printer's No. 99, and

Senate Bill No. 195, Printer's No. 49

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 237 as follows:

An Act to amend Section 714 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the laws relating thereto" by further regulating the possession and transportation of big game

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 714 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 714 Transporting Big Game It is unlawful for any person or for any common carrier or his or its agents to ship or transport big game of any kind unless the carcass shall in all instances have attached thereto a card or marker bearing in English the name and address of the owner his license and county number if the license bears such number with the name of the county wherein the same was killed

It is unlawful for any person to cut up big game and ship [transport carry or convey] any part thereof or for any common carrier or his or its agent to transport any such part unless each division thereof shipped uncovered or each package container or baggage of every description containing any part of such game shall have attached a card or marker bearing in English the name of the owner of such game with his home address his license and county number if the license bears such number and the character of the contents of such package so that such contents may be determined by an outside inspection thereof

Any individual may possess transport carry or convey an unmarked part of a big game carcass that has been cut up but such person shall upon request of any law enforcement officer furnish the name and address of the person killing the big game animal and any other information required to properly establish legal possession in such person

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,

Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bacchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weldner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Relly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 243, entitled:

An Act validating certain deeds bonds and mortgages and trust indentures executed and delivered by nonprofit corporations unless the validity thereof is raised by legal proceedings within a prescribed period of time

On the question,

Will the House agree to the bill on third reading?

Mr. ANDREWS. Mr. Speaker, I notice that this bill has been introduced by request. I would like to inquire at whose request?

Mr. SMITH. I cannot answer the gentleman at whose request. I noticed that the Majority leader of the Senate introduced it, and I will gladly find out if he would like this bill held over.

Mr. ANDREWS. I would like to know at whose request it was introduced.

BILL PASSED OVER

There being no objection

Senate Bill No. 243, Printer's No. 60 was passed over at the request of Mr. SMITH.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 338, as follows:

An Act to amend clause (1) of subsection A of section 1412 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers directors trustees shareholders attorneys and other employees of all such corporations employees' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by revising the procedure for the conversion of banks and bank and trust companies into national banks

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (1) of subsection A of section 1412 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers directors trustees shareholders attorneys and other employees of all such corporations employees' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" as last amended by the act approved the twenty-first day of June one thousand nine hundred forty-seven (P. L. 779) is hereby further amended to read as follows

Section 1412 Merger Consolidation or Conversion of Banks or Bank and Trust Companies into National Banks A One or more banks or bank and trust companies and one or more national banking associations operating under the laws of the United States may pursuant to the laws of the United States be merged into one of such national banking associations or consolidated into a new national banking association operating under the laws of the United States and a bank or bank and trust company may pursuant to the laws of the United States be converted into a national banking association provided that the banks or bank and trust companies participating in such a merger or consolidation and the bank or bank and trust company being converted into a national banking association shall comply with the following requirements established by this section

(1) The plan of merger or consolidation or of conversion has been approved in the manner and after the advertising and notice required by this act in the case of mergers or consolidations of incorporated institutions

by at least a majority of all the directors of any bank or bank and trust company participating in such plan and in the case of a merger or consolidation by the holders of two-thirds of its outstanding shares entitled to vote thereon and in the case of a conversion by the holders of fifty-one per centum of its outstanding shares entitled to vote thereon

Sections 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and greed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Milhm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchn,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fenster,	Leven,	Readinger,	White,
Flip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Relly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 339, as follows:

An Act to amend section 1408 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers directors trustees shareholders attorneys and other employees of all such corporations employees' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by making further provision concerning the effect of merger or consolidation of banking institutions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1408 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers directors trustees shareholders attorneys and other employees of all such corporations employees' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" is hereby amended to read as follows

Section 1408 Effect of Merger or Consolidation Upon the merger or consolidation becoming effective the several corporations parties to the plan of merger or consolidation shall be a single incorporated institution which in the case of a merger shall be that incorporated institution designated in the plan of merger as the surviving incorporated institution and in the case of a consolidation shall be the new incorporated institution provided for in the plan of consolidation [The separate existence of all corporations parties to the plan of merger or consolidation shall cease except in the case of a merger that of the surviving incorporated institution and their articles and certificates of incorporation shall be considered forfeited] In the case of a merger the surviving incorporated institution and in the case of a consolidation the new incorporated institution shall be considered the same business and corporate entity as the several corporations parties to the plan of merger or consolidation and the corporate existence of each of the several corporations

parties to the plan of merger or consolidation shall be merged into and continued in the surviving incorporated institution in the case of a merger and in the new incorporated institution in the case of consolidation [Such corporations shall be continued bodies corporate for a period of three years after the time of such forfeiture for the purpose of actions at law or in equity authorized by this section to be continued against them or for the purpose of winding up their affairs but they shall not continue the business for which they were incorporated in any manner whatsoever] The surviving or new institution as the case may be shall not thereby acquire authority to engage in any business or exercise any right which is forbidden to a bank a bank and trust company a trust company or a savings bank as the case may be when originally incorporated under this act The surviving or new incorporated institution shall be subject to all the restrictions limitations or duties imposed upon such incorporated institutions when originally incorporated under this act All the property real personal and mixed of each of the corporations parties to the plan of merger or consolidation and all debts or obligations due to any of them including subscriptions to share and other choses in action belonging to either or any of them shall be taken and deemed to be transferred to and vested in the surviving or new incorporated institution as the case may be without further act or deed The surviving or new incorporated institution shall thenceforth be responsible for all the liabilities and obligations of each of the corporations so merged or consolidated but the liabilities of the merging or consolidating corporations or of their shareholders directors trustees or officers shall not be affected nor shall the rights of the creditors thereof or of any persons dealing with such corporations or any liens upon the property of such corporations be impaired by such merger or consolidation and any claim existing or action or proceeding pending by or against any of such corporations may be prosecuted to judgment as if such merger or consolidation had not taken place or the surviving or new incorporated institution may be proceeded against or substituted in its place In the case of a merger the articles of incorporation of the surviving incorporated institution shall be deemed to be amended to the extent if any that changes in its articles are stated in the articles of merger and in the case of a consolidation the statements set forth in the articles of consolidation and which are required or permitted to be set forth in the articles of incorporated institutions formed under this act shall be deemed to be the articles of incorporation of the new incorporated institution The aggregate amount of the net assets of merging or consolidating banks bank and trust companies trust companies or national banking associations which was available for the payment of dividends immediately prior to such merger or consolidation shall continue to be available for the payment of dividends by such surviving or new incorporated institution except for any portion thereof which has been transferred to capital by the issuance of shares or otherwise or to surplus or reserve

The aggregate amount of the net assets of merging or consolidating savings banks which was available for the payment of interest or dividends immediately prior to such merger or consolidation shall continue to be available for the payment of interest or dividends by the surviving or new savings bank except for any portion thereof which has been transferred to surplus reserve or the expense fund

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsich,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnar,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBols,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Fillip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 539, entitled:

An Act requiring approval of the interested electorate to initiate housing projects

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

REPORT FROM COMMITTEE

Mr. CLAPPER from the Committee on Education, reported as amended, House Bill No. 589, entitled:

An Act to amend section one thousand one hundred forty-four of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto" by further providing for additional increments for holders of college certificates or Masters' Degrees.

COMMITTEE MEETINGS

City and County—First Class, Mr. Tahl, Chairman, Room 521, Tuesday, April 3, at 10:00 a. m.

Cities and County—Second Class, Mr. Ewing, Chairman, Room 521, Tuesday, April 3, at 11:45 a. m.

Education, Mr. Sollenberger, Chairman, Room 324, Tuesday, April 3, at 11:30 a. m.

Judiciary, Mr. McKinney, Chairman, Room 520, Tuesday, April 3, at 11:00 a. m.

Professional Licensure, Mr. Flack, Chairman, Room 325, Tuesday, April 3, at 10:30 a. m.

Public Utilities, Mr. Costa, Chairman, Room 329, Tuesday, April 3, at 10:30 a. m.

There will be a meeting of the following Democratic Members: Edward Duffy, Jr., Joseph J. Hersch, Walter T. Kamyk, Louis Leonard, J. P. Moran, Anthony J. Petrosky, Julian Polaski, Louis Rovanseck, Edward A. Schuster, John J. Walsh, C. O. Williams, in the Old House Caucus Room, Tuesday morning, at 10:30 a. m., April 3, 1951.

RESOLUTION

Mr. HERSCH offered a resolution which was filed with the Clerk.

ADJOURNMENT

Mr. MCINROY. Mr. Speaker, I move that this House do now adjourn until Tuesday, April 3, 1951 at 12:00 noon.

The motion was agreed to, and (at 8:16 p. m.) the House adjourned.

Legislative Journal.

Session 1951.

139th of the General Assembly.

Vol. 32.

HARRISBURG, PA., TUESDAY, APRIL 3, 1951.

No. 31.

SENATE

TUESDAY, April 3, 1951.

The Senate met at 3:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

PRAYER

The Chaplain, Rev. GILBERT L. BENNETT, Pastor of First Methodist Church, Huntingdon, Pennsylvania, offered the following prayer:

Most gracious God, we thank Thee for the exceeding great inheritance by which the life of our generation has been enriched. We pray we may use with wisdom that which has come to us, and that we may steadily continue in the company of those who will not be satisfied with the world as it is, but who are patiently and steadfastly devoted to the world which is to be. To this end, O God, we invoke Thy divine guidance upon the Members of this great body. Give them wisdom and understanding from on high. Keep them steadfast in following those virtues which were extolled by the Master of men. Teach all of us with humble patience to be good workmen of Thine. We pray, in the name of Christ, our Lord. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. LETZLER, further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. HARE asked and obtained leave of absence for Mr. SNOWDEN, for the remainder of the week, because of pressing business.

PUPILS OF NORTHUMBERLAND BOROUGH JUNIOR HIGH SCHOOL PRESENTED TO SENATE

Mr. WOLFE. Mr. President, we are always happy to have the boys and girls of our public schools visit us while we are in Session, and to see how we conduct our business and enact laws. This afternoon we are happy to have with us the pupils from Junior High School of Northumberland, under the leadership of Professor Harold Bollinger, the principal, and his assistant, Mrs. Jerre Musser. We would like to have them stand up.

The PRESIDENT. Will the guests of Senator Wolfe, from the Northumberland Junior High School, please rise in place and take a bow?

HIGH SCHOOL CLASS FROM SHELLSBURG-NAPIER JOINT SCHOOL PRESENTED TO SENATE

Mr. HARE. Mr. President, I have been informed that we have in the gallery a high school class from the Shellsburg-Napier Joint School, the birthplace of our own Senator, Charles H. Ealy, former President pro tempore of this Senate, and they are here under the leadership of their principal, John W. Miller.

The PRESIDENT. Will the guests of Senator Hare please rise in place and take a bow?

STUDENTS FROM FREDERICKSBURG HIGH SCHOOL PRESENTED TO SENATE

Mr. KESSLER. Mr. President, on behalf of my colleague, Senator Diehm, I would like to present to the Senate the class in democracy from the Fredericksburg High School, Lebanon County. They are in the balcony, under the leadership of their teacher, Mrs. Watson.

The PRESIDENT. Will the guests of Senator Diehm please rise in place and take a bow?

REMARKS BY SENATOR FREED

Mr. FREED. Mr. President, since the promptness of our starting out at three o'clock this afternoon, the pupils from our Allentown High School had to leave. So, I would like to make mention that they were here, under the leadership of Miss Ruth Kistler and Mr. Melville Boyer, their teachers.

The PRESIDENT. Would the Senator from Lehigh wish to take a bow on behalf of his guests?

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 3, 1951.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 3, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the dates shown:

To Compute from Date of Confirmation

ALLEGHENY COUNTY

Mrs. Martha M. Brinko, Springdale.
Clarence L. Rayman, Wilmerding.
Walter S. Waters, Clairton.

ARMSTRONG COUNTY

Charles E. Armstrong, Freeport.

CENTRE COUNTY

Harry W. Townsend, Worth Twp., Port Matilda.

CRAWFORD COUNTY

Eugene M. Loughney, Meadville.

DAUPHIN COUNTY

Robert R. Shaffner, Harrisburg.

FAYETTE COUNTY

Joseph Vecchio, Uniontown.

FRANKLIN COUNTY

Henry M. Riddlesberger, Waynesboro.

LEHIGH COUNTY

J. Gordon Brensinger, Emmaus.
Paul D. Hollenbach, Heidelberg Twp., Saegersville.

LUZERNE COUNTY

Miss Eleanore Michaels, Wilkes-Barre.
Mrs. Grace W. Woods, Pittston.

McKEAN COUNTY

William W. Perry, Kane.

NORTHAMPTON COUNTY

Phillip Tricoli, Easton.

PHILADELPHIA COUNTY

Mrs. Anna F. Bruner, 1612 Market St.
James P. Coyne, 801 S. 21st St.
Earl F. Dales, 1926 W. Columbia Ave.
Miss Elizabeth F. Fulmer, 2901 N. Broad St.
John Kee, 2100 Scattergood St.
Mrs. Madeline Helen Monti, 3407 Bleigh Ave.
Miss Marie A. Murray, 12 S. 12th St.

WASHINGTON COUNTY

Raymond J. Curley Charleroi.
Miss Mary Rosetta, Washington.

WESTMORELAND COUNTY

O. T. Blair, Vandergrift.
Mrs. Clara C. Wilson, Trafford.

To Compute from the Dates Set Opposite Their Names

BERKS COUNTY

Mrs. Florence S. Balthaser, Richmond Twp., Virginville, 4-3-51.

PHILADELPHIA COUNTY

Miss Anna M. Corr, 1616 Walnut St., 4-12-51.

NORTHAMPTON COUNTY

Robert G. Arnold, Easton, 4-13-51.

ALLEGHENY COUNTY

Victor C. Viskochil, Pittsburgh, 82, Bascom St., 4-19-51.
Mrs. Claire B. Weber, Bellevue, 4-19-51.

LEHIGH COUNTY

Miss Gladys Owens, Allentown, 4-29-51.

PHILADELPHIA COUNTY

Mrs. Louise C. Murray, 5954 N. 5th St., 4-30-51.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. LETZLER, That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Heluska,	McMenamin,	Stevenson,
Barr,	Hare,	McPherson, Jr.,	Stiefel,
Barrett,	Holland,	Meade,	Taylor,
Berger,	Kephart,	Neff,	Toole,
Blase,	Kesler,	Pechan,	Wade,
Byrne,	Lane,	Peelor,	Wagner,
Chapman,	Leader,	Probert,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,
Dent,	Mahany,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreech,	Scarlett,	Wood,
Fleming,	McGinnis,	Silvert,	Yosko,
Freud,			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

MEMBERS OF THE BOARD OF TRUSTEES OF WEST CHESTER STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 3, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Members of the Board of Trustees of West Chester State Teachers' College, to serve until the third Tuesday of January 1957, and until their successors shall have been appointed and qualified:

Dr. John L. Johnson, West Chester, Chester County

Mrs. Irma P. Knauer, R. D., Pottstown, Montgomery County
 Frank F. Truscott, 929 Land Title Building, Philadelphia, Philadelphia County.

JOHN S. FINE.

MEMBER OF LAWRENCE COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
 Governor's Office, Harrisburg, April 3, 1951.
 To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Ralph H. Ramsey (Democrat), 325 Park Avenue, New Castle, Lawrence County, for appointment as a Member of the Lawrence County Board of Assistance, to serve until December 31, 1952, and until his successor is duly appointed and qualified, vice L. Fred Vaughn, New Castle, deceased.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
 Governor's Office, Harrisburg, April 3, 1951.
 To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Rollin C. Littlehales, 114 East Centre Street, Ashland, Schuylkill County, for appointment as Justice of the Peace in and for the Borough of Ashland, Schuylkill County, until the first Monday of January 1952, vice A. R. Keim, deceased.

JOHN S. FINE.

HOUSE MESSAGES

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 18

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 18, entitled:

An Act to amend Section 5 of the act approved the eleventh day of June, one thousand nine hundred forty-seven (P. L. 565), entitled "An act providing compensation to certain persons who served in the military or naval forces of the United States or of any of her allies during World War II; providing the method of making payment to representatives of persons who, because of death or incapacity, cannot personally receive compensation; imposing certain duties on the Adjutant General; making an appropriation, and providing penalties," by extending the time during which applications may be filed for veterans' compensation

SENATE INSISTS UPON ITS NON-CONCURRENCE IN THE AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 18

Mr. WALKER. Mr. President, I move that the Senate insist upon its non-concurrence in the amendments made by the House to Senate Bill No. 18, and that a Committee of Conference on the part of the Senate be appointed.

Mr. WOOD. Mr. President, I second the motion.

The motion was agreed to.

COMMITTEE OF CONFERENCE APPOINTED ON SENATE BILL No. 18

The PRESIDENT. The Chair announces on behalf of the President pro tempore the appointment of Messrs. WOLFE, PECHAN and BANE, as a committee of conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to Senate Bill No. 18.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 62, entitled:

An Act relating to the examination, detention, hearing, commitment, care, treatment, rehabilitation, probation and discharge of any person who is not insane, but who suffers from such conditions of emotional instability or of impulsiveness or behavior, or who lacks the customary standards of judgment, self-control and discretion, or who fails to appreciate the consequences of his acts, or who combines any one or more of such conditions, so as to render such person irresponsible and thereby dangerous to himself or to others; imposing certain duties on district attorneys, courts and the Department of Welfare in respect thereto; payment of maintenance costs and reimbursement in such cases.

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 220, entitled:

An Act to reenact and amend the title of, and the act, approved the twenty-third day of May, one thousand nine hundred forty-nine (P. L. 1661) entitled "An act to impose a temporary tax on real estate for public school purposes in school districts of the first class for current expenses," by continuing the provisions thereof for the year one thousand nine hundred fifty-two and succeeding years; and deleting certain obsolete provisions.

Which was committed to the Committee on Education.

House Bill No. 221, entitled:

An Act to reenact and amend the title of, and the act, approved the twenty-third day of May, one thousand nine hundred forty-nine (P. L. 1676), entitled "An act to provide revenue in school districts of the first class by imposing a temporary tax upon certain classes of personal property; providing for its levy and collection; conferring and imposing powers and duties on the county assessing authority, board of revision of taxes, receiver of school taxes, school treasurer, board of public education in such districts, and courts; providing for compensation to certain officers and employees; and imposing penalties," by continuing the provisions thereof for the year one thousand nine hundred fifty-two and succeeding years; and deleting certain obsolete provisions.

Which was committed to the Committee on Education.

House Bill No. 222, entitled:

An Act to reenact and amend the title of, and the act, approved the twenty-third day of May, one thousand nine hundred forty-nine (P. L. 1669), entitled "An act to provide revenue for school districts of the first class by imposing a temporary tax on persons engaging in certain businesses, professions, occupations, trades, vocations and commercial activities therein; providing for its

levy and collection; conferring and imposing powers and duties on the Board of Public Education, receiver of school taxes and school treasurer in such districts; and prescribing penalties," by continuing the provisions thereof for the year one thousand nine hundred fifty-two and succeeding year; and deleting certain obsolete provisions.

Which was committed to the Committee on Education.

House Bill No. 231, entitled:

An Act relating to mental health including mental illness, mental defect, epilepsy, and inebriety; and amending, revising, consolidating, and changing the laws relating thereto.

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 257, entitled:

An Act to further amend section 652 of the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by changing the measure of pupil teacher ratio in computing the real estate tax for school purposes in school districts of the first class and first class A.

Which was committed to the Committee on Education.

House Bill No. 439, entitled:

An Act to further amend the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 566), entitled "A supplement to the act, approved the second day of June, one thousand nine hundred and fifteen (P. L. 736), entitled as amended "Workmen's Compensation Act of 1915," by extending the provisions thereof to certain persons who extinguish forest fires; and further defining compensation in the case of self employers.

Which was committed to the Committee on Labor and Industry.

House Bill No. 512, entitled:

An Act to further amend subsection (b) of Section 4 of and to add Section 36.1 to the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "Local Tax Collection Law," by requiring taxing districts to pay the premiums on corporate bonds of the tax collector, in townships of the first class and further regulating the fixing of the compensation of elected tax collectors.

Which was committed to the Committee on Local Government.

House Bill No. 587, entitled:

An Act providing a method for the reestablishment of townships of the first class from any city to which they have been annexed and regulating the proceedings pertaining thereto.

Which was committed to the Committee on Local Government.

House Bill No. 656, entitled:

An Act to add Section 1709 to the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," providing for traveling expenses of members of joint school boards and joint school committees in attending meetings of the same.

Which was committed to the Committee on Education.

House Bill No. 699, entitled:

An Act to further amend Section 1917 of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law" by permitting lands or buildings to be set aside or acquired as recreation places, and to provide for the supervision, operation and maintenance thereof without approval by the electors.

Which was committed to the Committee on Local Government.

House Bill No. 700, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law" by further defining, clarifying, adding to, and otherwise changing the laws relating to the affairs of townships.

Which was committed to the Committee on Local Government.

House Bill No. 701, entitled:

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206) entitled "First Class Township Law" by changing requirements for contracts and purchases and imposing penalties.

Which was committed to the Committee on Local Government.

House Bill No. 717, entitled:

An Act making a deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-nine and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-nine

Which was committed to the Committee on Appropriations.

House Bill No. 719, entitled:

An Act making a deficiency appropriation to the Department of Welfare to reimburse State-aided hospitals for part of the cost of training student nurses in approved schools of nursing

Which was committed to the Committee on Appropriations.

House Bill No. 788, entitled:

An Act providing for the construction and equipping of the Pennsylvania Institution for Mental Defectives; providing for the acquisition of land; providing for the care, maintenance and control of inmates; imposing duties and conferring powers on the Department of Welfare and the Department of Property and Supplies.

Which was committed to the Committee on Public Health and Welfare.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, April 2, 1951.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday, April 9, 1951, at three o'clock P. M., Eastern Standard Time; and when the House of Representatives adjourns this week, it reconvene on Monday, April 9, 1951, at four thirty o'clock P. M., Eastern Standard Time.

HOUSE CONCURS IN SENATE BILL No. 338

He also returned to the Senate, Senate Bill No. 338, entitled:

An Act to amend clause (1) of subsection A of section 1412 of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624) entitled as amended, "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers and employees' mutual banking associations; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers and employees' mutual banking associations, and of the officers, directors, trustees, shareholders, attorneys, and other employees of all such corporations, employees' mutual banking associations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts, by revising the procedure for the conversion of banks and bank and trust companies into national banks.

with the information that the House has passed the same without amendments.

SENATE BILL No. 237 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 237, entitled:

An Act to amend Section 714 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by further regulating the possession and transportation of big game.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on tomorrow's Calendar.

SENATE BILL No. 339 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 339, entitled:

An Act to amend section 1408 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corpora-

tions with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers directors trustees shareholders attorneys and other employees of all such corporations employees' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by making further provision concerning the effect of merger or consolidation of banking institutions.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on tomorrow's Calendar.

BILLS SIGNED

The President (Lieutenant-Governor Lloyd H. Wood) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 17, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract of land in the city of Pittsburgh, Allegheny County, Pennsylvania, containing approximately two hundred forty-seven acres, for use as a site for a Veterans' Administration Hospital, and ceding jurisdiction to the United States.

House Bill No. 43, entitled:

An Act authorizing the Board of Trustees of Pennsylvania Soldiers, Orphan School, with the approval of the Department of Public Instruction, to accept on behalf of the Commonwealth a stone amphitheater erected on the grounds of the Pennsylvania Soldiers' Orphan School.

House Bill No. 131, entitled:

An Act relating to the rights, obligations and liabilities of landlord and tenant and of parties dealing with them, and amending, revising, changing and consolidating the law relating thereto.

Senate Bill No. 338, entitled:

An Act to amend clause (1) of subsection A of section 1412 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking; and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers directors trustees shareholders attorneys and other employees of all such corpora-

tions employees' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by revising the procedure for the conversion of banks and bank and trust companies into national banks.

Whereupon,

The President (Lieutenant-Governor Lloyd H. Wood) in the presence of the Senate signed the same.

REPORTS FROM COMMITTEES

Mr. BLASS, from the Committee on Insurance, re-reported as committed, Senate Bill No. 136, entitled:

An Act to amend Section 1 Clause (8) of Section six and Section nine of the act approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1210) entitled "An act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder limiting the amount of such insurance prescribing standard policy provisions and requiring notice of conversion privileges" by further defining policies of group life insurance limiting the amount of an individual policy issued to a person entitled thereto and changing the premium basis and rate of interest thereon.

Mr. FREED, from the Committee on Insurance, reported as committed, Senate Bill No. 341, entitled:

An Act to further amend Section 2 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 685) entitled "An act designating certain life insurance companies as limited life insurance companies, and further describing the powers thereof," further describing the powers of limited life insurance companies.

Mr. McPHERSON, from the Committee on Insurance, re-reported as committed, Senate Bill No. 127, entitled:

An Act to further amend section 15 and to amend section 29 of the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" by regulating the transfer of excess insurance funds to the expense and other funds and providing for the consolidation of any society's funds further regulating reports of valuation of death benefit fund obligations regulating reserves and contributions for benefits

Mr. KESSLER, from the Committee on Insurance, re-reported as amended, Senate Bill No. 126, entitled:

An Act to amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending

revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchange and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further regulating insurance companies associations and inter-insurance exchanges and their investments policy provisions joint policies premium tax returns the licensing of foreign companies and repealing existing law

Mr. WADE, from the Committee on Insurance, reported as committed, Senate Bill No. 374, entitled:

An Act to amend the act approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further regulating health and accident insurance.

Mr. WAGNER, from the Committee on Insurance, re-reported as amended, Senate Bill No. 140, entitled:

An Act to further amend the act approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus; and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further regulating investments of insurance companies.

BILL RE-REFERRED

Mr. MAHANY, from the Committee on State Government, reported as committed, Senate Bill No. 335, entitled:

An Act to further amend section 14 of the act, approved the fourth day of June, one thousand nine hundred thirty-seven (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employees retirement system in counties of the third class; and imposing certain charges on counties," by further providing for disability retirement allowances.

Which was re-referred to the Committee on Local Government.

Mr. BYRNE, from the Committee on Insurance, reported as amended, Senate Bill No. 320, entitled:

An Act to further amend subsection (a) of Section 621.1 of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges including insurance carried by the State Workmen's Insurance Fund;

providing penalties and repealing existing laws." by further defining and regulating group accident and health insurance.

Mr. ROSENFELD, from the Committee on Insurance, reported as amended, Senate Bill No. 128, entitled:

An Act to amend subsections (d) and (f) of section 211.1 and to further amend section 212 and subsection (a) of section 301 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by further regulating assessments made by the Insurance Commissioner against life insurance companies to defray certain expenses providing for reciprocity with other states in assessing taxes and fees on insurance companies permitting foreign companies to write workmen's compensation insurance in Pennsylvania limiting the basis for valuation of reserve liability of life insurance companies organized in foreign countries

Mr. CHAPMAN, from the Committee on Appropriations, reported as committed, House Bill No. 717, entitled:

An Act making a deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred forty-nine and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first, one thousand nine hundred forty-nine.

ANNUAL REPORT BY THE DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION

Mr. WATSON. Mr. President, I desire to submit the "Annual Report to the Governors and Legislatures of the Commonwealth of Pennsylvania and the State of New Jersey by the Delaware River Joint Toll Bridge Commission for 1950."

The PRESIDENT. The report will be noted in the Journal.

BILLS INTRODUCED AND REFERRED

Mr. CROWE read in his place and presented to the Chair Senate Bill No. 456, entitled:

An Act to further amend the act, approved the thirty-first day of May, one thousand nine hundred forty-seven (P. L. 368), entitled "An act to protect consumers in the purchase for fuel purposes of the hard coal known as anthracite; providing for and regulating the sale, offering for sale, resale, delivery and shipment of anthracite according to a standard provided for in this act; requiring producers and dealers and persons engaged in the sale and resale of anthracite, from storage yards or otherwise to consumers, to keep certain records; conferring powers on the Anthracite Committee and its agents, and providing penalties," by defining "Retail Dealer," "Wholesale Dealer," "Municipal Weighmasters," and "Municipality," requiring producers, wholesale dealers and municipal weighmasters to issue certain statements and keep certain records; imposing and changing penalties; providing for the payment of fines for violations to the Commonwealth; and providing for injunctions to restrain violations.

Which was committed to the Committee on Mines and Mining.

He also read in his place and presented to the Chair Senate Bill No. 457, entitled:

An Act to add clause (m) to Section 108 of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 566), entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employee arising out of and in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine controverted medical issues; establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases; making an appropriation; and prescribing penalties," by including tuberculosis within the meaning of the term occupational disease in the case of nurses.

Which was committed to the Committee on Labor and Industry.

Mr. BERGER read in his place and presented to the Chair Senate Bill No. 458, entitled:

An Act to amend Section 5 and to add Section 5.1 to the act approved the second day of May one thousand nine hundred forty-five (P. L. 382), entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," by requiring certain bonds issued for certain purposes to be offered for sale at open and competitive bidding in certain cases.

Which was committed to the Committee on Local Government.

He also read in his place and presented to the Chair Senate Bill No. 459, entitled:

An Act to further amend Section 1101 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by authorizing the payment of bounties for the destruction of rattlesnakes.

Which was committed to the Committee on Forests and Waters, Game and Fish.

Mr. McPHERSON read in his place and presented to the Chair Senate Bill No. 460, entitled:

An Act to further amend clause (5) of Section 12 of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employees, de-

fining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by providing a minimum monthly disability retirement allowance for certain members injured while in the employ of the Commonwealth in certain cases.

Which was committed to the Committee on State Government.

Mr. HARE on behalf of Mr. KEPHART, read in his place and presented to the Chair Senate Bill No. 461, entitled:

An Act establishing a procedure by which the register of wills elect in counties of the first class shall execute, record and file his bond to the Commonwealth and receive his commission; and conferring powers and imposing duties upon the Secretary of the Commonwealth and the recorder of deeds.

Which was committed to the Committee on Judiciary General.

Mr. HARE read in his place and presented to the Chair Senate Bill No. 462, entitled:

An Act to add Section 10.1 to the act, approved the thirty-first day of May, one thousand nine hundred forty-five (P. L. 1198), entitled "An act providing for the conservation and improvement of land effected in connection with the mining of bituminous coal by the open pit mining method; regulating such mining; and providing penalties," by regulating the registration and cancellation thereof for open pit mining.

Which was committed to the Committee on Mines and Mining.

He also read in his place and presented to the Chair Senate Bill No. 463, entitled:

An Act to amend Section 16 of the act, approved the twenty-seventh day of June, one thousand nine hundred forty-seven (P. L. 1095), entitled "An act providing for the regulation of mining of anthracite coal by the open pit or strip mining method and for the conservation and improvement of lands affected directly or indirectly by such mining; requiring operators to register, pay a license fee and secure a permit to engage in strip mining and file a bond conditioned for compliance with this act; requiring backfilling of stripping pits and leveling and planting lands affected to prevent erosion and the pollution of waters and to protect public health, safety and welfare; conferring powers and imposing duties upon the Department of Mines and the Department of Forests and Waters; providing for appeals, and imposing penalties, and making appropriations," by further regulating the issuance and cancellation of permits.

Which was committed to the Committee on Mines and Mining.

Mr. KESSLER read in his place and presented to the Chair Senate Bill No. 464, entitled:

An Act to add Section 17.1 to the act approved the seventeenth day of July, one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status; authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected, and regulating such benefits and collections; providing for the organization and incorporation of such societies and

for their supervision, regulation, and examination by the Insurance Commissioner, and for the admission of foreign societies; designating tables of mortality as a basis for rates of contribution; requiring all societies to make annual and other reports; and appointing the Insurance Commissioner as attorney for service of process; providing penalties for any violations of the act; exempting such societies from taxation and certain other societies from its provisions; and requiring beneficial associations, other than fraternal benefit societies, to report to and be supervised by the Insurance Commissioner; and repealing existing laws," by regulating the amendment of articles of incorporation and providing for fees.

Which was committed to the Committee on Insurance.

Messrs. RUTH and CHAPMAN read in place and presented to the Chair Senate Bill No. 465, entitled:

An Act making an appropriation to the Department of Welfare to reimburse State aided hospitals for part of the cost of training student nurses in approved schools of nursing.

Which was committed to the Committee on Appropriations.

Messrs. NEFF and YOSKO read in place and presented to the Chair Senate Bill No. 466, entitled:

An Act to repeal clause (5) of subsection (b) of Section 415 of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by excluding from the definition of group life insurance, certain trust funds established by employers.

Which was committed to the Committee on Insurance.

Mr. McCREESH read in his place and presented to the Chair Senate Bill No. 467, entitled:

An Act requiring dentists to have certain patients present physical certificates before extracting teeth; and providing penalties.

Which was committed to the Committee on Public Health and Welfare.

Messrs. LANE and NEFF read in place and presented to the Chair Senate Bill No. 468, entitled:

An Act creating a Joint Legislative Committee for the purpose of investigating the methods, used by the various State examining boards and commissions, concerned with the licensing of trades, occupations and professions; providing for its appointment authorizing the employment of necessary assistants; authorizing the subpoenaing of witnesses and records and making an appropriation.

Which was committed to the Committee on Education.

Mr. LANE read in his place and presented to the Chair Senate Bill No. 469, entitled:

An Act making an appropriation to the Washington County Historical Society, Washington, Pennsylvania, for the payment of the cost of construction of a new auditorium.

Which was committed to the Committee on Appropriations.

Messrs. LANE, BYRNE and McMENAMIN read in place and presented to the Chair Senate Bill No. 470, entitled:

An Act to further amend section 205 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards, and commissions shall be determined," by fixing the subsistence allowance of certain members of the State Police Force.

Which was committed to the Committee on State Government.

PERMISSION TO ADDRESS SENATE

Mr. HOLLAND asked and obtained unanimous consent to address the Senate.

Mr. HOLLAND. During the Hoover depression days, the farmers of this State could not sell their milk at a profitable price due to the fact that unemployment was at its height.

Men without income could not buy milk for their family and children.

Milk that was being sold, was sold on a buyers market, which meant low prices.

Out of these depression days was born the Milk Control Commission. Purely a creation of depression.

It was the intent of this Commission that the farmer be given a fair price for his product, as well as the large dairy companies and the dealers.

The price would be fixed for retail use that would be within the pocketbook of the consumer, and give a fair return to the handlers of milk.

This Milk Commission was never intended to be a permanent fixtures of Government, but merely a stop gap between depression days and the days when full employment was a reality.

Today we have a demand for employment, including the military services of 85,000,000 men and women, an all-time high for employment in the United States. But we still, with this full employment, have the Milk Commission functioning and increasing its cost to the State at each biennium.

I was surprised to learn by the letters that I have received from farmers that they thought this Commission was self-sustaining, and that no appropriation was necessary for the conducting of its business. I have also talked to a number of newspapermen who have argued with me that there was no appropriation made by the State to this commission.

I believe that this will be a rude awakening to those people when they find that this depression creation is now bloomed forth into a full fledged commission with salaries and expenses that are rapidly reaching the million dollar mark, and from all indications, if permitted to exist, will reach that figure at the next biennium.

I have been unable as yet to get a breakdown of the items that make up their salaries and general expenses. However, as soon as it is received, it is my intention to bring it to the Members of the Senate and to the press and to the people of Pennsylvania, especially to the farmers who think this is not a tax supported commission.

This commission started out in 1935, with an appropriation of \$225,000. The fees collected from the milk dealers amounted to \$194,884. There was \$14,823 paid by the dealers to the Board for payments made to farmers. Other revenues and receipts amounted to \$5,692, making a total of \$215,339 for this first biennium.

Salaries and general expenses amounted to \$201,162. Payments to dairy farmers, which consisted of compensating them for any underpayments made by purchasing dealers, amounted to \$12,823 and \$476 was paid out for refunding milk licenses and fees.

Therefore, under the first biennium of its operation, their receipts were \$215,399, and their total disbursements were \$214,461. with the result that the General Fund appropriation of \$225,000 was not used.

In 1937-39, the Milk Control Commission receipts amounted to \$334,625 and the disbursements, \$241,151. Their appropriation of \$300,000 again was not used.

In 1939-41, their receipts were \$260,267. Their disbursements were \$320,522. They had an appropriation from the General Fund of \$200,000, which shows that in the first biennium of the James Administration they used \$60,000 of that appropriation.

In 1941-43, their receipts were \$365,074, and their disbursements were \$603,129. They had an appropriation from the General Fund of \$240,000. It looks as though they became good politicians at this time under Governor James, for they used up all their appropriation with the exception of \$1,945, and I think I would call that cutting the cloth pretty thin.

In 1943-45, the receipts were \$296,441 and the disbursements were \$542,353. They received in that biennium an appropriation from the General Fund of \$340,000. They used up \$245,912.

In 1945-47, their receipts were \$274,034, and their expenditures were \$587,711. They had an appropriation of \$320,000, and they used up this appropriation and left a balance of \$6,323.

In 1947-49, their receipts were \$335,227, and disbursements were \$781,071, and they had an appropriation that year of \$400,000 from the General Fund, with the result that they had a deficit of \$45,844.

We do not have the exact figures for 1949-51, as the total figures are not available as yet. Their receipts have been estimated at \$300,460, and the disbursements at \$799,800, with an appropriation from the General Fund of \$450,000

You will note that this commission has steadily increased their appropriation from the General Fund, due to the fact that their salaries and general expenses have mounted to more than four times the original expenditures for salaries and general expenses in 1935-37, and

until today this commission is going to spend in salaries and general expenses \$748,300, over three-quarters of a million dollars. This commission is getting into big business and it will soon be a million dollar concern.

In am certainly interested to find out just what this \$748,300 represents. It looks to me that the spending of three-quarters of a million dollars always results in an increase in the cost of milk.

It is a pretty costly operation when the State, in this biennium, is going to give nearly a half a million dollars, to be exact \$450,000, to merely go through the routine of costly hearings which always result in the same decision—another cent or two on milk.

I believe that the Milk Commission alone is a good reason to start public hearings to find out where the money is going. There have never been any good results out of closed hearings where department heads are called in, and whose pay rolls are covered up by political organization stalwarts who are more interested in getting more patronage than economy and efficiency in government.

Even if only one argument is used to abolish the Milk Commission, it is the fact that we are now out of the depression period. We have full employment in Pennsylvania at good wages, and I cannot see why we single out milk, especially during a sellers market, by contributing the taxpayers' money in following the same Socialistic way of life that they now have in England.

In these good times we need no control.

Competition will take care of the price of milk and will give a good profit to all concerned, and if the Milk Trust starts to squeeze out some of the producers of milk, we have laws on the Statute Books to take care of them.

I am certainly surprised that the Majority Party has hesitated to do away with the Milk Commission, after all their talks of Socialism, especially in the last election, and the many talks of the Republicans in the Congress of the United States.

Here is a Socialistic venture that I have said before has grown into one of the biggest commissions in dollars and cents in the State.

We talk about subsidies to the farmer in the Federal Government, but I wonder what you call this half million dollars that we are giving to the Milk Commission; that is subsidy in another form. It's the old story of doing in Harrisburg exactly to the opposite of the Republican party in Washington.

It is time for us to get away from depression thinking and ideas and work with one thought in mind; that is, to see that the free enterprise system that we all talk so much about stands on its own feet, and I am sure if we do, the farmers and the large dairies and the dealers will not suffer, and every one of them will make the profit which they are entitled to make, without gouging the consumer.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, and Members of the Senate, I have a Resolution that I intend to offer, and I do not expect to ask for immediate consideration.

In searching the Budget Message for 1951, I took into consideration the budget messages for 1949, 1947 and

1945. It is difficult for the Members of the Senate to determine the need of new revenue and also the need for specific amounts of revenue for specific purposes, unless they do study the past budget messages.

Mr. President, I discovered that back in 1947, we had appropriated ten million dollars for flood control, and as part of that appropriation we said that the Secretary of Forests and Waters, who would act as the president or chairman rather, ex-officio, of the commission, would make a report to the General Assembly. I cannot find in the messages from 1947 to this date any accounting of the expenditure of this ten million dollars. I have tried to call and make inquiry from the various departments, and I succeeded in finding out that the Flood Commission met twice. They were never presented with any plans or specifications, and the time has come, I believe, before we give another blind billion dollars to the various department heads, for the Senate to delve a little deeper into past expenditures for the various departments. We cannot intelligently act upon the various requests of the department heads unless we do know something about how our finances were handled in the past.

With that in view, Mr. President, without any specific recommendation other than the recommendation that this Senate find out at a very early date just what is happening to the specific appropriations made by the General Assembly to the various departments, and why it is that on an appropriation bill or a resolution carrying a recommendation or a specific order from the General Assembly, that the Commission make a direct report to the General Assembly such recommendation or order is never complied with. We accept the word of the Governor and the Budget Director. The other day I was looking at one of the comic strips, and I ran across a cartoon, and I think the heading of it was "Believe It or Not." It had a row of Buddhist statues or Buddists, and they were all in an irregular line upon this cartoon, at least they were so pictured, and beneath it it said that this line or group of Buddhist statues had never been counted correctly, and I am convinced at this moment that the Budget Director, Mr. Logan, placed that line there because nowhere have I been able to add any two columns of his figures and get the same answer.

I believe it is time that this Senate stop chasing itself and the people of Pennsylvania around in circles on budget messages. Budgets are not things that are so intricate that you cannot understand them. Some editorial writers say that we cannot possibly understand a budget. They are very clear. It is just a matter of arithmetic. It is a matter of adding the figures and subtracting in some places and trying to get a balance. It is like a book-keeping system of any other corporation. At this moment I say that the proper thing for this General Assembly to do is to delve into acts of this nature, and also I might recommend to the Majority Members of this Senate, who are faced with the terrible responsibility of broadening the tax base in the Commonwealth of Pennsylvania, at the suggestion of the Governor, I suggest to them that, if need be, we pass the necessary taxes to take care of the expenses of government that we know about and must pay for at this time; do it as quickly as we can and then, if need be, recess or come back at a Special Session at the end of the fiscal year, in order that we may have some understanding as to what the revenues really are of Pennsylvania.

I do not think it is fair to the Members of the General Assembly to say to them, you are responsible for the finances, for the raising of the revenues in Pennsylvania, and yet you have no knowledge, until six years later, of the actual revenues collected by the Commonwealth. At the end of June we ought to have a fairly accurate picture of the amounts of money that have been received under the tax program now in vogue in the Commonwealth, and, certainly, if we have that figure we will not have to estimate the figure so much for the next two years, and I think that that would be the proper method of trying to set up our State Government on an economical basis.

Mr. President, I for one will never allow the income tax bill to be passed without airing, if I can possibly get it done in the Senate every possibility to keep it from being enacted at this time, because once we enact that type of a broad tax base in this Commonwealth, and if we follow the procedure that has been in vogue in the General Assembly since time immemorial, there is no limit to the amount of tax that will be placed upon the people of the Commonwealth, because it will be so easy to come in and say, we are only increasing the income tax another half per cent, or, as the Governor said, it is only five dollars on a thousand. There are not too many "fives" left out of a thousand after we pay our other taxes, and, in conjunction and in addition to the rest of the taxes we pay, this tax becomes a real burden. The State of New York started with a one per cent tax and it has reached a seven per cent tax rate at this moment, and a seven per cent tax on the gross income, the gross earnings of an individual, especially family men and women of this Commonwealth, will be a real imposition upon them. I say that you, Members of the Senate, that you ought to take this resolution under serious consideration. Let us find out what has happened to the ten million dollars that went into flood control. Let us know where these dams were built.

Mr. President, I hear rumors, I have information given me, but I do not propose to use that information as authentic upon this floor; I do not believe in that type of government, but I do believe that we have the right, before we vote upon the general Budget of the Commonwealth of Pennsylvania, to find out whether there is any truth in these rumors, whether this money was spent for recreational parks rather than for major flood control projects, how much of this money was spent for things of this nature.

For instance, Mr. President, this is what I received in my mail yesterday and today. These are reports from the various commissions and the various departments of the State. I called the Department of Property and Supplies, and I said, "Would you mind sending me"—I conceived an idea that maybe I could impress the Senate with the terrible waste of money—and I said, "Could you send me a copy of all the reports that have gone out of the Department of Property and Supplies in the last year?" I was told that I would receive them. Finally, a few minutes later the phone rang, and I answered it and an individual said to me, "Are you serious?" and I said, "Yes." He said, "Well, how do you expect me to get this stuff over to you?" I said, "Why, carry it over in a bundle." I will not use the words he used, but they were pretty strong. He said, "Bundle? You will have to have a few trucks to take it over."

Now, Mr. President, a minute ago we said that the report of the Delaware River Joint Commission would be spread upon the Journal, printed. Do you know what that means? Here it is. This is just one phase of it. Here is the other phase of it. Who reads this stuff? These are all detailed plans, hundreds of pages of them. I venture to say that there are not three men in the Senate who can make anything out of the hieroglyphics that are printed here, and yet hundreds of copies of these are printed and published and given out to the people. All we want from the Delaware River Joint Commission—and I say this advisedly—all I want, anyway, from them is a folded piece of paper about the size of that, showing me how much they took in in tolls, and how much they spent, and for what, and over here strike a balance. I will understand that, but I cannot understand this, and I have been in the building game twenty-five years. This is impossible to understand. Are we going to spread this upon the Journal, and if you do spread it, where are you going to spread the Journal?

Mr. President, I do not know what we are coming to. I read my daily paper back home, which happens, by the grace of God and the corporations in my community, to be a Republican paper, and it has always condemned the literature it gets out of Washington, the reports of committees and commissions. Let us look here at home. Let us study our own departments. How many millions are spent every year in the Commonwealth of Pennsylvania for useless spending, useless spending?

Mr. President, here is something that is beautiful. I think it is one of the prettiest pieces of work that I have seen. This is a beautiful job. I mean it, really it is, and this comes from the Department of Commerce. I hope someone did not take my beautiful map out of here. Now, that is pretty. There is no question about it. That is as pretty a piece of paper as I have seen in a long time, but, gentlemen, it is laughable when you stop to look at it, and it is serious when you stop to count the dollars we are spending. Do you mean to tell me that we have to give two and one-half million or more dollars to the Department of Commerce for this? Is the Department of Commerce spending money in Pennsylvania to tell the people in my district about the beauties of the country up around Wellsboro? Do they tell the people in my district about the Grand Canyon and that the thousands of visitors from my end of the State ought to take a voyage up to that end of the State, and that thousands of people from up in the Wellsboro and the Pocono districts of Pennsylvania ought to come down to our end of the State and see the beautiful mountains that we have, the beautiful roads that lead into these mountains? They do not do that. They spend ninety per cent of all the money they spend in out-of-State publications, hoping to bring tourists into Pennsylvania, and yet every year millions of tourists from Pennsylvania go to neighboring states to see something of less interest and of less value than what we have right here in Pennsylvania.

Mr. President, this Department started from the Bureau of—I think I have the name of it here some place—I think I looked it up to see what it was called in the early days. It is the Bureau of Tourists and Recreation, and that is all it ought to be today, and although Jim Duff takes a pretty picture, and I do not have any objection to Jim Duff's picture, because I have one or two of them at

home personally inscribed by him, and I hope he never wants to erase the loving words he put on them, but I do not think it is worth the thousands of dollars that we spent of the taxpayers' money on published articles in booklets like this, with Jim Duff on the front page six weeks before election.

Mr. President, these things are important, and you cannot vote upon this budget in Pennsylvania without pruning a little or without cutting down a little. I am sick and tired of being called the spending party of the United States, sick and tired of being stigmatized as a wasteful spender because I am a Democrat, and yet to see the millions upon millions of dollars that we are called upon to provide every two years, and there is not a man in the Senate who can tell me where fifty per cent of the money goes that we provide in the Budget of Pennsylvania. It is not your fault and it is not my fault. It is the system that we have grown up in, and it is time we changed the system, and so, Mr. President, I hope that the Senate will seriously look into the missing ten million dollars and find out where the dams are.

Mr. President, I present this resolution on behalf of my colleague, Senator John Haluska, and myself.

RESOLUTION REFERRED TO COMMITTEE REQUESTING SECRETARY OF FORESTS AND WATERS TO PRESENT A REPORT ON THE FLOOD CONTROL COMMISSION.

Messrs. DENT and HALUSKA offered the following resolution which was twice read and referred to the Committee on Rules:

In the Senate of Pennsylvania, April 3, 1951.

Whereas, There was created in Pennsylvania for flood control purposes, a Commission known as The Flood Control Commission, said Commission functioning under the Department of Forests and Waters, and

Whereas, Said Commission was charged with the responsibility of expending Ten Million Dollars of taxpayers funds for the purpose of flood control, and

Whereas, Said Commission was charged with the responsibility of giving a full and detailed report of its activities and accounting of the funds entrusted to its care by the General Assembly, therefore

Be It Resolved, That the Secretary of Forests and Waters, Milo F. Draemel present to the Senate of Pennsylvania a complete and detailed report of the activities, expenditures and accomplishments of the Flood Control Commission.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, I pulled out the wrong booklet in my demonstration, and I do not want to injure anybody by stating a falsehood on the floor of the Senate. I am not strictly a moralist, although I do tell white lies, but this happens to be a private publication.

PERMISSION TO ADDRESS SENATE

Mr. WALKER asked and obtained unanimous consent to address the Senate.

Mr. WALKER. Mr. President, I want to correct the gentleman's statement and I know it was done inadvertently. The map, which urges everybody from Westmoreland County to go to the beautiful Poconos that he spoke of, is contained in a private publication called

"Turnpike Turns," which sells for fifty cents a copy. It has been given by some patriotic, public spirited citizen to each Member of the Senate as a gratuitous piece of information, in the hope that when we adjourn sine die we will all take these maps and go where most of the taxpayers hope we will. In the gentleman's anxiety to get out from under the accusation of representing the spending party of this great Republic, he tried to drop this into the lap of the Department of Commerce, and I assure him that I agree with him; it does not properly belong there. It is not that I blame him for trying to get out from under that accusation. If it were made as often about my party as his, I would like to get out of it, too.

Secondly, Mr. President, the report which was spread upon the Journal, as he said, I cannot hope to be as graceful in my gesture of spreading as was my colleague from Westmoreland, but may I suggest, Mr. President, when the remark was made, "spread upon the Journal," so that there be no mistaken impression, the only thing that is done is that the receipt of this very interesting document, which will while away so many winter hours during cold winter evenings, is noted in the Journal.

Now, Mr. President, for the edification of the Members of the Senate, we have no real control over the printing of this annual report. It is a Joint Commission and I mean that in the highest sense of the use of the word. We have an interstate compact with the State of New Jersey; some very distinguished gentlemen from our neighboring state are jointly responsible for this, and this is the type in which they want this presented, and the funds that are used to pay for this, of course, come from the collections of the tolls across the Delaware River Bridge and are collected by the Delaware River Bridge Commission.

Now, Mr. President, in the strict sense of the word, it is toll money and not tax money. Now, I agree with the gentleman from Westmoreland that about all we would look at, if at all, would be the fiscal statement; after we have looked at it, there is not much we can do about it anyway, but the report has been made in compliance with the joint state compact and the notation in the Journal will appear for posterity that this was received and duly noted.

Now, Mr. President, under no circumstances will this be reproduced verbatim in our Legislative Journal, and I certainly would not want anybody to gain that impression. I know that the gentleman from Westmoreland certainly does not want us to put this map that is contained in this report into the Journal, because that is not part of our usual or customary legislative practice.

Mr. President, I feel that we are all satisfied now that the Department of Commerce had nothing but a "dry run" this afternoon in the usual or customary attacks on how it is selling Pennsylvania. You can see, Mr. President, how effective the Department of Commerce has become. No sooner does something come out that is very fine than it is immediately blamed on the Department of Commerce, and that is another accolade attributed to the shield of that great and distinguished former Member of this Senate, the Honorable Andrew J. Sordoni.

PERMISSION TO ADDRESS SENATE

Mr. HOLLAND asked and obtained unanimous consent to address the Senate.

Mr. HOLLAND. Mr. President, I tried to catch Senator Dent's eye, because the piece of literature he was putting out was so far superior to anything put out by the Department of Commerce. I knew there must be some error.

Mr. President, I am glad that the Majority Leader found that error because this is so far superior, and I might add, too, that this made money selling for fifty cents apiece, while the Department of Commerce costs us a million four hundred thousand dollars.

Mr. President, I might also add that the great job that the Department of Commerce has done is to put our State into such a state of population that we lose our Congressmen, three Congressmen this year, and I understand the five per cent increase they made on population was a group of people who came up from the South and went on relief in Pennsylvania.

PERMISSION TO ADDRESS SENATE

Mr. ROSENFELD asked and obtained unanimous consent to address the Senate.

Mr. ROSENFELD. Mr. President, confining myself for the moment to the two publications under discussion here, I would like to point out, as Senator Dent did, that "Turnpike Turns" is a brand-new publication which is, apparently, privately run. This Volume 1, No. 1, apparently reached such impressive heights in somebody's mind that already we have a full page "ad" by the Department of Revenue on page 3, and a full page "ad" by the Department of Commerce on the back cover.

Now, Mr. President, I do not know the gentleman that publishes this magazine or whether it is a magazine that will continue in publication. I think this is marked January. This is now April, and I have not seen any repeated copies for February and March, and I do not know who has been able to convince either the Secretary of Revenue or the Secretary of Commerce that this would be a good way for the Commonwealth to spend its money to advertise Pennsylvania. I do not know how many of these were printed. I do not know what the circulation of it was. I do not know whether it was good or whether it was not good.

Mr. President, confining myself now to the report of the Delaware River Joint Commission, it is true that we had no control over the printing of this report, but we are forgetting altogether that the Delaware River Joint Commission is a creature of this Legislature, and if this is the kind of a report they make to this Legislature, if we feel it is a waste of the taxpayers' money, and we must assume the taxpayers use the bridges under its control, if this is a waste of the taxpayers' money, we, the Legislature, are in a position to tell this Commission and have the Legislature in New Jersey tell the Commission that this is a complete waste of money. As Senator Dent pointed out, I do not know what interest these charts and maps have for anyone except perhaps a handful of engineers who might be interested in Boring No. 1, or Boring No. 6, or Boring No. 22. As far as I am concerned, the entire publication is boring.

Mr. President, I think the question recurs, there being but two items under discussion . . . I know Senator Walker is in a hurry to get through with the Calendar—we, the Members of this Senate, have not the slightest idea from time to time what is spent, why it is spent,

what is needed and why it is needed, and I think it is high time, regardless of party and regardless of what has been done in the past, that we resolve ourselves into a decent committee to delve into these things once and for all, and I will assure the Majority Leader that once that is done, he will not have to look at the clock, and we will save a lot of time in our deliberations in this Body.

PERMISSION TO ADDRESS SENATE

Mr. WALKER asked and obtained unanimous consent to address the Senate.

Mr. WALKER. Mr. President, I have no desire to curtail this very interesting discussion and I know from past experiences this will not be the last word on this subject, but I just want to suggest to the gentleman from Philadelphia, this just shows what can happen. They jump on their white horses and ride in forty different directions at the same time.

Now, Mr. President, the gentleman from Philadelphia asked about February and March. If they would just take a look at this magazine, and I want to say, Mr. President, I would like to know how the circulation manager of this magazine got my colleagues on the other side to give them a million dollars worth of advertising like this for nothing, because "Turnpike Turns" is certainly getting State-wide publicity here in a hurry.

Now, Mr. President, this magazine, according to its own publication, is published quarterly in January, and there would not be an issue until April so there could not be a February and a March issue.

Now, Mr. President, if the gentlemen would just read more in the magazine and talk less about it, we would all get along and get out of here a lot sooner.

PERMISSION TO ADDRESS SENATE

Mr. HOLLAND asked and obtained unanimous consent to address the Senate.

Mr. HOLLAND. Mr. President, I am very glad to say, and anyone who is in advertising would certainly get a big kick out of the ad placed by the Pennsylvania Department of Commerce, Andrew J. Sordoni and John S. Fine, Governor, when it says "The Road to Penn's Woods." I would not ask anyone here to take a ride to Penn's Woods, because this is a picture of a creek, the road to Penn's Woods.

PERMISSION TO ADDRESS SENATE

Mr. WALKER asked and obtained unanimous consent to address the Senate.

Mr. WALKER. Mr. President, at the expense of being televised by a famous Senatorial Committee out of Washington, would like to make a small wager with the gentleman on the other side that this magazine is published by Democrats.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, there is as much ground for that accusation as there is for most of the accusations made against the Democrats in the last twenty years.

The PRESIDENT. The Chair would like to be advised

whether we are now talking about the magazine in which Senator Duff's photograph appeared by coincidence six weeks before election?

PERMISSION TO ADDRESS SENATE

Mr. WALKER asked and obtained unanimous consent to address the Senate.

Mr. WALKER. Mr. President, I think that we are talking about two different magazines. That startling coincidence, where Governor Duff's picture came out so shortly before election time, is reminiscent of the Farm Bureau checks that went out of Washington about the same time. We hated that, too.

PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President, I have been endeavoring to submit this resolution for the past hour. It seems to me that the Majority Floor Leaders seem to enjoy themselves every afternoon here, and we get some of these ridiculous discussions.

Mr. President, I have something here worth-while to the people of Washington and Greene Counties. So, on behalf of the Philadelphia lawyer, my good friend here, Senator Rosenfeld, and myself, I submit to the Chair this concurrent resolution.

RESOLUTION REFERRED TO COMMITTEE

URGING THAT THE JOINT STATE GOVERNMENT COMMISSION BE DIRECTED TO STUDY AND CODIFY THE LAW OF THIS COMMONWEALTH RELATING TO PENAL AND CRIMINAL COSTS

Messrs. LANE and ROSENFEL, offered the following resolution which was twice read and referred to the committee on State Government:

In the Senate, April 3, 1951.

Resolved, (if the House of Representatives concur) That the Joint State Government Commission is hereby directed to study, compile, consolidate, and codify the law of this Commonwealth embracing that phase of criminal procedure known as "costs" (as distinguished from fines or penalties) with the purpose of setting forth and defining all penal and criminal costs and of prescribing and fixing liability therefor; and be it further

Resolved, That the Joint State Government Commission shall embody the results of its study in the form of a codification of the law relating to penal and criminal costs to be submitted to the General Assembly at its next regular session.

PERMISSION TO ADDRESS SENATE

Mr. WADE asked and obtained unanimous consent to address the Senate.

Mr. WADE. Mr. President, on Monday, March 19, a subcommittee of the Committee on Appropriations, led by Dr. Chapman and a number of other Members of the Legislature, visited the two hospitals in Lewistown, Pennsylvania, and during the time they were visiting the F. W. Black Memorial Hospital, we were asked to visit a patient in one of the rooms who it developed later was a former Senator, Frederick W. Culbertson, who represented the 31st District of Pennsylvania during the years 1920 to 1928. Just a few days later, the papers announced the sad death of Mr. Culbertson on his 83rd

birthday. He led a very useful life. The civic life of his community was his first interest. He was interested in everything that helped to build his community, and during our visit that day he reminded us of the growth of state government, of local government, of national government, and the many problems that we are facing in this Legislature and it was a marvel, his apprehension and his grasp of the situation even at his advanced age.

Mr. President, I therefore offer this resolution and move for its immediate adoption.

SENATE RESOLUTION

A MEMORIAL TO THE LATE HONORABLE
FREDERICK W. CULBERTSON

Mr. WADE, offered the following resolution which was twice read, considered and agreed to:

In the Senate of Pennsylvania, April 3, 1951.

Among the distinguished men who graced the Senate during the "tumultuous twenties" none has been held in higher esteem or has won more deserved repute than the Honorable Frederick W. Culbertson.

Mr. Culbertson was closely identified with community life for many years as a civic leader and as a sponsor of worthy causes. As a Senator from 1921 to 1927, he served our State loyally and effectively; and the impress of his personality and talent on legislative matters has persisted to the present day. Many years have slipped relentlessly into oblivion since Mr. Culbertson first saw the light of heaven; yet the passage of time has exacted its inevitable toll and he has at last departed from this life at the venerable age of eighty-three; therefore, be it

Resolved, That the Senate express its profound sorrow at the passing of one of its most eminent members and the consequent loss of his inestimable services to his community and State, and be it further

Resolved, That the Senate declare its appreciation of the legislative zeal and labors of Frederick W. Culbertson and its acknowledgment of an exceedingly pleasant and profitable association with him from 1921 to 1927, when he served as a member of the Senate.

HOUSE MESSAGE

HOUSE BILL FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bill of the House, as follows:

House Bill No. 716, entitled:

A Supplement to the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (Appropriation Acts page 62) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-nine and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-nine" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred and fifty-one

Which was committed to the Committee on Appropriations.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WATSON, from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency, the Governor of the Commonwealth:

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 29, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Howard L. Miller, Alfarata, Alexandria, Huntingdon County, for appointment as Justice of the Peace in and for the Township of Porter, Huntingdon County, until the first Monday of January 1952, to fill a vacancy.

JOHN S. FINE.

MEMBERS OF THE FULTON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 29, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Fulton County Board of Assistance:

Don Hill (Democrat), Warfordsburg, Fulton County, to serve until December 31, 1952, and until his successor is duly appointed and qualified, to fill a vacancy.

Mrs. Ethel Decker (Democrat), R. D., McConnellsburg, Fulton County, from October 2, 1950, until December 31, 1952, and until her successor is duly appointed and qualified.

JOHN S. FINE.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. WATSON asked and obtained unanimous consent for immediate consideration of the nominations read by the Clerk.

EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. WOOD,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. WATSON and Mr. LETZLER.

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Hare,	McPherson, Jr.,	Stiefel,
Barrett,	Holland,	Meade,	Taylor,
Berger,	Kephart,	Neff,	Toole,
Blass,	Kessler,	Peckan,	Wade,
Byrne,	Lane,	Peelor,	Wagner,
Chapman,	Leader,	Propert,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,

Dent,
Diehm,
DiSilvestro,
Fleming,
Freed,

Mahany,
Mallery,
McCreesh,
McGinnis,

Rosenfeld,
Ruth,
Scarlett,
Silver,

Watson,
Wolfe,
Wood,
Yosko,

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

CALENDAR

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 7, as follows:

An Act authorizing cities to establish and maintain trust funds for the investment and reinvestment of the moneys of charitable uses or trusts the charge or administration of which has been committed to their care or of the estates of minors of which they may be guardians providing for the administration of funds so established and prescribing the nature and kinds of investments which may be made therein

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any city of this Commonwealth now or hereafter charged with the administration of any charitable use or trust or of the estate of any minor of which it may be guardian may establish and maintain one or more common trust funds for the collective investment and reinvestment of the moneys of any such charitable use or trust or any such estate

Section 2 Such city may invest the moneys of the estate of any minor of which it is now or may hereafter become guardian in any common trust fund maintained by it provided the assets comprising such common trust fund consist solely of assets of the class authorized by law as legal investments for funds held by fiduciaries

Section 3 If the instrument under which any real and personal property were or are given granted conveyed bequeathed devised to or otherwise vested in confided to or awarded to the city upon charitable use or trust shall limit or restrict the investment of such property or the proceeds thereof to assets of the class authorized by law as legal investments the city may invest and reinvest moneys of the use or trust in any such common trust fund maintained by the city provided the assets composing such fund consist solely of assets of the class authorized as legal investments for funds held by fiduciaries

Section 4 If the instrument under which any real and personal property were or are given granted conveyed bequeathed devised to or otherwise vested in confided to or awarded to the city upon charitable use or trust shall authorize or permit the investment of such property or the proceeds thereof in assets of the class other than authorized by law as legal investments the city may invest and reinvest moneys of the use or trust in any such common trust fund maintained by the city composed of such investments as in the honest exercise of the judgment of the officers of the city charged with the administration of the charitable uses or trusts may after investigation be determined to be safe and proper investments otherwise such assets shall be invested and reinvested in a common trust fund consisting solely of assets of a class authorized as legal investments for funds held by fiduciaries

Section 5 The city shall invest the moneys of any

charitable use or trust or of the estate of any minor of which it may be guardian in such common trust fund by adding the same thereto and by apportioning a participation therein to such use or trust or the estate of any minor of which it may be guardian in the proportion that the moneys of the use trust or estate added thereto bears to the aggregate value of all the assets of such common trust fund at the time of such investment including in such assets the moneys of the use trust or estate so added. The withdrawal of a participation from such common trust fund shall be on a basis of its proportionate interest in the aggregate value of all the assets of such common trust fund at the time of such withdrawal. The participating interest of any use trust or estate in such common trust funds may from time to time be withdrawn in whole or in part by the city. Upon such withdrawals the city may make distribution in cash or ratably in kind or partly in cash and partly in kind. Participations in such common trust funds shall not be sold to any other corporation or person except a non-profit corporation organized and existing for a public charitable purpose.

Section 6 If a bond or other obligation for the payment of money is acquired as an investment for any such common trust fund at a cost in excess of the par or maturity value thereof the city may during but not beyond the period that such obligation is held as an investment in such fund amortize such excess cost out of the income on such obligation by deducting from each payment of income and adding to principal an amount equal to the sum obtained by dividing such excess cost by the number of periodic payments of income to accrue on such obligation from the date of such acquisition until its maturity date.

Section 7 The city shall designate clearly upon its records the names of the charitable uses or trust or of the estate of a minor on behalf of which such city as fiduciary owns a participation in any such common trust fund and the extent of the interest of the charitable use trust or minor estate therein. No such use trust or estate shall be deemed to have individual ownership of any assets in such common trust fund but shall be deemed to have the proportionate undivided interest in the common trust fund. The ownership of the individual assets comprising any such common trust fund shall be solely in the city as fiduciary.

Section 8 Nothing contained in this act shall be construed to authorize the city to invest moneys of a charitable use or trust in any such common trust fund contrary to any specific limitation or restriction contained in the will deed or other instrument by which any real and personal property are given granted conveyed bequeathed devised to or otherwise vested in the city upon charitable use or trust nor to limit or restrict the authority conferred upon the city with respect to investments by any such instrument.

Section 9 No mistakes made in good faith and in the exercise of due care and prudence in connection with the administration of any such common trust fund shall be held to exceed any power granted to or violate any duty imposed upon the city if promptly after the discovery of the mistake the city takes whatever action that may be practicable under the circumstances to remedy the mistake.

Section 10 The provisions of this act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Hare,	McPherson, Jr.,	Stiefel,

Barrett,
Berger,
Blass,
Byrne,
Chapman,
Crowe,
Dent,
Diehm,
DiSilvestro,
Fleming,
Freed

Holland,
Kephart,
Kessler,
Lane,
Leader,
Letzler,
Mahany,
Mallery,
McCreesh,
McGinnis,

Meade,
Neff,
Pechan,
Peelor,
Propert,
Robinson,
Rosenfeld,
Ruth,
Scarlett,
Silvert,

Taylor,
Toole,
Wade,
Wagner,
Walker,
Watkins,
Watson,
Wolfe,
Wood,
Yosko,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 68, as follows:

An Act to validate and confirm certain contracts heretofore entered into by boards of school directors where there is no evidence of fraud or conspiracy and to authorize ratify confirm and validate payments on such contracts by the school district.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Whenever any board of school directors of any school district shall have heretofore contracted for labor materials and supplies for the school district the purchase of which by contract is authorized under the provisions of the school laws of the Commonwealth and such board of school directors has actually received such labor materials and supplies and the same are being used by the school district if the said contract does not evidence any fraud or conspiracy to violate the provisions of the school laws of the Commonwealth and the school district has not suffered any pecuniary loss as the result of such contract then such contract shall be valid and binding on the school district and payment for such labor materials and supplies by the school district is hereby authorized ratified confirmed and validated notwithstanding the fact that such contract was legally null and void by reason of the failure to advertise for bids or by reason of defect in the advertising or by reason of any other defect in compliance with or in the failure or omission to comply with the school laws of this Commonwealth regulating the award of contracts for such labor materials and supplies. No board of school directors nor any members thereof shall be subject to surcharge for payments made by any board of school directors on any such contract.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,
Barr,
Barrett,
Berger,
Blass,
Byrne,
Chapman,
Crowe,
Dent,
Diehm,
DiSilvestro,
Fleming,
Freed

Haluska,
Hare,
Holland,
Kephart,
Kessler,
Lane,
Leader,
Letzler,
Mahany,
Mallery,
McCreesh,
McGinnis,

McMenamin,
McPherson, Jr.,
Meade,
Neff,
Pechan,
Peelor,
Propert,
Robinson,
Rosenfeld,
Ruth,
Scarlett,
Silvert,

Stevenson,
Stiefel,
Taylor,
Toole,
Wade,
Wagner,
Walker,
Watkins,
Watson,
Wolfe,
Wood,
Yosko,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order.

The Senate proceeded to the third reading and consideration of Senate Bill No. 81, as follows:

An Act to amend the title and Sections 1 2 3 and 4 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 302) entitled "An act providing for the admission of children to and their education and maintenance in and their discharge from the Pennsylvania Soldier's Orphan School prohibiting discharging children or taking children from said school or children from leaving the same without an order of the Board of Trustees of the Pennsylvania Soldiers' Orphan School and prescribing penalties" by changing the name of the Pennsylvania Soldiers' Orphan School

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and Sections 1 2 3 and 4 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 302) entitled "An act providing for the admission of children to and their education and maintenance in and their discharge from the Pennsylvania Soldiers' Orphan School prohibiting discharging children or taking children from said school or children from leaving the same without an order of the Board of Trustees of the Pennsylvania Soldiers' Orphan School and prescribing penalties" are hereby amended to read as follows

An Act

Providing for the admission of children to and their education and maintenance in and their discharge from the [Pennsylvania Soldiers' Orphan School] Scotland School for Veterans' Children prohibiting discharging children or taking children from said school or children from leaving the same without an order of the Board of Trustees of the [Pennsylvania Soldiers' Orphan School] Scotland School for Veterans' Children and prescribing penalties

Section 1 The Board of Trustees of [Pennsylvania Soldiers' Orphan School] the Scotland School for Veterans' Children shall admit to the [Pennsylvania Soldiers' Orphan School] Scotland School for Veterans' Children under such rules and forms of application as it may adopt children over six (6) and under fourteen (14) years of age of parents who have resided in this Commonwealth for a continuous period of not less than five years prior to application for admission of such children or prior to the death of the last survivor of such parents and one or both of whose parents has served in any branch of the armed forces of the United States during any war in which the United States has been is now or may hereafter be engaged or in any movement or campaign in connection therewith or resulting therefrom and has died in such service or has been honorably discharged therefrom

Preference in admission shall be as follows (1) Children both of whose parents are dead (2) Children whose fathers are dead and whose mothers are living (3) Destitute children not being in either of the two foregoing classes

Section 2 Children so admitted shall be educated and maintained in the [Pennsylvania Soldiers' Orphan School] Scotland School for Veterans' Children until they shall severally become nineteen years of age unless sooner discharged for cause by order of the board Provided That the board may at its discretion extend the time of the discharge of any child until the end of the school year during which such child reaches the age of nineteen years For the purposes of this proviso the school year shall be deemed to commence the first day of September of each year

Section 3 No child admitted to the [Pennsylvania Sol-

diers' Orphan School] Scotland School for Veterans' Children shall be discharged therefrom or leave the same or be taken therefrom by any person except on order of the board of trustees In discharging a child from the school or in permitting a child to leave or be taken from the school the board of trustees shall be governed by the best interests of the child or the best interests of the other children in the school as the case may be

Section 4 Whoever takes any child from the [Pennsylvania Soldiers' Orphan School] Scotland School for Veterans' Children or assists any child to leave the same without an order from the board permitting such taking or leaving and any child who leaves said school without permission so to do shall upon upon summary conviction thereof be sentenced to pay a fine or not more than fifty dollars (\$50.00) and in default of the payment thereof and costs shall undergo imprisonment not to exceed ten days or in the case of a minor subject to the jurisdiction of the juvenile courts shall be dealt with by such court as in other cases of juvenile delinquency

Section 2 The provisions of this act shall become effective the first day of June one thousand nine hundred fifty-one

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Hare,	McPherson, Jr.,	Stiefel,
Barrett,	Holland,	Meade,	Taylor,
Berger,	Kephart,	Neff,	Toole,
Blass,	Kessler,	Pechan,	Wade,
Byrne,	Lane,	Peelor,	Wagner,
Chapman,	Leader,	Propert,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,
Dent,	Mahany,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Scarlett,	Wood,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed			

NAYS—0

A majority of all the Senators haing voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL POSTPONED

Mr. WALKER. Mr. President, I move that House Bill No. 175, on third reading, entitled:

An Act authorizing and directing the Joint State Government Comission to make a comprehensive study of the migratory habits of fish particularly shad and the stocking and tagging of shad below and above the Safe Harbor Dam the Holtwood Dam and the Conowingo Dam and to cooperate with the Federal government in connection therewith prescribing powers and duties and making an appropriation

be placed on the Third Reading Postponed Calendar.

Mr. WATSON. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 247, on third reading, entitled:

An act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30)

entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by regulating the authority of school districts to purchase supplies and to perform and contract for construction reconstruction repairs and work of any nature

go over in its order.

The President. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 405, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the board of trustees of Warren State Hospital to acquire a certain tract of land with the buildings thereon adjacent thereto for the use of said hospital and making an appropriation therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor and the board of trustees of Warren State Hospital is hereby authorized to purchase in the name of the Commonwealth a certain tract of land with the buildings thereon known as the Carl Scott Farm of approximately one hundred thirty acres situated in Glade Township Warren County Pennsylvania and being contiguous to the present property of said hospital so as to make use of such land and buildings for the purpose of farming and other maintenance operations of said hospital

Section 2 Said tract of land and buildings when purchased shall be added to the lands and property of the Warren State Hospital The deed of conveyance shall be deposited with the Secretary of Internal Affairs

Section 3 The land and buildings thereon shall not be acquired until the title thereto has been approved by the Department of Justice

Section 4 The sum of sixteen thousand dollars (\$16,000) or as much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies

Section 4 The sum of sixteen thousand dollars (\$16,000) or as much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the payment of the purchase price of said tract of land with the buildings thereon and the expenses incidental thereto including title searches

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Hare,	McPherson, Jr.,	Stiefel,
Barrett,	Holland,	Meade,	Taylor,
Berger,	Kephart,	Neff,	Toole,
Blass,	Kessler,	Pechan,	Wade,
Byrne,	Lane,	Peelor,	Wagner,
Chapman,	Leader,	Probert,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,
Dent,	Mahany,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Scarlett,	Wood,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 459, as follows:

An Act to further amend Section 2561 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by including additional items in "overhead cost per pupil" for the purpose of reimbursement between school districts.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2561 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" as amended in part by the act approved the fourteenth day of May one thousand nine hundred forty-nine (P. L. 1365) is hereby further amended to read as follows

Section 2561 Tuition Charges for Pupils of Other Districts A school district or vocational school district receiving elementary or high school pupils or vocational or other extension education pupils who are residents of another school district or another vocational school district shall compute the tuition charges as follows

(1) General Add the salaries of secretaries treasurers auditors superintendents the cost of library books the salaries of librarians lectures heal medical nurse and dental services the wages of janitors and other comparable employes the cost of fuel water light and power telephone rentals and tolls the cost of maintenance of school plant including ordinary repairs but not including alterations or remodeling the cost of care of school grounds premiums on fire and workmen's compensation insurance the cost of attendance at teachers' institutes and the district's contribution to the retirement fund on behalf of the above listed employes and divide the sum so obtained by the total number of pupils in average daily membership in the receiving district's public schools The quotient so obtained shall be designated the "overhead cost per pupil"

(2) Elementary Tuition Charge Add the salaries of supervisors principal clerks assistants and teachers employed in the receiving district's elementary schools the district's contribution to the retirement fund on behalf of teachers supervisors and principals employed in the district's elementary schools the cost of textbooks and supplies of the second class used in the district's elementary schools and divide the sum so obtained by the total number of pupils in average daily membership in the receiving district's elementary schools The quotient so obtained shall be designated as the "instruction cost per elementary pupil" Add to the instruction cost per elementary pupil the overhead cost per pupil and a rental charge of eight dollars (\$8) per pupil for the use of the receiving district's school plant Deduct from the amount so obtained the per pupil State appropriation on account of elementary school teaching units The cost so determined shall be the "tuition charge per elementary pupil"

(3) High School Tuition Charge Add the salaries of supervisors principals clerks assistants and teachers employed in the receiving district's high schools the district's contribution to the retirement fund on behalf of teachers supervisors and principals employed in the district's high schools the cost of textbooks and supplies of the second class used in the district's high schools and divide the sum so obtained by the total number of pupils in

average daily membership in the receiving district's high schools The quotient so obtained shall be designated as the "instruction cost per high school pupil" Add to the instruction cost per high school pupil the overhead cost per pupil and a rental charge of ten dollars (\$10) per pupil for the use of the receiving district's school plant Deduct from the amount so obtained the per pupil State appropriation on account of high school teaching units The cost so determined shall be the "tuition charge per high school pupil"

(4) Vocational or Other Extension Tuition Charge Add the salaries of administrators supervisors instructors clerks and custodians specifically employed in the school district's or vocational school district's annual program of Vocational or other Extension Education the cost of textbooks and supplies of the second class class issued for the program A charge of five cents (\$.05) per pupil hour of instruction for the district overhead and plant usage Subtract from the sum so obtained the amount of State appropriation applicable The remainder shall be designated as the "district cost for vocational or other extension education" Determine the total pupil hours of instruction divide the "district cost for vocational or other extension education" by the total pupil hours of instruction The cost so determined shall be the "vocational or other extension tuition charge per pupil hour of instruction"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Bane,	Freed,	Pechan,	Taylor,
Barr,	Hare,	Peelor,	Toole,
Barrett,	Kephart,	Propert,	Wade,
Berger,	Kessler,	Robinson,	Wagner,
Blass,	Letzler,	Rosenfeld,	Walker,
Byrne,	Mahany,	Ruth,	Watkins,
Chapman,	Mallery,	Scarlett,	Watson,
Crowe,	McGinnis,	Silvert,	Wolfe,
Diehm,	McMenamin,	Stevenson,	Wood,
DiSilvestro,	McPherson, Jr.,	Stiefel,	Yosko,
Fleming,	Meade,		

NAYS—7

Dent,	Holland,	Leader,	Neff,
Haluska,	Lane,	McCreesh,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 483, as follows:

An Act to amend section five hundred seventeen of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the payment of traveling expenses of certain employees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred seventeen of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising

consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 517 Attendance of Superintendents etc at Educational Conferences and of Pupils at State Farm Show etc Expenses The board of school directors of each district may authorize the attendance of the superintendent and such other members of the teaching and supervisory staff of such districts as they may specify at any educational conference or conferences when in the opinion of the board such attendance will be conducive to the best interests of the district Each person so authorized to attend and attending shall be reimbursed for all necessary traveling and hotel expenses actually incurred The board of school directors may also authorize the transportation of pupils to the State Farm Show and to other exhibitions and places of interest when their attendance at the same is deemed of educational value to such pupils and may pay the expenses of such pupils in whole or in part from the funds of the district Such expenses shall be paid by the treasurer of the school district in the usual manner out of the school funds of the district upon the presentation of an itemized verified statement of such expenses

The board of school directors of each district may reimburse any principal supervising principal school nurse teacher or other employe for necessary traveling expenses incurred in the furthering of the educational program of the school district Provided That prior authorization to incur said expenses shall have been previously given by the board of school directors

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Hare,	McPherson, Jr.,	Stiefel,
Barrett,	Holland,	Meade,	Taylor,
Berger,	Kephart,	Neff,	Toole,
Blass,	Kessler,	Pechan,	Wade,
Byrne,	Lane,	Peelor,	Wagner,
Chapman,	Leader,	Propert,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,
Dent,	Mahany,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Scarlett,	Wood,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SECOND READING BILLS

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 6, on second reading, entitled:

An Act relating to the administration and distribution of incompetents' estates both as to real and personal property and the procedure relating thereto including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a guardian in certain cases the appointment bond removal and discharge of guardians of such estates their powers duties and liabilities the rights of persons dealing with such guardians and the rights of persons claiming an interest in such estates or in property distributed there-

from whether as claimants or distributees and containing provisions concerning the determination of incompetency and the powers duties and liabilities of foreign guardians and also generally dealing with the jurisdiction powers and procedure of the common pleas court relating to incompetents' estates.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 17, on second reading, entitled:

An Act relating to the jurisdiction powers and duties of registers of wills and regulating proceedings before them and the costs thereof the effects of their acts and appeals therefrom.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 25, on second reading, entitled:

An Act relating to the orphans' courts conferring exclusive jurisdiction on such courts over the administration and distribution of decedents' estates trust estates minors' estates and absentees' estates providing for the organization of orphans' courts the procedure therein the powers and duties of the judges thereof and appeals therefrom.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS POSTPONED

Mr. WALKER. Mr. President, I move that Senate Bill No. 104, on second reading, entitled:

An Act providing for the sentencing of persons convicted of certain crimes to an indeterminate sentence having a minimum of one day and a maximum of life in certain cases authorizing the criminal courts to impose such a sentence and certain temporary sentences in connection therewith requiring psychiatric examinations of such persons before the imposition of such a sentence conferring powers and imposing duties upon the Department of Welfare and the Pennsylvania Board of Parole and providing for the parole conditional parole or absolute discharge of persons so sentenced and the procedure relating thereto.

be placed on the Second Reading Postponed Calendar.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Mr. WALKER. Mr. President, I move that Senate Bill No. 357, on second reading, entitled:

An Act to reenact revise and amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto."

be placed on the Second Reading Postponed Calendar.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 365, on second reading, entitled:

An Act to further amend the act approved the fifth

day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporation conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by permitting the Department of State to copy and destroy or return certain documents permitting directors to fill vacancies in the board of directors resulting from an increase in the number of directors deleting certain requirements as to the appointment compensation and duties or agents providing that meetings of shareholders at which directors are to be elected may be adjourned for periods of fifteen days each fixing the method of cumulative voting in cases where directors are elected separately by the holders of different classes of shares providing that courts having jurisdiction over trustees who are evenly divided as to how shares shall be voted may direct the voting of such shares deleting requirements as to the voting of shares of foreign corporations owned by other corporations providing that articles of incorporation may be amended to eliminate the preemptive rights of shareholders and providing for the purchase of and payment for shares of any shareholders who dissent therefrom specifying cases of merger or consolidation of which sixty days' notice to shareholders must be given providing that shareholders of a parent corporation shall have no right to dissent from a merger or consolidation of such parent and one or more wholly-owned subsidiaries thereof provided the state of incorporation and relative rights and preferences of the shareholders of the parent corporation are not changed thereby providing that foreign corporations which shall have done business in Pennsylvania without procuring a certificate of authority to do so shall be conclusively presumed to have appointed the Secretary of the Commonwealth their agent to accept service of process in cases arising out of acts of omissions of such corporation in the Commonwealth and specifying the duties of the Secretary upon receipt of such process.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 416, entitled:

An Act to amend Section 704 of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business cor-

porations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by changing and clarifying the provisions with respect to payment of dividends from paid-in surplus.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 433, entitled:

An Act to further amend sections thirty-one and thirty-two of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by reclassifying counties of the sixth and seventh classes and providing for elections pursuant to changes of classification by counties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committee for the first time at today's session.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 320, entitled:

An Act to further amend subsection (a) of Section 621.1 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and existing laws" by further defining and regulating group accident and health insurance.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 341, entitled:

An Act to further amend Section 2 of the act, approved the twenty-fourth day of June, one thousand nine hun-

dred thirty-nine (P. L. 685) entitled "An act designating certain life insurance companies as limited life insurance companies, and further describing the powers thereof," further describing the powers of limited life insurance companies.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 374, entitled:

An Act to amend the act approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further regulating health and accident insurance.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 717, entitled:

An Act making a deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-nine and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-nine.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

REMARKS BY MAJORITY FLOOR LEADER

Mr. WALKER. Mr. President, I want to say to the gentlemen of the Senate that due to the pressure of committee meetings elsewhere, it has been deemed advisable by the Majority and Minority Floor Leaders to cancel Thursday's Session. I say that with a great deal of regret, because I know the Members of the Senate have been counting on a Thursday Session. We will have a Session tomorrow and then adjourn until Monday so as to permit the Members of the Senate to take care of their Senatorial duties in other parts of the Commonwealth.

ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Wednesday, April 4, 1951, at 12:00 o'clock, M., Eastern Standard Time.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:44 o'clock, p. m., Eastern Standard Time, until Wednesday, April 4, 1951, at 12:00 o'clock, M., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, April 3, 1951

The House met at 12:00 noon.

The SPEAKER (Herbert P. Sorg) in the Chair.

PRAYER

The Reverend Sheridan Watson Bell, Pastor of Grace Methodist Church Harrisburg, Pa., offered the following prayer:

(This is the Church in which the House held its sessions in the Sanctuary and the Senate in the Sunday School room from the time the old Capitol burned in 1897 until the new Capitol Building was completed in 1906.)

Gracious God, we give Thee thanks for this day. For life as we are privileged to live it. For friends that we are able to discover and to keep. For work which enables us to be creators and sustainers of life. For service one toward another. All this O God we are able to have because we live in Freedom. May we so cherish it that we never permit ourselves to think or to act as if we were enslaved. Enoble our way of living. May we always reveal the fact that we are Thy children. That by love, kindness, charity, decency and honor we never lose sight of our heritage. All this we pray in Thy glorious name. Amen.

JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Monday, April 2, 1951? If not, and without objection, the Journal is approved.

PERMISSION TO ADDRESS HOUSE

Mr. HEWITT asked and obtained unanimous consent to address the House.

It is interesting to me, and it might be to other Members of the House, to say that when the Legislature met in this Church during the 1903 and 1905 sessions while the Capitol was being built, my uncle, my mother's brother, Fred Scoville, of DuBois, was a Member of the House.

BILLS INTRODUCED AND REFERRED

By Mr. KRATZ. HOUSE BILL No. 866.

An Act to further amend section 622 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," by increasing the allowance for expenses of township officers at annual meeting of the State association.

Referred to the Committee on Townships.

By Mr. WOOD. HOUSE BILL No. 867.

An Act transferring money from the Banking fund to the General Fund.

Referred to the Committee on Appropriations.

By Mr. GLEASON. HOUSE BILL No. 868.

An Act making an appropriation to the Keystone Hook and Ladder Company, Muncy, Pennsylvania, for the protection of State property.

Referred to the Committee on Appropriations.

By Mr. REESE.

HOUSE BILL No. 869.

An Act to amend Section 461 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by further defining the qualifications of members of the State Board of Chiropractic Examiners.

Referred to the Committee on Professional Licensure.

By Mr. WILBUR H. HAMILTON.

HOUSE BIL No 870.

An Act to further amend section 1, and to add section 5 to the act, approved the twenty-fourth day of May, one thousand eight hundred and ninety-three (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund, to take property in trust therefor and regulating and providing for the regulation of the same," by fixing minimum retirement allowances and providing benefits for surviving spouse.

Referred to the Committee on Municipal Corporations.

By Messrs. POLEN and WILLIAMS.

HOUSE BILL No. 871.

An Act to amend subsection (a) of Section 921 and Sections 924 and 1025 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by further providing for terms of office of county school directors; changing certain payments made to them by the Commonwealth and certain items of procedure at conventions to elect county superintendents.

Referred to the Committee on Education.

By Mr. KELLER.

HOUSE BILL No. 872.

An Act authorizing certain municipal corporations of other states to acquire, use, encumber, and dispose of real property and appurtenances attached thereto, in this Commonwealth necessary to the beneficial use of certain real property in such other state; defining certain of their rights and liabilities in connection therewith; and validating certain acquisitions and holdings of real property and appurtenances attached thereto by such municipal corporations heretofore consummated.

Referred to the Committee on State Government.

By Mr. DALRYMPLE.

HOUSE BILL No. 873.

An Act providing for the payment of salary, wages, medical and hospital expenses of full-time employees who for one year or more have been employed by the Com-

monwealth or any county within the Commonwealth who are injured in the performance of their duty and providing that absences from duty during such injury shall not be charged against any sick leave to which such employee may be entitled and also providing for recourse to pension privileges in the event of permanent disability.

Referred to the Committee on State Government.

By Mr. REESE.

HOUSE BILL No. 874.

An Act to amend the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 566), entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employee arising out of and in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine contraverted medical issues; establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases; making an appropriation; and prescribing penalties," by providing for payment of compensation to be paid out of the State Workmen's Compensation Fund; abolishing the Occupational Disease Fund and eliminating certain provisions for elective compensation.

Referred to the Committee on Workmen's Compensation.

By Mr. REESE.

HOUSE BILL No. 875.

An Act to further amend the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania, and for the protection and preservation of property connected therewith," by requiring shot-firers in bituminous mines to have helpers and defining the duties of such helpers.

Referred to the Committee on Mines and Mining.

By Mr. REESE.

HOUSE BILL No. 876.

An Act to further amend the act, approved the second day of June, one thousand nine hundred fifteen (P. L. 736), entitled, as amended "An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," by providing for contributions by employers to a fund out of which all workmen's compensation benefits shall be payable, establishing such a fund to be administered by the Bureau of Workmen's Compensation, abolishing the State Workmen's Insurance Fund, and repealing inconsistent legislation.

Referred to the Committee on Workmen's Compensation.

By Messrs. PICHNEY and EDWIN F. THOMPSON.

HOUSE BILL No. 877.

An Act to amend Section 1 of the act, approved the twenty-second day of May, one thousand nine hundred forty-five (P. L. 837), entitled, as amended "An act providing for and requiring in certain cases preference in appointments to public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged; and in certain cases for the widows and wives of such persons," by broadening the definition of the word "soldier."

Referred to the Committee on State Government.

By Mr. COOPER.

HOUSE BILL No. 878.

An Act to amend the act approved the thirteenth day of June one thousand nine hundred eleven (P. L. 903), entitled "An act to prevent frauds against carriers of passengers for hire, within this Commonwealth, and prescribing penalties for the breach of the provisions hereof" by changing penalties and defining magistrate.

Referred to the Committee on Judiciary.

By Messrs. JUMP and GUTENDORF.

HOUSE BILL No. 879.

An Act to further amend the act approved the first day of June, one thousand nine hundred forty-five (P. L. 1242), entitled "An act relating to roads, streets, highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto," by providing that damages for land taken in changing the grade location or width of highways in boroughs, incorporated towns and cities of the second class, second class, second class A and third class shall be paid from the motor license fund; and declaring that such political subdivisions are agents of the Commonwealth in certain cases.

Referred to the Committee on Highways.

By Messrs. CLAPPER and BANKER.

HOUSE BILL No. 880.

An Act creating a State Industrial Development Authority as a body corporate and politic and prescribing its powers and duties; authorizing and regulating the issuance of bonds by said Authority and providing for the payment and rights of holders thereof; prohibiting the incurring of debts of the Commonwealth; providing for approving and guaranteeing bond loads for industrial enterprises in communities with the largest percentage of unemployed persons; authorizing the Authority to take over such obligations under certain circumstances; and making an appropriation.

Referred to the Committee on State Government.

By Messrs. CLAPPER and BANKER.

HOUSE BILL No. 881.

An Act to further amend Clause L of Section 1202 of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by authorizing increase of appropriations for burial ground maintenance.

Referred to the Committee on Boroughs.

By Messrs. LUTTY, OLSEN and LOUIS LEONARD.

HOUSE BILL No. 882.

An Act to further amend clause (b) of Section 4 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Board of Trustees of Pension Fund for the Blind; and

repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by prohibiting the requiring of security for repayment of public assistance, cancelling existing obligations, and providing for reconveyance of real property.

Referred to the Committee on Welfare.

By Mr. GAFFNEY.

HOUSE BILL No. 883.

An Act to further amend subsection (d) of section four hundred four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by changing the weekly amount of compensation payable to eligible employes in certain cases.

Referred to the Committee on Workmen's Compensation.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. DUFF and HERSCH. RESOLUTION No. 27.

In the House of Representatives, April 2, 1951.

Clean and brilliant athletic achievement, especially in the game of basketball, comes as a most heartening contrast to the sordid revelations of "fixed" games and corruption that have crowded the headlines during this past winter.

Pennsylvania is gratified that the game has been played hard and well in its many schools and for the purpose intended—genuine competition, exhibition of skill and prowess, wholesome recreation, and entertaining showmanship.

In no instance, has the breath of scandal dimmed the public mirror that has been held up to the many individual and coordinated feats of athletic ability that have been displayed on the innumerable courts throughout the State.

In no case, has any so-called under-privileged, young athlete yielded to the blandishments of a "fast buck" and brought ignominy to himself, disrepute to his school, and disillusionment to the public.

With justifiable pride, therefore, the sporting world has been stirred by the magnificent athletic performance of Bill Mlkvy of the basketball team of Temple University.

The wide elation over his outstanding average scoring per game, the enthusiasm declaring his versatility as a player, and the phenomenal effectiveness of his fast and bewildering court play are the forerunners to many honors that will come to him.

As a fine champion, Bill Mlkvy has won nationwide recognition, has been tendered many accolades of commendation, and has been designated a member of three major All-American teams; therefore be it

Resolved, That this House of Representatives warmly extend its heartiest congratulations to Bill Mlkvy for his outstanding exploits on the basketball court; and be it further

Resolved, That like felicitations be expressed to Temple University and, in particular, to its basketball coach, Josh Cody, for the inspirational guidance and the superb training that have been given to Bill Mlkvy—to the end that he has become a shining exemplar of the best traditions of American competitive sport and a brilliant exponent of

the skill and courage that are required of an exacting and hazardous game.

Referred to the Committee on Rules.

SENATE MESSAGE

AMENDED SENATE BILL NON-CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has non-concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 18.

An Act to amend Section 5 of the act approved the eleventh day of June one thousand nine hundred forty-seven (P. L. 565) entitled "An act providing compensation to certain persons who served in the military or naval forces of the United States or of any of her allies during World War II providing the method of making payment to representatives of persons who because of death or incapacity cannot personally receive compensation imposing certain duties on the Adjutant General making an appropriation and providing penalties" by extending the time during which applications may be filed for veterans' compensation

HOUSE INSISTS ON AMENDMENTS NON-CONCURRED IN BY SENATE

Mr. JOHNSON. Mr. Speaker, I move that the House insist on its amendments non-concurred in by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 131.

An Act relating to the rights obligations and liabilities of landlord and tenant and of parties dealing with them an damending revising changing and consolidating the law relating thereto

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

REPORTS FROM COMMITTEES

Mr. McMILLEN from the Committee on Education, reported as committed, House Bill No. 73, entitled:

An Act to amend Article V of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by permitting school directors to attend meetings of educational or financial interest to districts and providing for the payment of their expenses.

Mr. HOCKER from the Committee on Public Utilities, reported as committed, House Bill No. 204, entitled:

An Act to amend Section 1512 of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the

second class; and amending, revising, consolidating, and changing the law relating thereto," by requiring water utility companies to furnish to townships, lists of water meter readings, flat-rate bills and other data for the purpose of determining sewer charges.

Mr. KELLER from the Committee on Education, reported as committed, House Bill No. 268, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1046) entitled as amended "An act appropriating the moneys in the Motor License Fund" by providing for appropriations to the Department of Public Instruction for its expenses and payments to school districts in carrying out a driver-training program.

Mr. HARVEY A. MOORE, from the Committee on Education, reported as committed, House Bill No. 270, entitled:

An Act to add Section 2511.2 to the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing for payments to school districts and vocational school districts on account of employment of highway safety education instructors.

Mr. TOMPKINS from the Committee on Education, reported as committed, House Bill No. 295, entitled:

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by increasing the maximum per capita tax rate.

Mr. McCORMACK from the Committee on City and County—First Class, reported as committed, House Bill No. 466, entitled:

An Act requiring cities of the first class to make annual appropriations to Firemen's Pension Funds.

Mr. BLOOM from the Committee on Public Utilities, reported as committed, House Bill No. 492, entitled:

An Act to further amend Section 1311 of the act approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender, or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicles and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed or kept by persons, associations, companies, corporations, or municipal corpora-

tions subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation protection or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by providing for sentences of imprisonment in default of fines imposed under that section for first and second offenses by motor carriers, common carriers by airplane or brokers.

Mr. READINGER from the Committee on Judiciary, reported as committed, House Bill No. 629, entitled:

An Act to establish a separate orphans' court in and for the county of Beaver.

Mr. RONALD L. THOMPSON from the Committee on Cities and County—Second Class, reported as committed, House Bill No. 757, entitled:

An Act to add Article XVII to the act, approved the seventh day of March, one thousand nine hundred one (P. L. 20), entitled "An act for the government of cities of the second class," by providing for the establishment of a traffic court in cities of the second class.

Mr. GREER from the Committee on Public Utilities, reported as committed, Senate Bill No. 16, entitled:

An Act to further amend clauses six, seven, twenty and twenty-three of section two of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary,

reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies, and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by exempting from the provisions thereof transportation of pulpwood or chemical wood from woodlots.

Mr. BEECH from the Committee on Cities and County—Second Class, reported as committed, Senate Bill No. 318, entitled:

An Act authorizing counties of the second class to establish fire training schools for the paid and volunteer firemen of municipalities within the county.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. SARRAF asked and obtained unanimous consent to add Ronald L. Thompson and Albert E. Beech as additional sponsors to House Bill 527 which is now in Committee.

PUPILS OF FRIENDS COMMUNITY SCHOOL WELCOMED

The SPEAKER. The Chair is pleased to welcome to the House pupils of the fifth and sixth grades of Friends Community School, West Chester. They are the guests of the gentlemen from Chester, Messrs. Leisey and Harney.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 589, entitled:

An Act to amend section one thousand one hundred forty-four of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for additional increments for holders of college certificates or Masters' Degrees

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 541, entitled:

An Act to further amend Section 511 and Section 610

of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by extending the time and increasing the fees for the issuance of special hauling and excessive size permits and increasing size for which permits may be issued

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 602, entitled:

An Act to reenact and amend the title and the act, approved the twelfth day of May, one thousand nine hundred forty-three (P. L. 259), entitled, as amended "An act providing for the payment by the State Treasurer, of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies, to the treasurers of the several cities, boroughs, towns and townships, and for the payment thereof into police pension funds, and in certain cases into the Municipal Employees' Retirement certain other cases into the State Employees' Retirement System, and for Pension Annuity Contracts, and in Fund, for certain purposes," by extending the benefits of the act to certain county police pension funds.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 730, entitled:

An Act to further amend Section 501 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by regulating the issuance of resident hunters' licenses for antlerless deer for the hunting of antlerless deer and eliminating the provisions for special permits for antlerless deer and for abrogation of open season on antlerless deer

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

DEAN OF COLLEGE OF LAW OF NOTRE DAME UNIVERSITY WELCOMED

The SPEAKER. The Chair notes with extreme pleasure the presence in the Hall of the House today, of one who for more than a quarter of a century has been one of America's most noted professors of Constitutional Law.

He is the distinguished Dean of the College of Law of Notre Dame University, the founder and builder of the Natural Law Institute. He is a recognized writer of meaningful prose and a popular lecturer of unusual persuasiveness. For his outstanding writings and addresses on Americanism he was voted the Freedom award in 1950.

The Chair asks the consent of the House to present Dean Clarence Manion of the Notre Dame University School of Law and request him to address the House. The Chair hears no objection and presents to you Dean Clarence Manion.

ADDRESS OF DEAN CLARENCE MANION

DEAN CLARENCE MANION. Mr. Speaker, I am not unmindful of the great honor that has been bestowed upon me here today in the course of this casual visit to this very beautiful building of which I have heard and read a great deal in the course of my lifetime. I am also in deep appreciation of the privilege, cognizant of the time element. I obtained the loan of a watch before I came to the rostrum, but with the clock on the wall it will not be necessary, however, I want to assure you at the outset that I am proceeding upon borrowed time, nevertheless, and that I realize, too, that in the course of your gruelling and intelligent business there is very little that the Dean of a Law School could say to you which might aid and abet you in your labors.

I am here in Harrisburg as the author of a recent streamlined version of Americanism which is called "The Key to Peace," and that is an intriguing title. It may or may not be misleading. All that I know about the subject of our common interest is bound up in the covers of that little book, so I shall not attempt to repeat it to you. Nevertheless, to people from the hinterlands of America the state of Pennsylvania is an intriguing institution, because all of us who live under the principles enunciated in the Declaration of Independence and enshrined in the Constitution of the United States are in a perpetual state of gratitude for the contribution of Pennsylvania to the United States of America.

But there is a far less widely publicized contribution that Pennsylvania made to the history of the country which I make so bold as to call to your attention here this morning.

The man who founded Pennsylvania, William Penn, is reputed to have said in the course of his foundation of Philadelphia, in response to a question that he was burdened with the religious impulse rather than practical objectives, Penn made this reply, he said

"Those people who are not governed by God will be ruled by tyrants."

I should like to have the pleasure of repeating that here in this distinguished presence, because I shall go back home, you see, and tell everybody that I had the great pleasure of telling the Pennsylvania Assembly just that. And that is this again—"Those people who are not governed by God will be ruled by tyrants."

I want to remind you distinguished gentlemen of Pennsylvania that that is the spirit in which this Commonwealth was established.

There is a single alternative between the governments of God and rule of tyrants.

Penn discerned more than a hundred years before the Declaration of Independence was written that liberty is a gift of God, and that only by his attribution can liberty be preserved. And so what we have today confronting us throughout Pennsylvania, the United States and the world, is a contest between the rule of God and the rule of tyrants, and in this cogent summation of the alternative between these two forever contending types of government we have a destruction of the American idea of self-government.

You may know about self-government; you have contended with it in primaries and in elections and in polling places. You know what self-government means in popular parlance, but in the essence and spirit of Americanism, self government means and was meant to mean, the ability of the individual citizen to govern himself, under the Ten Commandments of God, and that was precisely the type of self government that James Madison had in mind when he said that

"We have staked the future of all of our American institutions upon the capacity of mankind for self-government."

And that was the spirit of Washington's Farewell Address when he said

"Religion and morality constitute the underpinning of civil society, and without them we could not expect to maintain this institution."

Your Speaker has kindly mentioned the fact that I was the founder of the Natural Law Institute at Notre Dame back in 1947, and that we have had annual convocations of the Institute there ever since.

But what is the Natural Law? If you want to seek expression of the Natural Law I direct you to the second paragraph of self evident truths which appear in the Declaration of Independence written here in Pennsylvania.

The fact that we took it for granted that all men are created and from their creator they derive certain unalienable rights, and that the purpose of government is merely and strictly to secure and maintain these unalienable rights. This is the best practicable explanation of the Natural Law that I know of. And it is also the proper implementation of Penn's dictum, that those people who forget the origin of rights, who forget that liberty is a gift of God, will soon find themselves the subject of tyranny.

Nature abhors a vacuum, nature likewise abhors disorder, and we shall either have the order of self-government under God or we shall have the enforced tyrannical order that is represented, presently at least, by a Mr. Stalin and the Soviet Government, but which has always been well represented, in one form or another, down through the five thousand odd years of recorded history by some sort of a tyrant somewhere. And in resurrecting the notion of the Natural Law out at Notre Dame it is merely our hope that we may call the attention of the world to this salient fact, that ninety-five percent of the order in Pennsylvania, in the United States, and in the world is attributable not to statutes, with all due respect to the place and purpose of statutes; is attributable not to policemen, with all due respect to the purpose and place of policemen; is attributable not to battle ships and armies, with all due respect to the necessity for them

in their time and in their place, but ninety-five percent of such order as there is in the world now or at any time is attributable solely and exclusively to the respect which ninety-five percent of the people of the world have always had for the laws of God and the Commandments of God. And when one in Legislative Assemblies like this and in Assemblies of the world, we are legislated for that periphery of society which knows not God and will not follow him, which does not subscribe to the Declaration of Independence and which does not subscribe by the way to the Constitution of Pennsylvania.

I am going to close now by reading what you gentlemen undoubtedly know, which is the opening paragraph of the Constitution of this great Commonwealth. And, by the way, this language is either identical or its substance to be found in the Constitution of 47 of the 48 states of the Union. Here is what the man who made the Constitution which you have sworn to uphold and to defend said at the very outset of their deliberations:

"We the people of the Commonwealth of Pennsylvania, grateful to Almighty God for the blessings of civil and religious liberty, and humbly invoking his guidance, do ordain and establish this Constitution."

This is merely a reiteration of what was said in Philadelphia in 1776, but it is well to remember that liberty is a gift of God, and that self-government as Americans understood it at the time of the foundation of this great Commonwealth and of this great country, self-government and the objective of self-government continues to be the ability of each man to govern himself according to the Ten Commandments of the Author of Liberty. I thank you, Mr. Speaker, and you gentlemen very much.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 840, entitled:

An Act imposing an income tax on residents of Pennsylvania as herein defined including trusts and estates and on income of non-residents derived from property business or other sources in Pennsylvania defining taxable income and requiring filing of returns thereof providing for the assessment collection and lien of said tax providing for administration and enforcement of the act by the Department of Revenue conferring powers and imposing duties on certain persons fiduciaries partnerships associations corporations political subdivisions State officers employes and departments saving certain local taxes and imposing penalties

The first article was read.

On the question,

Will the House agree to the article?

MOTION TO RECOMMIT

Mr. ANDREWS. Mr. Speaker, and gentleman of the House, I desire first of all to make a few general remarks, then make a motion to recommit, and then discuss the motion to recommit. But before I do so I would like to yield to the gentleman from Westmoreland, Mr. Lovett, for a very brief statement.

Mr. LOVETT. Mr. Speaker, I rise to support the motion that the gentleman is about to make and my remarks will be along that particular line.

If you recall last week I requested that the tax measures go over in order. I had a reason for hoping that the tax measures go over in order and our reason is here today. I feel that the legislation that we have now before us is a continuation of some legislation that we passed back a few years ago. In other words, it is commonly known as a wage tax.

We amended that legislation to some extent during the last session of the Legislature and we clearly defined it as a wage tax, because we struck out certain forms of taxation under that particular law. We now have before us a continuation of this wage tax or of Act 481. I feel that I would be neglecting my duty if I did not bring to the attention of the Members of this House the necessity for due consideration of this particular piece of legislation.

I feel that we should have public hearings. I feel that the people of Pennsylvania should know. In my own mind, as a legislator for many years, I am having doubts in some respects as to the extent of this particular legislation. I received after I came back to Harrisburg on Monday letters from many people throughout the state, not in my own legislative district, who themselves felt that we should be very cautious, travel very slowly, in opening up such a field for taxation in the State of Pennsylvania.

Mr. SMITH. Will the gentleman yield.

Mr. LOVETT. Yes, Mr. Speaker.

Mr. SMITH. Mr. Speaker, I would definitely like to clarify one thing. I do not believe the gentleman is really speaking on this bill. I would like to make this statement, this bill, definitely is not a wage tax; this bill is definitely an income tax which is based on all incomes and is not in any sense of the word a true wage tax.

Mr. LOVETT. Mr. Speaker, I will accept the gentleman's statement for what it is worth. I realize and he also realizes that under this particular act you have the right of attachment of wages.

Mr. SMITH. Mr. Speaker, will the gentleman yield?

Mr. LOVETT. I will, Mr. Speaker.

Mr. SMITH. Mr. Speaker, I did not think we were going to debate this bill now. I thought the gentleman's statement was only going to be to the effect of his asking us to hold the bills over last week. I would like to remind the gentleman that this is not a wage tax, as he calls it; it is what the citizens of this country call a Federal income tax, and if that is a wage tax then this is a wage tax. We are not taxing anything other than what the Federal income tax is taxing and that has never, as far as I know, and I do not think the gentleman has ever heard the Federal income tax called a wage tax.

Mr. LOVETT. Mr. Speaker, as I stated when I rose, I realize that the motion has not yet been made, and I will respect the time of the House and say that this particular tax, to compare it with the national graduated income tax, is going a little further than I want to go.

As I said, I have received many letters and I feel that we should give consideration at this time to every possibility under this particular act. I feel that men receiving social security which is not too great, would be subject to this tax.

Now I may be wrong in my statements. I feel that

men serving in the armed forces that are not on the actual battle front, would be subject to taxation under this law. For this reason I feel that the people of Pennsylvania themselves do not know the extent this particular piece of legislation; therefore, I feel that we should give it due consideration.

I will yield to the gentleman from Cambria Mr. Andrews.

Mr. ANDREWS. Mr. Speaker, apparently some Members of the House are becoming a bit jittery. It has been suggested to me by one or two Members on the Minority side that we should get into the fight filibuster; try all kinds of obstructionism to delay the progress of this bill. I have said to them, and shall insist that tactics of that kind engender heat but shed little light, and I am quite sure that on this side we shall be able to proceed in an orderly, sensible fashion.

Last evening there were two Members on the majority side that were saying one to the other that Smith was too easy with the Minority Leader; that there was not any reason why the House should permit that fellow Andrews to harangue day after day. The Majority Leader should clip him down, and if the Majority Leader did not do it, they had an idea they could sell three or four people the idea and they would have it done.

Now it can be done. I could tell them how to do it. If they did it, I could exchange the halo which the Majority Leader tendered me not so long ago for a martyr's crown.

I could go out and say that they silenced me in this House because they were afraid. Then I would get a lot of glory and not do any work and I can tell you very frankly that if anybody on the opposite side of the House wants to make a motion to terminate debate, I would welcome it. As I say, that would enable me to pose as a martyr.

Another thing that I want to refer to is that the minority is really in command of this situation in a great many respects. The situation has developed that whenever a bad piece of legislation comes from Committee, and some bad pieces of legislation have come out and more are coming, all it is necessary for us to do on this side is arise and denounce the bill. Straightaway the ranks close, there is a party vote and another bad piece of legislation is charged up against your record.

If they are always called to vote against the positions we take, sooner or later, just by the laws of chance, we will be monumentally right on some proposal. We will be in the position of the party that is able to carry out cause to the people and you will be the ones that are apologizing.

Mr. Speaker, is it in order now to formally make the motion to recommit?

The SPEAKER. The gentleman is in order to make his motion.

MOTION TO RECOMMIT

Mr. ANDREWS. Mr. Speaker, I move that House Bill 840, Printer's No. 144, be recommitted to the Ways and Means Committee for the purpose of a public hearing.

On the question,

Will the House agree to the motion?

Mr. ANDREWS. Mr. Speaker, I desire to yield five

minutes to the gentleman from Philadelphia, Mr. Guarnieri, who will state the position of the Philadelphia Democratic delegation on the motion to recommit.

Mr. GUARNIERI. Mr. Speaker, at any time, when we in this House, or any body or group of responsible legislators, who have the responsibility of public office and have a duty to the people whom they represent, are about to embark upon a new program, especially a program involving taxation, it would seem to me and to the members of the Philadelphia delegation, and I feel certain to every member of this House, that where a radical departure is about to be initiated from an existing status quo situation, it would be our duty to ourselves, and foremost to our constituents, the people we represent; that they be given full opportunity to discuss the matter.

In principle, what we ask, what the Philadelphia delegation asks for, is a public hearing. We have seen the same situation heretofore. I recall during the last session when we spoke on the then temporary tax measures, that the administration was asking for certain emergency or temporary enactments, tax measures just for that session, and just for a short time—this emergency will pass over, just give up this money, and well, after that we will not have these taxes any more.

Our experience has been that once we open the door, as you would open the door by the proposed income tax, the door remains open, the precedent is established, and it becomes a permanent measure which was originally proposed to meet an apparently specific need. There is no concession of a need at the present time, it will become a permanent fixture. That is the danger.

I personally believe and the members of the Philadelphia delegation believe, we have had the experience in Philadelphia of a wage tax which is an income tax on earned income and salaries, that once that tax ordinance was enacted in Philadelphia to satisfy a then temporary—so called temporary need—it became a permanent fixture of the Philadelphia tax structure. That precedent is dangerous and we should not repeat it here.

I just want to make this one statement in closing. I will direct the attention of the Members of this House to the statement in this morning's Inquirer by John M. Cummings in his column asking for a public hearing. I think where we have a radical departure from an existing system of taxation, the public has the right to have a public hearing, discuss the matter and let us see the need for this kind of legislature.

Mr. ANDREWS. Mr. Speaker, I now desire to present some of the reasons why I believe this bill should be recommitted.

Of course, I intended in the course of my remarks to refer to the distinguished journalist from Philadelphia, and I thought I was going to have a monopoly of praise in that particular. There are times when that gentleman is a wise old bird. He has called the turn more than once and sounded a warning signal to the dominant faction in the majority party—used to be, majority party in Philadelphia.

He has frequently detected me in error and since the matter has been referred to, I will read the opening paragraph of his letter of advice to the Fine administration and to the Legislature if I have it handy. The journalistic tongue remarks

"Unless the Fine Administration and the Repub-

lican State leadership, including the Grundy organization, are bitterly determined to fly in the face of public opinion, the proposed one half of one percent State income tax will at least be given an open hearing before its supporters attempt to jam it through the General Assembly."

I thank the gentleman for the word "jam," and I commend the temper of his writing. There are stronger terms that undoubtedly could have been used and which might have occurred to him but which might have been unprintable.

The first reason for re-committment is that we are positively proceeding upon the basis of a cock-eyed budget, framed by a man whose predictions you cannot trust, who balances his budgets by subterfuge. In his office, he himself pares down Departmental requests for money. How does he do it? By surveying and analyzing the actual needs of the Health Department, the Welfare Department, the other Departments? No. He just takes his official chisel and if he wants \$500 thousand dollars he looks where there is six or seven million dollars, and he just chisels off \$500 thousand dollars. He looks some other place—the program for the schools. There is a lot of money there. It is not a question of whether the money is needed. There is a lot of money there and there is where he can get another million dollars, and he chisels that out. He hands that budget that he has framed, in effect, to the Governor and says "here is your balanced budget."

I want to cite one more specific case of his financial ledgerman. Incidentally, the Majority leader yesterday said that an error of ten million dollars was small potatoes, it did not amount to much; it really did not amount to much, if you made an error of twenty million dollars. Well, it may be possible that batting around seventy million dollars is worth some sort of notice.

In the Governor's recent message, on page 6, at the bottom of the page, the Governor says that he is calling for general fund appropriations for the 1951-53 biennium in the amount of \$853 million dollars, which includes the reserve of \$20 million for Civil Defense. Then he goes on to say that the amount without the reserve, \$833 million, compares with \$766 million spent during the 1949-51 biennium. \$766 million! That is very interesting.

The 1949 budget on page 4, predicts that the total available general fund will be \$696 million. The recommended appropriations were \$695 million. Now along comes the gentleman in the recent budget which says the amount available was \$766 million. That is just a difference of some \$70 million, almost \$71 million, between what the Governor says was available in the current biennium and what the budget office says would be available during the current biennium.

There may be all sorts of explanations as to why that is so. But some where, kicking around inside, at the time the budget office framed the budget for the current biennium, there was that \$70 million. Now, if the tax program that you are sponsoring is the best possible tax program, is not it likely that an intelligent public, if given an opportunity to speak its mind, would come here to Harrisburg and tell you so.

Do not you seek approval? Wouldn't you like to have a pat on the back? If this is a proposal, a tax program that meets the approval of the public, they will come

here and tell you so, and the only possible reason for not holding a public hearing is the fear that those who came to speak would say "We do not like it."

Now, this may be a bit off the main track, but I would like to know definitely whether the proposed income tax is designed primarily to relieve a desperate financial situation or whether it is a tax designed to relieve a desperate patronage situation? We should know something about this.

Will the cost of collecting this tax be two million dollars, three million dollars, five million dollars? Should not we have the facts before we plunge ahead? Should not we know definitely, on the basis of federal experience, how many tax collectors will be needed. That ought to be easy to know. That information should be in our hands. How much does it cost to collect? We should know before we act. How many people would be needed to collect? We should know before we act. The only way we can find out is through a public hearing. What will it cost per dollar to collect this tax, particularly that portion of the tax that is levied upon small business. What will it be compared with the cost of collecting other taxes? From a stand-point of collecting taxes, is this an economical tax? We should have the facts.

There is always talk about broadening the tax base, but there is not any exact information at the disposal of this House as to how broad we are going to broaden the tax base. Is it ten million dollars broad, twelve million dollars broad, or fifteen million dollars broad? Every Member of this House should have in his possession at the present time, the Federal figures which would give some idea as to whether the tax base you propose to establish is broad enough to raise only \$119 million, or whether it is actually broad enough to raise \$140 million or \$150 million.

You men who have been here in the House a long time know that it is the established practice of the budget office to under-estimate receipts and over-estimate expenditures. Then there is always somewhere around \$20 million, \$30 million, \$40 million, \$50 million, or \$70 million to play around with.

Now just how is it proposed to integrate the state income tax with the local situations where they have income or wage taxes? That matter must have been given thought by the supreme command, but should not we know before we enact this bill how we are going to integrate the proposed state system with the local systems which tax wages, income.

That is a very, very grave question; a very very grave problem. If there is a solution that has been prepared, that solution should not be carried around as a secret. Before we go ahead with this bill, we should know what the solution of that problem is. We should have the opportunity to inform the public. Before we finally enact our tax program, I would like to know from the Appropriation Committee of this House rather than from the budget office, how much money we need to finance the operations of this Commonwealth during the next biennium. I would like to know whether the Appropriations Committee swallows or does not swallow the budget figures. You know and I know that in Committee this program received less than one hour's consideration. If we fix the out-side limit of our income by

enacting a tax program we necessarily sentence the Appropriations Committee to operate within that circle. The Appropriations Committee if given opportunity to deliberate, might say that the budget office was \$15 million too high as far as the necessary expenses during the next biennium are concerned. It might say that the budget office figures were too low. But if I have to choose between the judgment of the Appropriations Committee and the judgment of a faulty budget office, then I ride with the Appropriations Committee, but we have created a situation where the wisdom, the experience, the judgment, the knowledge of state affairs which the Appropriation Committee possesses is not available and will not be available for the use of this House. They can manipulate the funds that the budget office hands them, but they cannot of their own wisdom, the way we are now operating, tell us how much money they think we need in the next biennium.

As to whether or not there is any demand for a public hearing, I have a copy of a letter received by the Chairman of the Ways and Means Committee from Harold Boyer, President of the Pennsylvania CIO. The Pennsylvania CIO Council urgently requests a public hearing. I shall not read the letter but they all name their reasons why they believe there should be a public hearing; the measure is admittedly controversial; there is substantial opposition to it; it should not be rushed through without deliberation.

I know that in the last election the CIO may not have been working energetically in the interests of the majority party, and that may be the reason for kicking 650,000 members of that organization around—if you are not with us kick them around. But 650,000 men earn a lot of wages in the course of two years. It may be that although you heard them and although they spoke with the wisdom of an angel itself, you would not concede them a point. But why kick them around? If you are going to turn them down, why not do it nicely? Hear them and then pursue your course.

The Smaller Pennsylvania Manufacturer's Council has sent a telegram to Governor Fine outlining the reasons why it believes there should be a public hearing.

There is a very interesting editorial in this morning's Post Gazette, which dares the brave opinion that this budget is not sacred. It calls attention to the fact that there has been a lot of deception about financial affairs in the past.

"Take, for instance, 1946 when then Governor Edward Martin was running for the Senate with a boast that he would leave the State with a surplus of \$170,596,000. That vaunted nest egg vanished when Jim Duff took office and asked for \$133,000,000 in new taxes, and the surplus that Governor Duff was expected to leave has not prevented Governor Fine from asking for \$163,000,000 in additional taxes."

And so the story runs. There is a substantial demand for a public hearing. This bill is admittedly controversial. This House is not now in possession of the facts necessary to enable it to arrive at an intelligent decision as to whether this bill is wise or not wise. Every possible reason of moment to a Legislator would impel us to accord this measure a public hearing, and I repeat that the only reason for not according this measure a public hearing is a fear that what we heard in the public hearing would not be what the majority party wants to hear.

Mr. SMITH. Mr. Speaker, I first of all rise to oppose this motion. The gentlemen on the other side of the House, at least, the three gentlemen who have spoken have given me quite a bit of ground to cover and I do not know just where to start.

Since I was rude enough to interrupt the gentleman from Westmoreland, I would like to begin with the statement that we will tax the armed services. That is quite true. But I think that if he refers to the Federal Government's Income Tax Act, he will find that they also tax the armed services, except in combat zones. Our bill is written on that same basis.

I would also like to clarify something else he said. He stated that Public Assistance, or Social Security was taxable. If he will refer to Bill 840 he will find that Social Security is not taxable under this bill.

Most of the questions the Minority Leader has asked me are answered, I am sure, in the budget. As I said yesterday there is always a difference in forecasting. Again I must remind the House that this is not in actuality bookkeeping. It is distinctly forecasting the future.

I wonder if the gentleman on the other side were in our position, whose opinion he would accept in making a budget. I wonder! Would he accept a budget director's opinion with proven past experience, or would he agree with the opinion of almost anyone who wishes to make a forecast of what will happen? I am sure he would find out that there are a lot of groups that like to predict what will happen in the future. I, on this side, still must agree with our own Budget Director. He has proven by past performances as I said yesterday, that a one percent or a two percent average on a billion dollar budget is still a "doggone" good batting average.

As I reminded the gentleman yesterday, I have trouble in my own household every Thursday night with deficiency appropriations. Let me assure him of that, and my budget is far, far from a million dollar budget and it is also only predicted one week in advance.

The gentleman on the other side of the House has asked about Governor Duff's budget, when there would be a difference. Governor Duff did recommend approximately \$695 million for his Departments. This was increased by the House Appropriations Committee and approved by the House. The Governor reduced this amount to \$725 million, this accounts for \$30 million of the difference.

When you take and add to this a deficiency appropriation of \$16 million, as set forth in the budget and the \$25 million during this biennium, that brings us to \$766 million.

Governor Fine recommends \$854 million. This I would like to remind him includes \$20 million for civil defense, and makes up for operations of our Departments. Now if you take our \$30 million plus, the \$16 million and the \$25 million you have a differential there of approximately \$71 million, which is the difference between the figure of \$695 and \$854.

With regard to recommitting this bill to Committee, I would like to remind the gentleman that this budget has been before the House for a period of at least three weeks and the need for the money, additional money, has been well known.

The principle of the bill is not a new principle. This

principle of an income tax has been known for weeks. We have all discussed it among ourselves. We have discussed it as individuals. We have discussed it with the minority party. This bill sets forth the principles of an income tax. The administration of it is mechanical.

Mr. ANDREWS. Mr. Speaker, before the gentleman leaves the microphone will he tell us just exactly the reason why he does not want a public hearing? I am not now interested in the merits of the bill. I am interested in the reason why the gentleman does not want a public hearing.

Mr. SMITH. Mr. Speaker, I think that the reasons I am giving will probably be sufficient by the time I have finished.

As I said there has been study of the principles of the bill for weeks. As we all know, it has been talked of in the papers—the newspapers have talked about an income tax. They have compared it with other taxes. As I said the bill only states the principle, and the administration methods are mechanical.

They are technical, but they are similar to the federal act which we all know.

These bills have been introduced into this House and have been on our calendar for over a week. I think we as Members have had sufficient time to study them. I would also like to remind the gentleman that because of the broad base of taxation which everyone has recommended there are only two methods we have to broaden the base. That is an income tax which we had talked about which the papers have talked about, and a sales tax.

I would also like to remind the gentleman that we are not breaking precedent in our tax procedure, because I am sure, if his memory serves him right, the cold facts will come to light. In 1937 when we were in the minority and the gentleman's party was in power they passed many tax bills in the House in five days. I do not believe we are breaking any records when we pass ours when they have been on the House calendar for over a week.

The gentleman has asked some other questions which I hope I can answer correctly although cannot make them definite.

Mr. ANDREWS. Is the gentleman willing to accept all of the other precedents set by the Earle administration?

If he is so very much convinced by one, does he go the distance?

Mr. SMITH. I do not believe Mr. Speaker, that that was a precedent. I think the Earle administration probably followed a precedent.

I was going to try to answer some of the questions the gentleman asked me on administration. I can only answer them approximately.

I understand that New York State which has an income tax although it is not similar to ours, and probably is a little bit more complicated, uses about two thousand people in administration. California under similar circumstances, although their tax is not exactly as ours and is more complicated, has about twenty-five hundred. We estimate in Pennsylvania—approximately fifteen hundred to two thousand.

Our tax is not a complicated income tax, it is a very

simple procedure. I understand it would cost probably about two to three percent for collections.

I hope that answers the gentleman's questions.

In fact it is all I can answer at this stage as far as collection and as far as the number of people that would be involved in the collection are concerned.

I am sure, Mr. Speaker, we do not need a public hearing. I myself have had very few requests for a public hearing. We have considered the bill; we have had sufficient time, and I suggest that we vote down this motion to recommit these bills.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. Lovett and Mr. Rose.

A verification of the roll was requested by Messrs. Andrews, Wheeler and Williams.

The roll was verified and was as follows:

YEAS—89

Amarando,	Headlee,	McNally,	Rosen.
Andrews,	Hersch,	Mihm,	Rovansek.
Beaver,	Hoggard,	Mills,	Sarraf.
Berkstresser,	Hunter,	Monroe,	Scanlon.
Boles,	Jenkins,	Moran,	Schmidt.
Breth,	Jones, G. E.,	Muldowney,	Schuster,
Buchlin,	Jones, J. M.,	Munley,	Seyler,
Byrne,	Jones, P. F.,	Musto,	Snider,
Cochran,	Kamyk,	Needham,	Stank,
Conway,	Kolankiewicz,	Olsen,	Swartz,
Corr,	Kornick,	Penglase,	Swope,
Coyle,	Kubacki,	Peta,	Taylor,
Dougherty,	Lederer,	Petrosky,	Toll,
Duffy,	Leonard, L.,	Pettigrew,	Varallo,
Dunn,	Leven,	Pfaff,	Verona,
Fenrich,	Limper,	Polaski,	Wargo,
Fillip,	Lopresti,	Polen,	Welsh,
Filo,	Lovett,	Price, R. A.,	Westrick,
Gaffney,	Lutty,	Readinger,	Wheeler,
Good,	Maxwell,	Reese,	Williams,
Guarnieri,	McDermitt,	Reidenbach,	Yester,
Hagerty,	McGee,	Rose,	Yetzer,
Hamilton, R. K.,			

NAYS—112

Banker,	Gibson,	Lyons,	Sax,
Baumunk,	Gleason,	Madden,	Scott,
Bear,	Goodling,	Madigan,	Shotwell,
Beech,	Graybill,	Markley,	Smith,
Blair,	Greenwood,	Mazza,	Sollenberger,
Bloom,	Greer,	McConnell,	Spencer,
Bolton,	Gutendorf,	McCormack,	Stimmel,
Bomberger,	Guthrie,	McCullough,	Stoner,
Boorse,	Hall,	McInroy,	Tahl,
Bower,	Hamilton, W. H.,	McKinney,	Thompson, E. F.,
Breisch,	Harney,	McMillen,	Thompson, R. L.,
Brown,	Haudenshield,	Metz,	Tompkins,
Cella,	Helm,	Mikula,	Toomey,
Clapper,	Miller, H. G.,	Miller, H. G.,	VanSant,
Clendenning,	Hocker,	Mintess,	Varnar,
Cooper,	Johnson,	Moore, H. A.,	Wachhaus,
Costa,	Jones, T. H. W.,	Najaka,	Waterhouse,
Dalrymple,	Jump,	Naugle,	Watkins,
Davis,	Keller,	Pichney,	Weidner,
Dennison,	Kent,	Pitzer,	Wescott,
Dowling,	Kline,	Price, H. W. Jr.,	White,
DuBois,	Kohl,	Reagan,	Wilt,
Erb,	Kratz,	Reilly, J. M.,	Wood,
Ewing,	Lafore,	Rigby,	Yeakel,
Ferster,	Lelsey,	Riley, R. L.,	Young,
Firmstone,	Leonard, W. C.,	Robertson,	Ziegler,
Flack,	Light,	Royer,	Sorg,
Frost,	Loftus,	Rubin,	Speaker
Geer,			

NOT VOTING—6

Barkdoll,	Moore, C. E.,	Shoemaker,	Whalley,
Miller, J. C.,	Murray,		

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,
Will the House agree to the Article?
It was agreed to.

The second to sixth articles inclusive and title were separately read and agreed to.

On the question,

Will the House agree to the bill on second reading?

Mr. LOVETT. Mr. Speaker, in the start I would like to ask the Members of the House "Let's be fair."

You have refused the opportunity of a public hearing on this bill. We have no other alternative but to discuss the merits of this bill on second reading, third reading and of course especially on second reading, and to hope that the newspapers will at least, give to the people of Pennsylvania the facts and the mistakes that we may make in discussing the bill.

In the first place I say it is unfair to consider this piece of legislation of a flat income tax and compare it in any way with the Federal government's graduated income tax. I say to you that this House of Representatives and the Committees have recommended that we change the Constitution of the state of Pennsylvania so that we can have a graduated income tax in this state that will compare with the Federal government's.

The gentleman on the other side states that the Federal government taxes the veteran. But he did not state that under the Federal government income tax there is an exemption, in the first place, of \$600. If we had a graduated income tax in Pennsylvania we could have done likewise.

In the second place a married man is given other exemptions. Personally I am not clear on this particular piece of legislation when you say that you can exempt this particular person, or that particular income. That is a question of constitution.

Under the laws of the state of Pennsylvania, taxation must be equal. You do not exempt any particular group. You talk about social security and you say you exempt social security under this act. Do you say that the man that receives a small pension from a corporation is exempted? Under the constitution, how do you exempt? That is what I want to know. That is the reason I want a public hearing on this bill.

I do not say that we are all wizards because we are Members of the Legislature. Men debate the Constitutionality of legislation. I hope that you can exempt under our Constitution, under this flat income tax, certain groups. But I am not positive in my mind, if you are in yours, that you can exempt.

I want to say that I think it is a disgrace in the state of Pennsylvania, in a state as wealthy as the State of Pennsylvania, that our Governor or our Members of the Legislature say to the people of Pennsylvania, "We cannot find any other way of taxation, only taking it from the poor people of Pennsylvania."

You may say the amount is small. A man with a wife and family, fifty cents out of his pay envelope deprives his family of something that they could have been given.

It may sound small to you and it may sound small to me, but it does not sound small to the man that has to stretch every penny in order to give to his family. I know you will say, "well the cost of living." Sure, we

walk into the stores today and where we paid fifteen cents yesterday, we pay twenty cents today. Where we stayed in our hotel room for \$4, it is \$4.50. Who kicks about that? That is the reason why I wish the Members on this side of the House and those of you on the other side that know and I know some of you feel that it is not the right thing to do to pass this legislation without a public hearing and give the people the opportunity to be heard, because I know some of you men feel that way about it.

We finally come in the state of Pennsylvania to where we say we will put this tax along with the other taxes in the municipalities under Act 481. Some of the people do not know today yet that they are going to pay both taxes, because we passed 481 with the distinct understanding that you could tax under 481 anything that the state government did not tax. The people do not realize today that you are going to amend 481 and the other acts in order to allow double taxation, out of the envelopes of the men who go to work, do not forget that.

I hope everyone will get up and have his say on this bill on second reading, because you have closed the door. I offer no apologies for taking the time of the House, because you had the opportunity. We are not going to save the time of this House and give it a public hearing. It is not that important that we could not be heard in a public hearing and save the time of the House of Representatives. I hope since you refused to give us a public hearing that every man gets up and has his say if we stay here until kingdom come.

Mr. SMITH. Mr. Speaker, I hate to take such a different position from that of the gentleman from Westmoreland. Generally he is a pretty easy fellow to get along with. But I certainly think that he is not being fair when he stands on the floor of this House and makes the statement that the income tax hits only the poor. I am sure if he would read the bill, he would find that the income tax hits all kinds of incomes, the doctor, the lawyer and the small business man, it not only affects the poor—I see the gentleman is shaking his head. I might have misunderstood him, but I thought he said this income tax hits only the poor.

I would also like to disagree with the gentleman when he says that we in this House should worry about the constitutionality of the bill. I can agree with him on a part of it; but after all this bill was drawn up by our Justice Department and by our Legislative Reference Bureau and I have faith when those men say we are not breaking any constitutional provision in voting on this tax.

Again the gentleman seems to think that the Federal government is the only one that has the right to tax us. I would like to report to him that we in Pennsylvania, I think I am right on these figures, are probably about forty-third in the nation on a per capita tax basis. God knows we cannot say that for the Federal government.

I would also like to say again to the gentleman that the Democratic party has put this country under the greatest tax burden that we have ever had in our existence and this income tax in the state of Pennsylvania is not doing that.

Mr. ROSE. Mr. Speaker, I do not wish to prolong this debate. However, it seems to me that the public, not

only here in Pennsylvania, but throughout the nation has been looking forward to economies in government. I think the gentlemen on the other side who have been in the forefront on the question of economies on the federal basis, should be those most anxious at this time to see that economies are effected here in our own state governmental setup.

It is altogether possible that if we were to eliminate the fat from the budget, as the gentleman from Cambria has been pointing out now for weeks, if we were to cut to the bone it would not be necessary to impose this tax. Before we proceed with such haste in passing legislation of this nature, we in the Legislature at least should be in the lead to eliminate unnecessary expenditures which are undoubtedly being made by many of the Departments of the Commonwealth.

I ask the Members of this House to vote against this measure until such steps are taken.

Mr. ANDREWS. Mr. Speaker, has the Majority Leader finished?

Mr. SMITH. I would like to answer that after the gentleman makes his statement, Mr. Speaker.

Mr. ANDREWS. I have no statement to make.

Mr. SMITH. I thank the gentleman.

I would like to remind the gentleman from Philadelphia, Mr. Speaker, that if he had checked our budget, he would find that we have effected economies; that our budget today is approximately the same as it was during the last biennium. We have effected economies ourselves.

Mr. ANDREWS. Mr. Speaker, has the discussion ceased?

The SPEAKER. The Chair is of that opinion.

Mr. ANDREWS. Then, Mr. Speaker, since everybody is in such a hurry I will ask for a roll call on the question whether the bill passes on second reading.

The yeas and nays were required by Mr. Andrews and Mr. Rose.

A verification of the roll was requested by Messrs. Lovett, Rose and Maxell.

YEAS—112

Banker,	Frost,	Lyons,	Rubin,
Baumunk,	Gibson,	Madden,	Sax,
Bear,	Gleason,	Madigan,	Scott,
Beech,	Goodling,	Markley,	Shotwell,
Blair,	Graybill,	Mazza,	Smith,
Bloom,	Greenwood,	McConnell,	Sollenberger,
Bolton,	Greer,	McCormack,	Spencer,
Bomberger,	Gutendorf,	McCullough,	Stimmel,
Boorse,	Guthrie,	McInroy,	Stoner,
Bower,	Hall,	McKinney,	Tahl,
Breisch,	Hamilton, W. H.,	McMillen,	Thompson, E. F.,
Brown,	Harney,	Metz,	Thompson, R. L.,
Cella,	Helm,	Mikula,	Tompkins,
Clapper,	Hewitt,	Miller, H. G.,	Toomey,
Clendenning,	Hocker,	Mintess,	VanSant,
Cooper,	Johnson,	Moore, C. E.,	Vanner,
Costa,	Jones, T. H. W.,	Moore, H. A.,	Wachhaus,
Dalrymple,	Jump,	Najaka,	Waterhouse,
Davis,	Keller,	Naugle,	Watkins,
Dennison,	Kent,	Pichney,	Weidner,
Dowling,	Kline,	Pitzer,	Wescott,
DuBois,	Kohl,	Price, H. W. Jr.,	White,
Dunn,	Kratz,	Reagan,	Wilt,
Erb,	Lafore,	Relly, J. M.,	Wood,
Ewing,	Leisey,	Rigby,	Yeakel,
Ferster,	Leonard, W. C.,	Riley, R. L.,	Young,
Firmstone,	Light,	Robertson,	Ziegler,
Flack,	Loftus,	Royer,	Sorg,

Speaker

NAYS—87

Amarando,	Headlee,	Mihm,	Rovansek,
Andrews,	Hersch,	Mills,	Sarraff,
Beaver,	Hoggard,	Monroe,	Scanlon,
Berkstresser,	Hunter,	Moran,	Schmidt,
Boles,	Jenkins,	Muldowney,	Schuster,
Breth,	Jones, G. E.,	Munley,	Seyler,
Bucchin,	Jones, P. F.,	Musto,	Snider,
Byrne,	Kamyk,	Needham,	Stank,
Cochran,	Kolankiewicz,	Olsen,	Swartz,
Conway,	Kornick,	Penglase,	Swope,
Corr,	Kubacki,	Peta,	Taylor,
Coyle,	Lederer,	Petrosky,	Toil,
Dougherty,	Leonard, L.,	Pettigrew,	Varallo,
Duffy,	Leven,	Pfaff,	Verona,
Fenrich,	Limper,	Polaski,	Wargo,
Flip,	Lopresti,	Polen,	Welsh,
Filo,	Lovett,	Price, R. A.,	Westrick,
Gaffney,	Lutty,	Readinger,	Wheeler,
Good,	Maxwell,	Reese,	Williams,
Guarnieri,	McDermitt,	Reidenbach,	Yester,
Hagerty,	McGee,	Rose,	Yetzer,
Hamilton, R. K.,	McNally,	Rosen,	

NOT VOTING—8

Barkdoll,	Haudenshield,	Miller, J. C.,	Shoemaker,
Geer,	Jones, J. M.,	Murray,	Whalley,

So the question was determined in the affirmative and the bill was agreed to on second reading.

Ordered, To be transcribed for third reading.

STUDENTS OF ALLENTOWN HIGH SCHOOL
WELCOMED

The SPEAKER. The Chair is pleased to welcome to the hall of the House thirty-three representative students of the different classes of Allentown High School under the supervision of Mr. Melville J. Boyer, Head of the Social Studies Department and Miss Ruth M. Kistler, Teacher of Problems of Democracy. This group includes three members of the Allentown High School State Championship Basketball Team. They are the guests of the Members from Lehigh Mrs. Markley, and Messrs. Stimmel and Van Sant.

STUDENTS OF READING HIGH SCHOOL
WELCOMED

The SPEAKER. The Chair welcomes to the House a group of seventy-five students of Reading High School, members of the class on Problems of American Democracy. They are here under the supervision of Mr. Norman C. Brillhart of the High School staff, assisted by Mr. Bernhart. They are the guests of the gentlemen from Berks, Messrs. Readinger and Kubacki.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 841, entitled:

An Act to reenact and further amend the title and the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (P. L. 208), entitled, as amended, "An act to provide revenue for State purposes by imposing an excise tax, for a limited period of time, on the net incomes of certain corporations, joint-stock associations, and limited partnerships; providing for the assessment, collection, settlement and re-settlement of taxes, and reviews and appeal therefrom; conferring powers, and imposing duties on certain persons, corporations, joint-stock associations, limited partnerships, State, and county officers, boards, and departments; making an appropriation;

and providing penalties," by increasing the rate of tax, and extending the provisions of the act for a further limited period of time.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 842, entitled:

An Act to further amend section twenty-one of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 520), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," postponing the manufacturing exemption with regard to capitol stock tax and the franchise tax on domestic and foreign corporations, joint-stock associations, limited partnerships and companies, for a further limited period of time.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 843, entitled:

An Act to further amend section twenty-three of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," by increasing for a further limited period of time the rate of tax imposed upon the gross receipts of certain companies, limited partnerships, associations, joint-stock associations, copartnerships and persons.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 844, entitled:

An Act to reenact and further amend the title and the act, approved the fourteenth day of June, one thousand nine hundred thirty-five (P. L. 341), entitled, as amended, "An act to provide revenue by imposing a State tax upon sales or gifts of cigarettes by dealers as herein defined: requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits; prescribing the method and manner of collecting such tax; conferring powers and imposing duties on the Department of Revenue, and persons, as herein defined, engaged in the sale of cigarettes at retail or wholesale; and providing penalties," by providing that the provisions of said act shall continue in effect until repealed.

The first and second sections and title were separately read and agreed to.

On the question,

Will the House agree to the bill on second reading?

Mr. ANDREWS. Mr. Speaker, I would like to ask the sponsor of this bill, or whoever speaks for him, why it has been decided to freeze the cigarette tax into the permanent tax structure of this Commonwealth. Why the other emergency taxes ride as emergency taxes and why this particular tax becomes in effect a permanent tax?

Mr. YEAKEL. Mr. Speaker, I yield to the gentleman from Philadelphia, Mr. Smith.

Mr. SMITH. Mr. Speaker, this may seem like a very peculiar reason, but I am telling the gentleman the truth. The cigarette people themselves asked to have this tax made permanent.

Mr. ANDREWS. Is that any good reason why cigarette smokers should be perpetually sentenced to this particular tax?

Mr. SMITH. Cigarette smokers, if they have will power, can always stop smoking, or they can repeal it. I do not think the gentleman has any personal issue in this bill.

Mr. ANDREWS. Mr. Speaker, I thank the gentleman from Philadelphia.

I thank him for the thought of having suggested a greater stress upon what can be termed discretionary taxes. I notice there is no tax on tobacco. I use a lot of tobacco, but a lot of people get along without tobacco and if there were a tobacco tax, it would be discretionary as to whether I paid the tax. As the gentleman from Philadelphia has pointed out, it is discretionary whether the taxpayer pays the cigarette tax. Now there is a booze tax, for instance. That is a discretionary tax. It is my discretion not to pay that tax. So I am just wondering why the gentleman has brought us a tax program that stressed discretionary taxes that can be paid at the discretion of the taxpayer rather than the mandated taxes that everybody has to pay. I would like to have his view as to that. Why they have not brought in that kind of a tax program that stresses discretionary taxes a little harder.

Mr. SMITH. Mr. Speaker, the only answer I can give the gentleman is this: if we keep on increasing discretionary taxes, I am sure that the gentleman has heard of the law of diminishing returns, we can tax out of existence.

Mr. ANDREWS. Mr. Speaker, what a glorious day it would be if we taxed tobacco out of existence, if we taxed cigarettes out of existence and if we taxed booze out of existence. Would not that be just wonderful in this State of Pennsylvania.

Now, Mr. Speaker, the cigarette tax has long been riding as an emergency tax, as part of a crazy quilt tax structure. Nothing is done to remedy the crazy quilt aspect of the tax structure by making this particular tax perpetual. By freezing into a non-descript tax structure, a tax to be wiped out as, if and when we had a sane sensible tax structure, we would have no reason to question that attitude. Out of all the taxes that have been riding as emergency taxes, you freeze the cigarette tax into the tax structure. You simply delay the day when we will get a sensible tax system.

And so, I shall urge, I do not know with what success, the members of the minority group to oppose this bill unless it is amended to take out the permanent feature of this particular tax.

It would save the time of the House, it would save considerable debate. You get to the same place, there is not any reason why you should go to particular lengths: to please the cigarette people. They have got to pay the tax either way. You will have a lot smoother sailing with this particular program, if you will just amend this bill and continue it as an emergency tax. It is concession that you ought to grant to the cigarette smokers.

We want to make all of them our friends. We are trying to do all we can for them and we think they will be useful in a future election if we go out and struggle to take part of the burden from them.

Mr. SMITH. Mr. Speaker, the gentleman surprises me. I am surprised that an ardent pipe-smoker would go out after cigarette smokers' votes.

I would like to remind the gentleman that he does not need to worry too much about this tax. This tax can be wiped out as any other tax can be wiped out. We in this state can do that at any time the Legislature is so disposed. Making it permanent means that two years from now, if we in this Legislature feel like wiping it out, that is our prerogative and it can be wiped out just as easily whether it be permanent or whether it be on a temporary basis.

Mr. ANDREWS. Mr. Speaker, a very brief rejoinder. The gentleman has expressed astonishment that we should be interested in votes. We are not compelled in this session to struggle hard for them, since the majority group is handing us so many.

On the question recurring,

Will the House agree to the bill on second reading?

It was agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 845, entitled:

An Act to reenact and amend the title and the act, approved the ninth day of June, one thousand nine hundred thirty-six (Special Session of one thousand nine hundred thirty-six, P. L. 13), entitled "An act imposing an emergency State tax for a limited period of time on liquor, as herein defined, sold by the Pennsylvania Liquor Control Board; providing for the collection and payment of such tax; and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board," as previously reenacted and amended, by extending the provisions thereof, for a further limited period of time

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 846, entitled:

An Act to further amend section three of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 285), entitled, as amended "An act imposing a State tax, payable by those herein defined as manufacturers and by others, on malt or brewed beverages used, sold, transported, or delivered within the Commonwealth; prescribing the method and manner of evidencing the payment and collection of such tax; conferring powers and imposing duties on the Department of Revenue, and those using or engaged in the sale, at retail or wholesale, or in the transportation of malt or brewed beverages taxable hereunder; and providing penalties," increasing the rates of certain taxes for further limited period of time.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

HOUSE BILLS 840, 841, 842, 843, 844, 845, and 846 MADE SPECIAL ORDER

Mr. SMITH. Mr. Speaker, I move that House Bills 840, 841, 842, 843, 844, 845 and 846 be made a special order of business in their order on third reading and final passage on Wednesday, April 4, 1951 at 1:30 p. m.

The motion was agreed to.

PUPILS OF NORTHUMBERLAND JUNIOR HIGH SCHOOL WELCOMED

The SPEAKER. The Chair welcomes to the House pupils of the Northumberland Junior High School, under the supervision of their Principal, Harold Bollinger and their teacher, Terry Musser. They are the guests of the gentleman from Northumberland, Mr. Bower.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 215, entitled:

An Act to further amend Section 30 of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by increasing the legal size of pickerel that may be taken from inland waters.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 217, entitled:

An Act assenting to the provisions of the Act of Congress, entitled "An act to provide that the United States shall aid the States in fish restoration and management projects, and for other purposes," approved August ninth, one thousand nine hundred and fifty, and conferring certain powers and duties on the Pennsylvania Fish Commission.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The bill having been called up from the postponed calendar, by Mr. WOOD.

The House resumed the consideration on second reading of House Bill No. 24, entitled:

An Act to amend Section 304 of the act, approved the ninth day of April, one thousand nine hundred twenty-three (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain

other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by increasing the membership of the Pennsylvania Historical and Museum Commission.

The first section was read.

Will the House agree to the section?

Mr. WOOD offered the following amendments:

Amend Sec. 1 (Sec. 304), page 3, line 18, by striking out the word "two" and inserting in lieu thereof: "four".

Amend Sec. 1 (Sec. 304), page 3, line 19, by striking out the word "one" where it appears the first time in said line and inserting in lieu thereof: "two".

Amend Sec. 1 (Sec. 304), page 3, line 19, by striking out the word "one" where it appears the second time in said line and inserting in lieu thereof: "two".

Amend Sec. 1 (Sec. 304), page 5, lines 5 and 6, by striking out all of line 5 and the words "of Representatives respectively" in line 6 and inserting in lieu thereof: "Governor".

They were agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 696, as follows:

An Act to further amend clause XIII of Section 702 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing supervisors to provide insurance for employes of the township and providing for payments to beneficiaries

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause XIII of Section 702 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as last amended by the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1652) is hereby further amended to read as follows

Section 702 Supervisors to Exercise Powers The corporate powers of townships of the second class shall be exercise by the township supervisors In addition to the duties imposed upon them by section 516 hereof they shall have power

* * * * *

XIII Insurance To expend out of the general township fund such amount as may be necessary to secure workmen's compensation insurance for its employes including volunteer firemen of companies duly recognized by the township by motion or resolution killed or injured while going to returning from or attending fires in said township or territory adjacent thereto or while performing any other duties authorized by the township to make contracts of insurance with any fire insurance company duly authorized by law to transact business in the Commonwealth of Pennsylvania on any building or property owned by such township to make contracts with any in-

surance company so authorized insuring any public liability of the township and to make annuity contracts and contracts of life health or accident insurance with any insurance company or nonprofit hospitalization corporation or nonprofit medical service corporation authorized to transact business within the Commonwealth insuring or protecting its employes or any class or classes thereof under [a policy] contracts of annuity or policies of [group] insurance covering health hospitalization medical service or accident insurance and may contract with any such company granting annuities or pensions for the pensioning of such employes and for the payment of any death benefit under such contracts or policies to the beneficiaries designated by such employes and for such purposes may agree to pay part or all of the premiums or charges for carrying such contracts or policies and may appropriate out of its treasury any money necessary to pay such premiums or charges or portions thereof The supervisors are hereby authorized enabled and permitted to deduct from the employe's pay salary or compensation such part of the premium or charge as is payable by the employe and as may be so authorized by the employe in writing

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudensfield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsich,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fehrlich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Relly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 697, as follows:

An Act to amend Section 1137 of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by authorizing boroughs to purchase annuity or life insurance contracts for the purpose of paying pensions annuities or disability or death benefits to policemen or their dependents

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1137 of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" as added by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1621) is hereby amended to read as follows

Section 1137 Annuity and Life Insurance Contracts in Lieu of Establishing a Police Pension Fund Boroughs may [provide] purchase annuity contracts or life insurance contracts for the purpose of paying pensions [or] [to the members of the police force who receive honorable discharge therefrom by reason of age or disability and the families of such as may be injured or killed in service] disability benefits or death benefits to policemen employed by such boroughs or to the beneficiaries designated by such policemen

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dalrymple,	Kilne,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBols,	Kubacki,	Pichney,	Weldner,

Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Rose,	Young,
Gibson,	Madden,	Rosen,	Ziegler,
Gleason,	Madigan,	Rovasek,	Sorg,
Good,	Markley,	Robertson,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 698, as follows:

An Act to amend Section 1415 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by authorizing townships to purchase annuity contracts or life insurance policies for payment of pensions annuities and disability and death benefits to policemen or their dependents

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1415 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" as added by the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1955) is hereby amended to read as follows

Section 1415 Annuity and Life Insurance Contract in Lieu of Police Pension Fund Township may [provide] purchase annuity contracts or life insurance policies for the purpose of paying pensions [or] annuities [to the members of the police force who receive honorable discharge therefrom by reason of age or disability and the families of such as may be injured or killed in service] disability benefits or death benefits to policemen employed by such townships or to the beneficiaries designated by such policemen

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,

Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Milkula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsach,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 80 as follows:

An Act to further amend section four thousand three hundred two of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by prescribing a minimum period of continuous service and in certain cases a minimum age for police retirement

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four thousand three hundred two of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" as amended by the act approved the second day of May one thousand nine hundred forty-nine (P. L. 816) is hereby further amended to read as follows

Section 4302 Retirement Final Discharge Such ordinance shall prescribe a minimum period of continuous service [not less than] of twenty years and [when] if any minimum age is prescribed [a minimum] it shall be the age of fifty years after which members of the force [may retire] shall have the option of retiring from active duty and such members as are retired shall be subject to serv-

ice from time to time as a police reserve until unfitted for such service when they may be finally retired by reason of age or disability

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows

YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rublin,
Banker,	Greenwood,	McConnell,	Sarras,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Milkula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsach,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Robertson,	Yetzer,
Geer,	Lyons,	Rose,	Young,
Gibson,	Madden,	Rosen,	Ziegler,
Gleason,	Madigan,	Rovansek,	Sorg,
Good,	Markley,		Speaker

NAYS—1

Riley, R. L.,

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 120, as follows:

An Act to further amend the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 803) entitled as amended "An act providing for the-

creation maintenance and operation of a county employees' retirement system in counties of the fifth sixth seventh and eighth class imposing certain charges on counties and prescribing penalties" by further defining county employe substituting the chief clerk for the auditor as a member of and secretary to the board in certain cases and extending the period in which a certain option may be exercised

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The definition of "County Employe" in Section 1 and Sections 2 3 and 12 of the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 803) entitled as amended "An act providing for the creation maintenance and operation of a county employees' retirement system in counties of the fifth sixth seventh and eighth class imposing certain charges on counties and prescribing penalties" as last reenacted and amended by the act approved the second day of May one thousand nine hundred forty-nine (P. L. 881) are hereby further amended to read as follows

Section 1 The following words and phrases as used in this act unless a different meaning is plainly required by the context shall be construed to have the following meanings

* * * * *

"County Employe" any person whether elected or appointed who is employed by the county the county institution district in the county prison or in any other institution maintained by the county from county moneys or who is employed by any county or State official and paid by such official from moneys appropriated by the county for such purpose whose salary or compensation is paid in regular periodic installments or from fees collected by his office but shall not include any person paid on a per diem basis

In all cases of doubt the board shall determine whether a person is an employe within the meaning of this act and its decision shall be final

Section 2 County Retirement System and County Retirement Board Created A retirement system may be established for county employes by resolution of the county commissioners in any county of the fifth sixth seventh and eighth class which system when established shall be administered by a county retirement board which shall consist of the chairman of the board of county commissioners or his representative who shall be its chairman the county controller or his representative if any if not then [one of the county auditors to be designated by] the chief clerk to the county commissioners and one county employe to be selected from time to time by the county employes for a term of two years Each member of the board shall take an oath of office that he will diligently and honestly administer the affairs of the board and that he will not knowingly violate or permit to be violated any of the provisions of this act Such oath shall be subscribed by the member taking it and shall be filed among the records of the board The members of the board shall not receive any compensation for their services but shall be reimbursed for all expenses necessarily incurred in the performance of their duty

Two members of the board shall constitute a quorum

The retirement system herein provided for shall be established on the first Monday of January of the year succeeding the one in which the resolution of the county commissioners was adopted

Section 3 Personal Administrative Expenses The board may appoint and fix the compensation of an actuary The controller or the [auditor] chief clerk to the county commissioners as the case may be shall be the secretary of the board and shall receive such compensation for his services as may be fixed by the salary board The secretary shall keep a record of all of the proceedings of the board which shall be open to inspection by the public The expense of the administration of this act exclusive of the payment of retirement allowances shall be paid by the county by appropriations made by the com-

missioners on the basis of estimates submitted by the board

Section 12 Options on Superannuation Retirement At the time of his superannuation retirement any beneficiary may elect to receive his retirement allowance payable throughout life or if such retirement allowance shall amount to less than ten dollars per month he may elect to receive the full amount of the accumulated deductions standing to his individual credit in the member's annuity reserve account or he may in any event elect to receive the actuarial equivalent of his member's and county annuity in a lesser retirement allowance payable throughout life with provisions that

Option One If he die before receiving in payments the present value of his member's annuity and county annuity as it was at the time of his retirement the balance shall be paid to his legal representatives or to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the board at the time of his retirement or at any time thereafter

Option Two Upon his death his member's annuity and county annuity shall be continued through the life of and paid to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the retirement board at the time of his retirement

Option Three Upon his death one-half of his member's and county annuity shall be continued through the life of and paid to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the board at the time of his retirement

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarrat,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Boiton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weldner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard L.,	Price, H. W. Jr.,	Whalley,

Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 129, as follows:

An Act to further amend Section 7 of the act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupations for county borough town township school and poor purposes authorizing the appointment of subordinate assessors a solicitor engineers and clerks providing for their compensation payable by such counties abolishing the office of ward borough and township assessors so far as the making of assessments and valuations for taxation is concerned and providing for the acceptance of this act by cities" by further providing for omitted assessments

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 7 of the act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupations for county borough town township school and poor purposes authorizing the appointment of subordinate assessors a solicitor engineers and clerks providing for their compensation payable by such counties abolishing the office of ward borough and township assessors so far as the making of assessments and valuations for taxation is concerned and providing for the acceptance of this act by cities" as amended by the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1848) is hereby further amended to read as follows

Section 7 The said board shall before the fifteenth day of September examine and revise the said annual assessments and valuations increasing or decreasing the same as in their judgment may seem proper and shall add thereto and assess such property or persons taxable upon occupations as may have been omitted and may also add thereto the names of any persons subject to a school per capita tax or poll tax as may have been omitted and such added assessments may be used for the taxation of the property and persons only for the current year and the preceding three years if there was liability for such taxes under existing law

The board shall before the first day of October prepare an assessment roll or list of persons and property subject to local taxation together with the value placed upon each person each parcel or tract of real property and the personal property of each person The board shall at the same time prepare a list of all property exempted by law from taxation

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Beaer,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 201, as follows:

An Act to further amend the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 544) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" by transferring the administration and enforcement of the provisions of the act from the Department of Welfare to the Department of Revenue.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 1 3 4 5 and 9 of the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" as amended by the act approved the twentieth day of June one thousand nine hundred thirty-five (P. L. 358) are hereby further amended to read as follows

Section 1 Be it enacted &c That thirty days after the approval of this act it shall be unlawful for any person copartnership association or corporation except in accordance with the provisions of this act to appeal to the public for donations or subscriptions in money or in other property or to sell or offer for sale to the public any thing or object whatever to raise money or to secure or attempt to secure money or donations or other property by promoting any public bazar sale entertainment or exhibition or by any similar means for any charitable benevolent or patriotic purpose or for the purpose of ministering to the material or spiritual needs of human beings either in the United States or elsewhere or of relieving suffering of animals or of inculcating patriotism unless the appeal is authorized by and the money or other property is to be given to a corporation copartnership or association holding a valid certificate of registration from the Department of [Welfare] Revenue issued as herein provided

Section 3 Any corporation copartnership or association desiring to obtain a certificate of registration for any of such purposes shall file with the Department of [Welfare] Revenue on blanks prepared by the department a statement verified by an officer of the corporation copartnership or association and containing such information as the Department of [Welfare] Revenue may require Other statements shall be filed from time to time under oath containing such information as the department may require

Section 4 If the Department of [Welfare] Revenue deems the corporation copartnership or association filing such statement a proper one and not inimical to the public welfare or safety and its appeal or proposed appeals to be for truly charitable benevolent or patriotic purposes or for the purpose of ministering to the material or spiritual needs of human beings in the United States or elsewhere or of relieving suffering of animals or of inculcating patriotism it shall issue to such corporation copartnership or association filing the required statement a certificate of registration for the particular purpose described and for the necessary period but the department shall not issue any certificate of registration to any such corporation copartnership or association which pays or agrees to pay to any individual corporation copartnership or association a commission or compensation in excess of fifteen per centum of the amount collected or the sale price of anything or object or the gross receipts from any public bazaar sale entertainment or exhibition or any similar means for services and the department shall revoke any certificate of registration which may be granted if and when any corporation copartnership or association shall pay or agree to pay an amount in excess of fifteen per centum as herein provided If the department deems the corporation copartnership or association an improper one or the purposes of its appeal improper under the provisions of this act it shall refuse to issue a certificate of registration No registration shall be valid for a longer period than one year from its date of issue The Department of [Welfare] Revenue before granting a certificate as herein provided may hold such hearings as may be deemed necessary to

satisfy itself that the copartnership as may be deemed necessary to satisfy itself that the copartnership association or corporation filing a statement is entitled to a certificate of registration in accordance with this act

Section 5 If any statement required by the Department of [Welfare] Revenue is not filed the department shall notify the delinquent corporation copartnership or association by mailing a notice to its or his last known address and if the statement be not filed within two weeks after the mailing of such notice the department shall cancel its certificates of registration The department may also cancel any certificate of registration whenever it is satisfied that contributions are used for unworthy purposes or where the copartnership association or corporation holding a certificate of registration engages in practices deemed sufficient in the discretion of the department to refuse a certificate of registration

Section 9 A fee of ten dollars shall be paid to the Department of [Welfare] Revenue by every association copartnership or corporation at the time of filing the original statement All fees shall be paid by the department into the State Treasury [through the Department of Revenue]

Where a certificate of registration has been applied for but the application is thereafter withdrawn or not proceeded with the fee provided by this section paid at the time of filing the statement shall be refunded to the party paying the same and for such purposes any moneys in the General Fund are hereby appropriated but nothing herein contained shall authorize a refund where an application for registration has been refused

Section 2 Section 8 of said act is hereby amended to read as follows

Section 8 The Department of [Welfare] Revenue may prescribe a form for all statements and accounts which shall be in such detail as may be prescribed by the department by regulation The department may make other rules and regulations necessary for the purpose of carrying out the provisions of this act

Section 3 Clause (3) of subsection (a) of Section 7 and subsection (b) of Section 10 of said act as last amended by the act approved the fifth day of June one thousand nine hundred forty-seven (P. L. 474) are hereby further amended to read as follows

Section 7 (a) No person corporation copartnership or association wheresoever situate shall solicit or collect contributions in money or other property for any of the purposes set forth in section one of this act

* * * * *

(3) Unless he or it shall have first registered with the Department of [Welfare] Revenue and given to it such information relative to his or its solicitation activity as may be required from time to time by the said department's rules or regulations

Section 10 * * * * *

(b) Any person who or any corporation copartnership copartnership or association which within the period of two (2) years shall commit two (2) or more violations of the provisions of this act or any rules or regulations made under the authority hereof or shall give false or incorrect information to the Department of [Welfare] Revenue in filing statements or reports required by this act or by such rules and regulations whether such report or statement is verified or not shall be guilty of a misdemeanor and punishable by a fine of not less than one hundred dollars (\$100) or more than one thousand dollars (\$1,000) and in the case of an individual in addition to the said fine may be punishable by imprisonment of not more than one (1) year

Section 4 Section 11 of said act as last amended by the act approved the twenty-second day of May one thousand nine hundred forty-five (P. L. 844) is hereby further amended to read as follows

Section 11 This act shall not apply to fraternal organizations incorporated under the laws of the Commonwealth religious organizations raising funds for religious purposes colleges schools universities or associations of alumni or alumnae thereof raising funds for fellowships

or scholarships federated women's clubs labor unions municipalities or subdivisions thereof nor to charitable institutions or agencies required by the provisions of existing law to file reports with the Department of [Welfare] Revenue or with any other department or office of the Commonwealth nor to any war veterans' organization or any subordinate units thereof whenever the purpose for which it is soliciting funds has been approved by the Department of Military Affairs

Section 5 The provisions of this act shall become effective the first day of June one thousand nine hundred fifty-one Provided That all certificates of registration heretofore issued to any individual shall continue to be effective for the balance of the period for which issued and the provisions of the act hereby amended shall remain in force as to such certificates until they expire The amendments made by this act shall not apply in the case of any violation committed prior to the effective date hereof

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, I am not opposed to this bill but I am curious as to the reasons why they would want to transfer enforcement and administration and facts relating to solicitation, monies and properties for charitable organizations from the Department of Welfare which would seem to me to be informed as to the needs to the Department of Revenue which would not have the information or the experience that the Department of Welfare has. I am just curious as to the reasons.

Mr. SCOTT. Mr. Speaker, House Bill 201 is a departmental measure. It provides for transferring to the Department of Revenue the administration and the enforcement of all the provisions of the Solicitations Act. The Department of Welfare says that they are not set up to either enforce or carry out the provisions of the Solicitations Act and they feel that the Department of Revenue is and does have the equipment to carry out the Act.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarrafi,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swope,
Bucchin,	Hunter,	Moore, C. E.,	Swartz,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,

Corr.
Costa,
Coyle,
Dalrymple,
Davis,
Dennison,
Dougherty,
Dowling,
DuBois,
Duffy,
Dunn,
Erb,
Ewing,
Fenrich,
Ferster,
Fillip,
Filo,
Firmstone,
Flack,
Frost,
Gaffney,
Geer,
Gibson,
Gleason,
Good,

Kamyk,
Keller,
Kent,
Kline,
Kohl,
Kolankiewicz,
Kornick,
Kratz,
Kubacki,
Lafore,
Lederer,
Lelsey,
Leonard, L.,
Leonard, W. C.,
Leven,
Light,
Limper,
Loftus,
Lopresti,
Lovett,
Lutty,
Lyons,
Madden,
Madigan,
Markley,

Naugle,
Needham,
Olsen,
Penglase,
Peta,
Petrosky,
Pettigrew,
Pfaff,
Pichney,
Pitzer,
Polaski,
Polen,
Price, H. W. Jr.,
Price, R. A.,
Readinger,
Reagan,
Reese,
Reidenbach,
Reilly, J. M.,
Rigby,
Riley, R. L.,
Robertson,
Rose,
Rosen,
Rovanssek,

VanSant,
Varallo,
Varner,
Verona,
Wachhaus,
Wargo,
Waterhouse,
Watkins,
Weidner,
Welsh,
Wescott,
Westrick,
Whalley,
Wheeler,
White,
Williams,
Wilt,
Wood,
Yeakel,
Yester,
Yelzer,
Young,
Ziegler,
Sorg,
Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 202, as follows:

An Act to further amend Section 2445 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by authorizing the issuance of non-debt revenue bonds for the alteration addition to or enlargement of existing sewers sewer systems and sewage treatment works and the pledging of revenue derived from the existing system in payment of such bonds and authorizing the issue and sale of non-debt revenue bonds at one time The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2445 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" as reenacted and amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1955) is hereby further amended to read as follows

Section 2445 Sewer Bonds For the purpose of financing the cost or expense or its share of the cost or expense of constructing or acquiring a sewer sewer system or sewage treatment works or for the purpose of financing the cost or expense or its share of the cost or expense of altering making additions to or enlarging an existing sewer sewer system or sewage treatment works either singly or jointly with other municipalities or townships or both any township may issue non-debt revenue bonds secured solely by a pledge in whole or in part of the annual rentals or charges for the use of such sewer sewer system or sewage treatment works including in the case of alterations or additions to or enlargement of existing sewers sewer systems or sewage treatment works annual rentals or charges derived from the use of the then existing sewers sewer systems or sewage treatment works Said bonds shall not pledge the credit nor create any debt nor be a charge against the general revenues nor be a lien against any property of the township but

shall be a lien upon and payable solely from the annual rentals or charges for the use of said sewer system or sewage treatment works

Whenever any township has enacted an ordinance or resolution imposing a sewer rental or charge upon properties to be served by such sewer system or sewage treatment works when the same is completed or in the case of alterations or additions to or enlargement of an existing sewer system or sewage treatment works when the same is completed and has pledged sufficient of the revenues being derived or to be derived therefrom for the payment of the interest and sinking fund charges on such non-debt revenue bonds it shall have power to authorize the issue and sale of such non-debt bonds at one time or from time to time as the work of construction proceeds and sufficient additional non-debt revenue bonds as may be necessary may be issued and sold to provide for the interest and sinking fund charges accruing thereon until said sewer system or sewage treatment works or the alteration or addition to or enlargement thereof has been completed and has been in operation for not exceeding one year in order to provide sufficient revenues until such time as sewer rentals or charges may be collected from the owners of properties being served

Nothing in this section shall be construed to abridge or restrict or in any way impair the right of any township to create indebtedness in accordance with existing laws

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. E.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudensfield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsich,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dairymple,	Kline,	Fenglass,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewics,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Westcott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,

Firmstone,
Flack,
Frost,
Gaffney,
Geer,
Gibson,
Gleason,
Good,

Loftus,
Lopresti,
Lovett,
Lutty,
Lyons,
Madden,
Madigan,
Markley,

Reidenbach,
Relly, J. M.,
Rigby,
Riley, R. L.,
Robertson,
Rose,
Rosen,
Rovanssek,

Wood,
Yeakel,
Yester,
Yetzer,
Young,
Ziegler,
Sorg,
Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative,

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 224, as follows:

An Act to further amend section 7 of the act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupations for county borough town township school and poor purposes authorizing the appointment of subordinate assessors a solicitor engineers and clerks providing for their compensation payable by such counties abolishing the office of ward borough and township assessors so far as the making of assessments and valuations for taxation is concerned and providing for the acceptance of this act by cities" by further providing for the preparation of assessment rolls and lists

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 7 of the act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupations for county borough town township school and poor purposes authorizing the appointment of subordinate assessors a solicitor engineers and clerks providing for their compensation payable by such counties abolishing the office of ward borough and township assessors so far as the making of assessments and valuations for taxation is concerned and providing for the acceptance of this act by cities" as amended by the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1848) is hereby further amended to read as follows

Section 7 The said board shall before the fifteenth day of September examine and revise the said annual assessments and valuations increasing or decreasing the same as in their judgment may seem proper and shall add thereto and assess such property or persons taxable upon occupations as may have been omitted and may also add thereto the names of any persons subject to a school per capita tax or poll tax as may have been omitted

The board shall before the first day of October prepare an assessment roll or list of persons and property subject to local taxation together with the value placed upon each person and each parcel or tract of real property [and the personal property of each person] The board shall at the same time prepare a list of all property exempted by law from taxation

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsich,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Cort,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Peta,	Verona,
Davis,	Kohl,	Penglase,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 329, as follows:

An Act to further amend subsection (a) of Section 1103 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of

this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by prohibiting the installation of parking meters by local authorities at certain places

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of Section 1103 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof up payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providin gfor refunds" as last amended by the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1718) is hereby amended to read as follows

Section 1103 (a) Local authorities except as expressly authorized by this act shall have no power or authority to alter any speed limitations declared in this act or to enact or enforce any ordinance rule or regulation contrary to the provisions of this act except that local authorities shall have power to provide by ordinance for the regulation of traffic by means of peace officers or official traffic signals on any portion of the highway where traffic is heavy or continuous and may regulate or prohibit parking stopping or loading of vehicles except that no parking meters shall be installed at entrances to theaters hotels motion picture theaters or prohibit other than one-way traffic upon certain highways and may regulate the use of the highways by processions or assemblages and may regulate the kinds and classes of traffic and its turning on certain highways at all or certain hours and may regulate the transportation by motor vehicles of passengers for compensation within the limits of a city or from points in the city to points beyond the city limits and make and enforce regulations for the operation of such vehicles not inconsistent with this act and designate certain streets upon which such vehicles may be operated

Provided however That any regulations of the kinds and classes of traffic on State highway routes within cities shall be subject to the approval of the Secretary of Highways first had and obtained

Local authorities may designate any highway or any part of a highway under their jurisdiction a "Play Highway" and may close such designated highway to general

traffic where interference to traffic will not be serious. Such highways or portions of highways shall be used for play purposes and shall be clearly designated by appropriate signs specifying the hours between which such highways shall be closed to general traffic.

And said bill having been read at length the third time, considered and agree to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer.
Andrews,	Graybill,	Mazza,	Ruclin.
Banker,	Greenwood,	McConnell,	Sarraff.
Barkdoll,	Greer,	McCormack,	Sax.
Baumunk,	Guarnieri,	McCullough,	Scanlon.
Bear,	Gutendorf,	McDermitt,	Schmidt.
Beaver,	Guthrie,	McGee,	Schuster.
Beech,	Hagerty,	McInroy,	Scott.
Berkstresser,	Hall,	McKinney,	Seyler.
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger.
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Buchlin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor.
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglas,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse.
Dowling,	Kratz,	Pfaff,	Watkins,
DuBols,	Kubacki,	Pichney,	Weldner.
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Fillip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg.
Good,	Markley,	Rovansek,	

Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 530, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the opera-

tion of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses makistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by authorizing the operation or movement of ambulances and police vehicles with a red light displayed to the front thereof.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (g) of section 802.4 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as added by the act approved the sixteenth day of July one thousand nine hundred thirty-five (P. L. 1056) is hereby amended to read as follows

Section 802.4 Number of Driving Lamps Required or Permitted

* * * * *

(g) No person shall operate or move any vehicle except fire department [and] fire patrol apparatus ambulances and police department vehicles upon a highway with a red light displayed [on] to the front thereof.

Section 2 Section 809 of said act as last amended by the act approved the eighteenth day of May one thousand nine hundred forty-nine (P. L. 1412) is hereby further amended to read as follows

Section 809 Red Light Visible From in Front of Vehicles No person shall operate or move any vehicle except fire department patrol apparatus ambulance spolic department vehicles or the private vehicles of those chiefs of fire departments assistants chiefs of fire departments or fire marshals who in accordance with a statement filed with the Pennsylvania State Police prior thereto use the same for transferring fire or emergency calls upon a highway with a read light displayed to the front thereof.

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraff,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsach,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cochran,	Jones, J. M.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Phff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Fillip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Markley,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence,

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 539, entitled:

An Act requiring approval of the interested electorate to initiate housing projects

On the question,

Will the House agree to the bill on third reading?

MOTION TO MAKE HOUSE BILL 539 SPECIAL ORDER

Mr. YOUNG. Mr. Speaker, I move that House Bill 539 be made a special order of business on third reading and final passage on Monday, April 9, at 5:30 p. m.

On the question,

Will the House agree to the motion?

Mr. ANDREWS. Mr. Speaker, some days ago I called the attention of the Chair to the fact that next Monday evening the Philadelphia Delegation was going to participate in the Jefferson Day Dinner and that we hoped that there would be no special business.

The SPEAKER. The Chair regrets that he did not remember at the time this motion was made, the conference he had with the Minority Leader, although there is a note on the Chair's desk to that effect.

The Chair would therefore request the gentleman from Mercer, Mr. Young, to withdraw his motion. The Chair understands the request did come from the minority but the gentleman from Mercer, Mr. Young, was not acquainted with the conference had between the Minority Leader and the Chair.

Mr. YOUNG. Mr. Speaker, I will withdraw the motion but I would like to find out something from the other side of the House. They are the ones that suggested this to me. After all, they should know when they want it.

Mr. ANDREWS. Make it Tuesday.

Mr. YOUNG. Mr. Speaker, is the gentleman sure they do not have a party Tuesday?

Mr. ANDREWS. Mr. Speaker, we are awaiting invitations.

Mr. YOUNG. Mr. Speaker, do not wait on one from me.

HOUSE BILL 539 MADE SPECIAL ORDER

Mr. YOUNG. Mr. Speaker, I move that House Bill 539, Printer's No. 127 be made a special order of business on third reading and final passage on Tuesday, April 10th at 2:00 p. m.

On the question,

Will the House agree to the motion?

Mr. SMITH. Mr. Speaker, several weeks ago when the Republicans had a party we saw fit to invite all of the minority. I am wondering why they cannot be as gracious and invite us, because if Mr. Jefferson is going to speak I would like to hear some of his philosophies.

Mr. ANDREWS. Mr. Speaker, if we had an angel for our party, with unlimited funds, we would be glad to invite all of the Members on the other side of the House to attend the party. But since it is necessary for all those who attend the function in Philadelphia to come across with our own bucks, rather than bucks from any other quarter, we really do not have the funds with which to comply with the gentleman's request.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 716, as follows:

A Supplement to the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (Appropriation Acts page 62) entitled "An act to provide for the ordinary expenses of the Executive Legislative

and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-nine and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-nine" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred and fifty-one

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following sums or as much thereof as may be necessary for deficiencies in certain appropriations made to the Department of Justice the Department of Labor and Industry the Department of Property and Supplies the Department of Public Instruction and the Judicial Department by the act to which this is a supplement are hereby specifically appropriated to such departments as follows

I Executive Department

To the Department of Justice

For the payment of the deficiency in the appropriation for the payment of the salary of the Attorney General and for the payment of salaries wages or other compensation of deputy attorneys general special attorneys law clerks and other employes for the payment of compensation of attorneys employed by the several departments boards and commissions with the approval of the Attorney General for handling litigation or making collections or appointed to represent the Commonwealth or any department board or commission thereof in special work or in particular cases for the payment of costs and witness fees for the purchase of law books for the law library of the department and for payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the Board of Pardons and the Board of Commissioners on Uniform State Laws for the audit and investigation of claims and for the prosecution and defense of litigation to which the Commonwealth is a party or in which the Commonwealth is interested the sum of two hundred thousand dollars (\$200,000)

To the Department of Labor and Industry

For the payment of the deficiency in the appropriation for the payment of the salary of the Secretary of Labor and Industry and for the payment of salaries wages or other compensation of the members of the Workmen's Compensation Board Workmen's Compensation Referees Pennsylvania Labor Relations Board the members of the Industrial Board deputy secretaries and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the Workmen's Compensation Board the Workmen's Compensation Referees Pennsylvania Labor Relations Board and the Industrial Board and for compensation and expenses of wage boards the sum of two hundred seventy-one thousand seven hundred dollars (\$271,700)

To the Department of Property and Supplies

For the payment of the deficiency in the appropriation for the cost of printing and distributing records of the proceedings of the conventions of the Department of Pennsylvania of the Grand Army of the Republic the United Spanish War Veterans the Veterans of Foreign Wars of the United States the American Legion and the disabled American Veterans of the World War as provided by law the sum of seven thousand two hundred seventy-five dollars (\$7,275)

For the payment of the deficiency in the appropriation for the purchase of office supplies and equipment stationery printing supplies and printing processes for the purchase of legal books periodicals maps pamphlets for the purchase of all other materials supplies and equip-

ment for the costs of repairing office equipment for the payment of rental charges of telephone and other leased devices for the payment of telephone toll charges and telegrams required by the General Assembly and the Judicial Department for the payment of costs including delivery expenses of documents and publications furnished to members and officers of the General Assembly for the payment of the costs of all printing incident to the sessions of the General Assembly including the printing of the Pamphlet Laws and for the payment of the cost of postage freight express paper and printing of departmental documents distributed to members of the General Assembly in accordance with law the sum of three hundred twelve thousand six hundred fifty dollars (\$312,650)

To the Department of Public Instruction

For the payment of the deficiency in the appropriation for the payment of salaries of the County Superintendents and Assistant County Superintendents of public schools and supervisors of special education or persons acting in their stead as required by law the sum of twenty-six five hundred dollars (\$26,500)

For the payment of the deficiency in the appropriation for reimbursement to school districts for transportation of school children as required by law the sum of one million sixty-six thousand three hundred twenty dollars (\$1,066,320)

For the payment of the deficiency in the appropriation for reimbursing school districts upon the salaries of school teachers and upon the basis of teaching units as prescribed by law for closed schools and for nonresident high school tuition and any other nonresident tuition as required by law and for the minimum salaries of teachers and supervisors of home bound children and extension class pupils the sum of three million five hundred thousand dollars (\$3,500,000) Provided That the Superintendent of Public Instruction with the approval of the Governor may make payments from this appropriation in advance of the due dates prescribed by law to school districts which are financially handicapped whenever he shall deem it necessary to make such advanced payments to enable school districts to keep their public schools open

II Judicial Department

Supreme Court

For the payment of the deficiency in the appropriation for the payment of salaries wages or other compensation of the prothonotary and other employes in the office of the prothonotary of the Supreme Court for the Middle district and for the payment of expenses for the Supreme Court in the Middle district and the Superior Court at Harrisburg the sum of one thousand two hundred fifty dollars (\$1,250)

For the payment of the salary and expenses of the crier tipstaves official stenographers court officers and law secretary of the Chief Justice of the Eastern Middle and Western districts and for premiums for workmen's compensation insurance covering all employes of the Supreme Court the sum of seven hundred one hundred dollars (\$7,100) Provided That the crier for the Middle district shall receive no other compensation from the State

For the payment of the Fees of the Prothonotaries of the Supreme Court of the Eastern Middle and Western districts on assignment of judges to counties other than their own under an order of the Supreme Court dated February nineteen one thousand nine hundred and nineteen the sum of seven hundred fifty dollars (\$750) payments to be made monthly by the State Treasurer on warrants drawn by the Auditor General

Section 2 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WILLIAMS. Mr. Speaker, I am not arising at this particular time to oppose this bill. I think it is what is needed because of the fact we must pay the employees of the Department of Justice for the work that is now being carried on.

Being from a rural county and not knowing much about the manipulations in these larger centers, I would like to have some information before we take the vote. Therefore I would like to interrogate the Majority Floor Leader, Mr. Smith.

The SPEAKER. Will the Majority Leader permit himself to be interrogated?

Mr. SMITH. Mr. Speaker, in view of the fact that I am now working as whip, I yield to Mr. Johnson.

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated.

Mr. JOHNSON. I shall Mr. Speaker.

Mr. WILLIAMS. Mr. Speaker, I would like to ask of Mr. Johnson what the purpose of the \$200 thousand is?

Mr. JOHNSON. Mr. Speaker, the purpose of the \$200 thousand deficiency appropriation is for various things. First of all, as the gentleman has stated, to pay the pay raises of the employees of the Department of Justice which were put on during the last year by our former Governor.

The balance of the deficiency is as a result of probes which have been conducted by the Justice Department. One of which is in the City of Philadelphia where to date we have spent \$47,455.16 on that particular probe. The other probe is the one in the City of Pittsburgh where the sum of \$61,206 has been spent to date. It is estimated that it will cost about \$74 thousand more to finish those two particular probes which will roughly make up the \$200 thousand deficiency.

Mr. WILLIAMS. How much of this balance do you except to spend in the City of Pittsburgh, and when do you expect to complete investigations?

Mr. JOHNSON. I would say roughly that the greater part of the \$74 thousand will be spent in the Pittsburgh investigation. I believe approximately \$10 thousand more will be spent in the City of Philadelphia probe.

Mr. WILLIAMS. When did the probe in Pittsburgh start?

Mr. JOHNSON. I would say generally speaking in the year 1950.

Mr. WILLIAMS. Would you say about June?

Mr. JOHNSON. I do not have the exact date. It started at a time when a certain death occurred in the City which brought about great suspicions of public fraud in that particular city.

Mr. WILLIAMS. When did the probe start in the City of Philadelphia?

Mr. JOHNSON. I believe the probe in the City of Philadelphia has, roughly, been going on for a period of approximately two years.

Mr. WILLIAMS. The appropriation for the 1949-1951 biennium for the Department of Justice was what amount?

Mr. JOHNSON. I believe the original appropriation was \$1,200,000 is that correct? I do not have the budget in front of me.

Mr. WILLIAMS. Then the \$200 thousand deficiency appropriation will raise that to \$1,400,000.

Mr. JOHNSON. That would be correct.

Mr. WILLIAMS. Mr. Speaker, I would like to ask at least one more question.

The SPEAKER. The gentleman will proceed.

Mr. WILLIAMS. The appropriation for 1951-1953 for the Department of Justice is in what amount?

Mr. JOHNSON. I believe it is \$1,300,000.

Mr. WILLIAMS. Well I need one more question, then I will be through. Do you know whether or not the Department of Justice contemplates any further investigation as to other counties in the Commonwealth and if so why did they not appropriate more money?

Mr. JOHNSON. I cannot answer that question. I am sure that our new Attorney General, if he feels that the need arises, will conduct probes at places when necessary.

Mr. WILLIAMS. Mr. Speaker, I did not contemplate taking too much time in the House, but I can see from the figures that I have at my disposal here that in Pittsburgh during the eight or nine months the probe is going on you will spend something like \$135 thousand for a period of nine months. In the City of Philadelphia for a period of two years you are spending something like \$57 thousand.

Now in the probe in Pittsburgh, I do not believe that the Department of Justice has uncovered anything that the District Attorney in Allegheny County did not have at the time the probe started. He told them what he had for them but they wanted to come in because of the fact that the then Attorney General, Charles Margiotti, arch enemy of the Mayor of the City of Pittsburgh, wanted to make it look like there was a great deal of graft going on in the City of Pittsburgh.

I do not know whether there is a whitewash job going on in Philadelphia or not but it looks to me, just being a small pupil, that there might be something wrong somewhere.

I am possibly going to have to call the gentleman back because I wanted to ask a few other questions.

Mr. Speaker, I would like to interrogate the gentleman.

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. WILLIAMS. Mr. Speaker, can the gentleman tell me how many indictments have been obtained in the investigation in the City of Pittsburgh?

Mr. JOHNSON. Mr. Speaker, in answer to the gentleman's question, to date the free work phase of the investigation in Pittsburgh has been completed. In this phase, the special grand jury recommended thirteen indictments and the regular grand jury returned true bills in these indictments.

In the McKees Rocks phase, which is the gambling and rackets investigation, the special grand jury recommended thirty-six indictments and the regular grand jury returned true bills in all these cases. In the electrical permit phase which had to do with certain frauds in the building inspectors division as I understand it, the special grand jury recommended three indictments and the regular grand jury returned true bills in these.

They are presently engaged in the Homestead phase of the investigation which is rackets and gambling as I understand it, so I do not believe that any indictments

have yet been handed down in that particular phase. The special grand jury has been in session since October 16, 1950.

Mr. WILLIAMS. Do you know how many indictments have been obtained in the investigation or probe in Philadelphia and from what departments?

Mr. JOHNSON. There have been twenty-eight indictments in the City of Philadelphia investigation. Of the twenty-eight people indicted there have been eight pleas of guilty and eight sentences to date. There have been three trials by Mr. O'Neil's office and three convictions. They have eleven cases yet to try. There were to have been twelve additional cases but one of the defendants committed suicide. I might say further that it is contemplated that there will be additional indictments within the next ten days.

Mr. WILLIAMS. Did you say suicide or suicides? How many have committed suicide in Philadelphia since the probe started?

Mr. JOHNSON. I am sorry I do not have the figures. Of the twelve defendants that remained to be tried, one of those particular ones did commit suicide.

Mr. WILLIAMS. Do you know of any others down there that are contemplating suicide?

Mr. JOHNSON. I am wondering could the gentleman inform me as to that?

Mr. WILLIAMS. That is all, thank you.

Mr. Speaker, I do not know, but I believe we do not have enough money in the budget for the Department of Justice to carry on its work in the next biennium. I believe the Governor made a mistake and I think Mr. Andrews was right when he said that in many particulars we do not have enough money and in others we may have too much. I think there should have been at least \$2 million to complete these probes.

We on this side have nothing to hide. We are not ashamed of a thing, so we are willing to extend these probes if anybody so desires, to many more counties of the Commonwealth.

We know there have been many discrepancies in the City of Philadelphia and it looks to me as if there might be a whitewash job taking place down there, because of the fact that just by the number of clippings I have here from the newspapers, and the remarks that were made by the Republican candidates at the primary election in 1950 where they accuse one another of graft, white slavery, and what not, there must have been some boodle somewhere. They were fighting over the spoils.

I have any number of clippings here that I could read into the record, where one person voted sixty times. I think perhaps the election board was jailed for a year in that particular case and others have been brought to trial. They have a grand jury probe as they were asking for down there to investigate the water bureau. I think there was some graft connected with that particular department. I think they admitted that the rackets and the cheating had been going on there for years and years.

We have another particular case there where the contractors had to pay for contracts and whatnot, in order to have them expedited and gotten through in a hurry, to employees of the department of housing and sanitation. I think we also had a case down there where we had one asphalt company that seemed to be a big noise down there, that has not been assessed since 1927.

I wonder how deep they have done into that investigation to find out why they were not on the books for that period of time. I think they owe something like \$50 thousand in back taxes. I wonder if they have paved anybody's driveways down in Philadelphia for that concession.

I wonder what they have been doing down there during that period of time, there sure has been a lapse somewhere when they were not on the assessment books for twenty-three years.

I might say for myself, we have the Ministerial Association down in southwestern Pennsylvania that have been petitioning for investigations down there and want to bring in the Kefauver Committee. We welcome that investigation in southwestern Pennsylvania.

I talked to our District Attorney last week and I talked to our Sheriff last week in Washington County and they have written letters—in fact the District Attorney has, I know—asking them if they have any specific charges to make down there, and if they do have, to come over and present them and he will go out and make the case.

I talked to Mr. Wycoff in Greene County last Thursday evening, I have talked to Sheriff Emil Fox in Greene County last Thursday evening. They likewise petition investigation of their own counties. We have nothing to hide.

But I wonder if that is so all over this Commonwealth. I wonder if that is so in the heavily populated districts such as Delaware, Chester, Montgomery, Bucks, Luzerne and Dauphin Counties. We know there has been rampant cheating in all of these counties and we say they should get down and investigate them. Rackets in Luzerne, you cannot tell Sunday from Wednesday in Luzerne County.

I know that down in Philadelphia since our fellows took over and it is the same way in Washington County, in Washington County before the Democratic party took over Washington County—if you so desire will name names, you had in the District Attorney's office a Republican down there, you had in the Sheriff's office a Republican and you had the slot machines sitting out on grocery counters. I can tell you who held office during that period. The Democrats went in and cleaned them up.

You come down to our County and investigate any time you want to and the same goes for Greene. I am not talking about the other counties because I cannot defend them at all and have no associations in there. But I know that in Pittsburgh Charles Margiotti came down there of course to try to make votes. He wanted to embarrass Mayor Lawrence, the result is that they are in there and they have not found a thing that they did not have before.

Now since our fellows took over in Philadelphia they have not been able to get an audit of the books. I should have asked one more question, I should have asked what the audit, the independent audit was going to amount to in Pittsburgh, would you care to answer that question, or could you?

Mr. JOHNSON. I will have to say to the gentleman that we do not have that audit here. I cannot give you any figures.

Mr. WILLIAMS. Have you made an independent audit in the City of Philadelphia?

Mr. JOHNSON. I cannot answer that question.

Mr. WILLIAMS. I wonder if Mr. Smith could? He lives there.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Smith, permit himself to be interrogated?

Mr. SMITH. I will, Mr. Speaker. I can answer that question by saying I do not believe they have. That is my belief. I may be wrong.

Mr. WILLIAM. Mr. Speaker, we have had reports that there are discrepancies in the accounts in Philadelphia which vary anywhere from \$6 to \$12 million.

Now I do not know anything about that because as I said when I started I am just from one of the rural counties. All we know is what we read in the newspapers and we do not get much about the Philadelphia story down in the western part of the state. But I thought if there was that much of a shortage surely the city government itself or the Department of Justice or somebody here in Harrisburg would ask for the independent audit, the same as they did in Allegheny County, to find out whether those discrepancies really did exist and whether those shortages really were there. Since they have not asked for an audit and have not gotten one I do not know who to blame for it because the Republicans are in power in the City of Philadelphia and they are in power here in Harrisburg so it looks to me as if somebody is trying to protect somebody.

Sometime ago we read in the newspaper down home that there was a great fued going on in the city of Philadelphia between Assistant Superintendent of Police, George M. Richardson, and one Samuel H. Rosenberg of the Department of Public Safety, Director of the Department of Public Safety. I do not know exactly what happened in this particular case, but found that Mr. Richardson was called to Washington to testify before the Kefauver Committee. I do not remember exactly what the testimony was or anything like that, but it seems that this Mr. Rosenberg had accused him of being unfit for his job or they thought that things were not being split right, and he demanded that he be removed from office. I understand that is not the point, but in this newspaper here, dated March 31, 1951, I see where they gave him another chance; they could not fire him. He had too much on them.

It says "George M. Richardson yesterday took up his new duties as commander of the Police pawnbrokers' division on the seventh floor of City Hall after receiving Director of Public Safety, Samuel H. Rosenberg's official transfer order at 10:40 a. m.

The order was delivered by a clerk to Richardson on his first floor office where he had been reporting for duty daily since Rosenberg released him on March 7th as Commander of City Hall Detectives and those working out of seven divisional sections.

Although Richardson remarked: 'Whether it is a proper order, I do not know at this time.' He accepted the directive, said goodbye to the group of assembled detectives and went up to the seventh floor. There he talked over his duties with Martin J. Cusak, senior clerk of the half dozen men who will work with him in sending pawnshops descriptions of stolen articles.

"An unfounded rumor had it that Richardson who was seeking his restoration as Detective Commander through court action was to occupy new first floor offices near his old office." It looks as if they could not get rid of Mr. Richardson. But I brought it for the records.

Let us read into the record "The Philadelphia Story."
"I have been asked to tell you the Philadelphia story.

"The Philadelphia Story is simply the history of a city political machine so long without any effective opposition that it has become corrupt, incompetent and inefficient to a point where it is threatening the very existence of a great city. Nowhere can you find a better example of the old maxim that 'Power leads to corruption and absolute power means absolute corruption.'

"In the mayoralty campaign last fall, the Democratic Party spelled out the situation and spread it from every street corner in the city five nights a week for two months. We know that the people of Philadelphia are not corrupt and are not content with their government. We know that Philadelphia has every advantage of location, of tradition, that a fine population can bring to a great city. But its corrupt municipal government, as exemplified by the Republican Machine in Philadelphia, was keeping Philadelphia from surging forward as it should.

"The people of Philadelphia responded. What's more, they did not lose interest after the election. On the contrary their interest increased. The result was that when the Republican Mayor and City Council attempted to put through an increase in the wage tax, in spite of their definite campaign promise not to increase taxes, the people rebelled and the city administration was forced to appoint a City Investigating Committee known as the 'Committee of 15.' This Committee has only been able to scratch the surface, yet even its preliminary work has revealed that every charge we made last year was true, in fact, we greatly under estimated the situation.

"It has been brought out that every single division of the Office of the Receiver of Taxes has been stealing and pocketing tax money for the past ten years as a regular thing. The Republican Committeemen who were put into the jobs in this department alone, were so money-hungry they even stole receipts from high school football games and children's 'Pop Concerts.'

"An examination given by the 'Committee of 15' to the Auditors in the Office of the Receiver of Taxes, to see their qualifications for their jobs, revealed that out of 32 so-called Auditors, none had had any previous auditing experience and only 4 could accurately multiply and divide. There were only a few who could even add and subtract" That's fine. "These revelations so aroused the Philadelphians that a poll taken by the Evening Bulletin as of the first of July of this year revealed that if we were electing a Mayor in Philadelphia, 70% of the people would vote for the Democratic candidate." That's why they moved those jobs up here.

"The Democratic Party in Philadelphia is a live, fighting Party. Young people are joining us every day, not just in name, but to do hard political work in their divisions and their wards. Over 500 young men and young women who had never before taken part in politics have become Democratic Committeemen and Committeewomen since the election last fall. These young people have increased Democratic registration in their divisions to the highest point it has been since 1936, and by their house to house check-ups have managed to force the Republican Registration Commission to strike off 30,000 'dead-heads' from the voting lists. What is more, we have promised the people of Philadelphia we will not let the present investigation die until there is a real clean-up in the conditions of the city." And that is what we are asking for now.

"We have also promised to see that the persons really responsible for these conditions will be made to assume that responsibility. We are not going to let the 'big shots' off by passing the 'buck' to a lot of 'small fry.' We have served notice on Mr. Morrow, the new Republican City Chairman, that he is not going to get away with starting impeachment proceedings against the Receiver of Taxes, who happens to be his political enemy."

So, Mr. Speaker, I think that we have enough grounds here to ask for a continuation of the investigation in the city of Philadelphia. I see where the Ministerial Association wants to invite the Kefauver Committee on to Southwestern Pennsylvania. I for one right on this floor am willing to invite them to investigate the entire political and physical structure of Pennsylvania. As to gambling rackets or anything that you want and, let the chips fly where they will because I know we Members from the rural county have nothing to fear. I know that in some of the other districts they do have. So that is the reason that I am for this appropriation. There should be 207 votes for it because we want clean government in Pennsylvania and the only way we are going to get it is to have through investigations; not whitewash jobs, and I think that we will come out of it all right.

I have no remarks to make concerning our present Attorney General. I think he is one of the most upright men that we have in this Commonwealth. I served with him in the 1939 and 1941 sessions and always found him to be just and right and I think he will be likewise on this job; but I think his predecessor is nothing more or nothing less than a political henchman and everything that he did was with that intention and not with the intent of cleaning up the state.

Mr. MAZZA. Mr. Speaker, I am certainly happy and proud to concur with my colleague from Washington County on a \$2,000,000 appropriation. I am also happy to know that our County has been so lily white in the past sixteen years.

I would also like to ask whether or not in the past sixteen years a Democratic District Attorney has been indicted in Washington County? And also whether the Ministerial Association in our district of Washington has been urging the Governor to clean up the refuse in Washington County.

I also want to assure the Members that I met with the Governor on this problem this morning and he assured me that we will have the clean up in Washington County.

Mr. GEER. Mr. Speaker, I just want to point out for the record that the gentleman has made a statement that in Allegheny County the state probe found nothing that the County did not have already. I hope he had authority for that statement because, in effect, he is making a statement that the County had the records and had not prosecuted, which is the best argument for a state probe that I can think of.

Mr. MIKULA. Mr. Speaker, I would like to interrogate the gentleman from Washington.

The SPEAKER. Will the gentleman from Washington, Mr. Williams, permit himself to be interrogated?

Mr. WILLIAMS. I shall, Mr. Speaker.

Mr. MIKULA. Mr. Speaker, the gentleman from Washington remarked that the people of Luzerne did not know Sunday from Wednesday, and I would like to have him tell us how he arrived at that conclusion.

Mr. WILLIAMS. Mr. Speaker, I did not say that the people in Luzerne County did not know Wednesday from Sunday. I said that if you went up to Luzerne County—I made that statement on the spur of the moment, but I will back it up. I will back up that statement, don't you worry. Investigations will back it up too.

Mr. MIKULA. Mr. Speaker, I would like to have the gentleman tell how he arrived at that conclusion.

Mr. WILLIAMS. Well, I tell you how I arrived at it. When I was up in Luzerne County visiting a certain family,—down home as a rule if you want to get a drink on Sunday, you have to go to a Club. But up in Luzerne County you can walk into practically any tavern that there is on Sunday and get a drink.

Mr. MIKULA. And that is the basis for that remark?

Mr. WILLIAMS. That is right.

Mr. MIKULA. I would like to ask the gentleman another question. Would you care to read the back of your notes in printed form.

Mr. WILLIAMS. What is that?

Mr. MIKULA. Read from the back of your notes.

Mr. WILLIAMS. Well, I gave some to the newspaperman and some are in the desk. What do you want to ask me about?

Mr. MIKULA. I wondered if you cared to read the printed matter on the back of your notes.

Mr. WILLIAMS. I read everything that I wanted to read. Did you hear what I read?

Mr. MIKULA. I thank the gentleman.

Mr. WILLIAMS. That is right.

Mr. ANDREWS. Mr. Speaker, our objection to this bill is that it does not carry a sufficient amount of money to do the job that the Justice Department has undertaken to do.

There has been a great deal of talk about racketeering here, racketeering there and racketeering some other place. I submit to you that probes that are confined to particular counties, particular areas are without moral value.

During the recent campaign a man by the name of Cook, who I presume is an honorable man, and a man by the name Kunkle, who I presume is an honorable man, made sweeping charges that various sections of the hard coal districts in this state were the scenes of corruption; were the scenes of racketeering. The charges made by Cook and Kunkle were such charges that no reputable man had the right to make against another man unless he had some evidence and stay out of jail. If what Cook and Kunkle said was not true, they ought to be in jail; and if what they said in the recent campaign was true, then some other people ought to be in jail.

The time has come when we ought to either take hold of this job of attacking racketeering and local corruption on a state wide basis, or admit we are simply probing here and there for political advantage.

And so I would like to see a bill brought in increasing the appropriations to the Justice Department to the point where it can investigate in every county in this Commonwealth, if there is any reason that there should be an investigation.

The standard of sincerity is whether you are willing to operate on a statewide basis or just want to pick on some particular communities. I endorse what the gentleman from Washington said. We welcome the advent of the Kefauver Committee as we welcome the probing of any legitimate investigation on a statewide basis that may be made by the Justice Department, and the very bill which

you brought in for the Justice Department is in itself evident that you do not intend to make a statewide investigation of the evils concerning which you complain.

As a stamp of sincerity, I want to urge that the appropriation for the Justice Department be increased to the point where it can do its job, rather than accept the figure that the budget office has given which circumscribes the efforts of the Justice Department.

Mr. VERONA. Mr. Speaker, can I have these lights turned out. I forgot my dark glasses today.

Mr. ROBERTSON. Mr. Speaker, I would like to interrogate the gentleman from Washington, Mr. Williams.

The SPEAKER. Will the gentleman from Washington, Mr. Williams permit himself to be interrogated?

Mr. WILLIAMS. I shall, Mr. Speaker.

Mr. ROBERTSON. Mr. Speaker, may I ask the gentleman if he has been in Delaware County.

Mr. WILLIAMS. Mr. Speaker, yes.

Mr. ROBERTSON. Mr. Speaker, and may I ask if that is the basis for his charge as given here on the floor.

Mr. WILLIAMS. Mr. Speaker, what do you mean? The only thing that I said they should, if they are going to investigate, investigate all the heavily populated districts.

Mr. ROBERTSON. Mr. Speaker, and that is only just a surmise on your part?

Mr. WILLIAMS. Mr. Speaker, that is right.

Mr. ROBERTSON. Mr. Speaker, that is all I have.

Mr. ROSE. Mr. Speaker, the revelations made here today have been very interesting to me and as a consequence I would like to interrogate the gentleman from McKean, Mr. Johnson.

The SPEAKER. Will the gentleman from McKean, Mr. Johnson permit himself to be interrogated?

Mr. JOHNSON. Mr. Speaker, I will.

Mr. ROSE. Mr. Speaker, the gentleman stated that ten thousand dollars in additional funds are going to be spent in Philadelphia. Am I to understand that ten thousand dollars out of the deficiency appropriation being sought by this measure will be spent to further the investigation now going on in Philadelphia.

Mr. JOHNSON. Mr. Speaker, I would answer the gentleman by saying that it is my information that the Philadelphia probe, that is this phase of the probe, will be completed in about two weeks. They figure that it will take approximately ten thousand dollars with which to complete the probe as contemplated.

Mr. ROSE. Mr. Speaker, are any of the funds now being sought to be appropriated by this measure to be used in aiding the newly created grand jury probe which has arisen in Philadelphia to ascertain the tie-up between corrupt police officials, racketeers and politicians who are allied with them?

Mr. JOHNSON. Mr. Speaker, that sounds like what you call a chewy question. I wish you would break it down.

Mr. ROSE. Mr. Speaker, may I make myself clear.

Mr. JOHNSON. Mr. Speaker, there are a lot of innuendos in the question.

Mr. ROSE. Mr. Speaker, the gentleman may not be

aware of the fact that a newly created special grand jury has sought to investigate the tie-up between the few corrupt police officials, politicians and racketeers in Philadelphia, and what I would like to ascertain from the gentleman is whether any funds would be given to the grand jury in conducting this investigation.

Mr. JOHNSON. Mr. Speaker, we are now speaking on this deficiency appropriation. I would say that it is my information that approximately ten thousand dollars will only be used for cleaning up this phase of the probe. It has nothing to do with the particular probe that you are speaking about. I believe that that will be a County proposition. I could be wrong, however.

Mr. ROSE. Mr. Speaker, I want to ask one more question—no, that is all. I thank the gentleman.

Mr. Speaker, I have listened to the debate here with a great deal of interest. I think most of us in the House who have heard the revelations made throughout the nation by the Kefauver committee have exhibited righteous indignation at what is going on in this country of ours.

I think that most sincere men in the House are interested in wiping out the tentacles that have been wrapped around some of our governmental officials by the group of racketeers who have unfortunately eased themselves into a position where they are able to actually control the selection of public candidates.

We in Philadelphia are about to start a great probe. I think it arises as a result of revelations made by the Kefauver Committee which came into Philadelphia, interrogated a group of individuals, and made certain findings which have caused the people of Philadelphia to rise in wrath and demand that we eliminate conditions which have been exposed by the Kefauver Committee. What we intend to do in Philadelphia of course, is to have a thorough probe.

Judge Lewis has asked the aid of the state. Unfortunately there have not been sufficient funds appropriated to aid Judge Lewis and the special District Attorney who has been assigned to this investigation to make a thorough and proper probe.

As a matter of fact, I read in one of the newspapers, just a few days ago, that Judge Lewis was going to have a conference with His Excellency the Governor, with a view of getting some state police aid.

Obviously this measure does not appropriate any money for that particular purpose. The Minority Leader has indicated that there is a demand for additional funds and if no one on the other side is going to do so, I am going to introduce a measure providing for an appropriation of at least \$200,000 to aid in carrying out this grand jury probe of racketeering in Philadelphia.

Most of the people in Philadelphia are aroused by what has been divulged in the last few weeks. Most of us realize that the great majority of the police in Philadelphia are honest, sincere individuals who are trying to do a job. But the few rotten apples in the barrel, with their tie-ups with the criminal element have certainly caused the people of Philadelphia to hang their heads in shame.

If we cannot get any additional funds to carry it on through this appropriation, I am going to introduce in

the next few days a measure providing for the appropriation of additional funds to aid our grand jury in ferreting out the racketeers and those dishonest public officials who have been in cahoots with them.

Mr. WILBUR H. HAMILTON. Mr. Speaker, I would like to interrogate the gentleman from Washington County, Mr. Williams.

The SPEAKER. Will the gentleman from Washington County, Mr. Williams permit himself to be interrogated?

Mr. WILLIAMS. Mr. Speaker, I will.

Mr. WILBUR H. HAMILTON. Mr. Speaker, I would like to ask the gentleman if he is familiar with a certain trial that is being conducted at the present time, concerning a particular magistrate in Philadelphia.

Mr. WILLIAMS. Mr. Speaker, no I am not. If I were I would have mentioned it.

Mr. WILBUR H. HAMILTON. Mr. Speaker, you are not familiar with that?

Mr. WILLIAMS. Mr. Speaker, no.

Mr. WILBUR H. HAMILTON. Mr. Speaker, may I interrogate the gentleman from Philadelphia, Mr. Rose?

The SPEAKER. Will the gentleman from Philadelphia, Mr. Rose permit himself to be interrogated?

Mr. ROSE. Mr. Speaker, I will.

Mr. WILBUR H. HAMILTON. Mr. Speaker, I would like to reiterate that question to the gentleman from Philadelphia, Mr. Rose. Whether he is familiar with the fact that at the present time in Philadelphia there is a magistrate who is on trial in our city.

Mr. ROSE. Mr. Speaker, I certainly am. As a matter of fact I spent a few moments the other day, listening to some of the testimony being presented in that proceeding.

Mr. WILBUR H. HAMILTON. Mr. Speaker, will the gentleman tell me the party that that gentleman is affiliated with at the present time in Philadelphia?

Mr. ROSE. Mr. Speaker, the magistrate being tried for certain violations of the Act happens to be a member of the Democratic party.

Mr. WILBUR H. HAMILTON. Mr. Speaker, will you tell me when he was elected to his present office?

Mr. ROSE. Mr. Speaker, the gentleman happens to have been elected I believe, in 1949. He took office the first part of 1950.

Mr. WILBUR H. HAMILTON. Mr. Speaker, is not that the election that Mr. Williams referred to that was supposed to clean up the city of Philadelphia?

Mr. ROSE. Mr. Speaker, unfortunately, that election did not afford the officials elected an opportunity to thoroughly clean the City of Philadelphia but they are well on the way to doing so.

Mr. WILBUR H. HAMILTON. Mr. Speaker, I would like to ask Mr. Rose if he will tell me the number of months that the magistrate in question was in office before his office was probed and before they found that there were certain irregularities in office?

Mr. ROSE. Mr. Speaker, I do not know when the probe actually started, but I assume that he had been in office probably for a period of eight or nine months.

Mr. WILBUR H. HAMILTON. Mr. Speaker, I believe approximately five or six months would be more accurate

and when we are speaking in terms of months I think it is better to keep it as accurate as we possibly can.

Mr. ROSE. Mr. Speaker, the gentleman may be correct.

Mr. WILBUR H. HAMILTON. Mr. Speaker, thank you Mr. Rose.

Mr. Speaker, I was very much disappointed when the gentleman from Washington County, mentioned in a facetious manner, and quite a number of Members of the Legislature seemed to accept it as a humorous statement when he referred to a suicide taking place in our city. I am quite certain that he was not familiar with the gentleman in question.

He was an employee of the City of Philadelphia for approximately 30 years. He was a veteran and hero in World War I. He was the Commander of the Henry H. Houston Post of Germantown.

The Justice Department of the Commonwealth of Pennsylvania, after months of investigation, were able to say that he accepted gratuities in the sum of \$377. If that is true, I do not know only God alone knows whether it is or not, because the man destroyed his life on one of the high bridges in our city.

His wife is an invalid. She has been very ill for many, many years. If that finding is true, it amounts to \$12.70 per year, approximately, in tips. His trial never took place. Being the type of man that he was in the community, he was unable to stand the charges against him. And that is true with a great many innocent men who have charges thrown at them that amount to peanuts, to use a colloquial expression.

He could not walk down the street, because the newspapers and the radios and other organs in Philadelphia play up something like that to the sky. And he had to destroy his life. Those Members who did not see anything humorous in that statement, I commend you. That is the gentleman who committed suicide.

I am not condoning the actions of anyone, but I think we should be familiar with the facts when someone decides to destroy his life. In addition to that, Mr. Speaker, the magistrate who is on trial at the present time, might be acquitted. I do not know. That is for the court and the jury to decide. I am not going to try him and I have not mentioned the gentleman's name, and I will not, but I would like to say this: that it is not only the Republican party in Philadelphia that has committed mistakes as far as the personnel or the Republican employees of the various offices is concerned.

Mr. ANDREWS. Mr. Speaker, perhaps it will be possible to arrive at a very happy agreement. We will help the Republican catch the Republican crooks if the Republicans will help us catch the Democratic crooks. In that way we will be able to clean house and we will be able to clean house on an honest basis instead of cleaning house on a partisan basis.

I find no joy when they convict any man. I would rather personally forgive him and forget. But because of the moral responsibilities and the public we serve, we have to mete out justice to the erring with an even hand. We will get much further if instead of bickering on party lines about this alleged corruption, we follow the formula that I outlined, we will help the Republicans catch the Re-

publican crooks and the Republicans will help us catch the Democratic crooks and we will clean house.

Mr. VARNER. Mr. Speaker, perhaps if we keep this up until dinner time we may turn up a mink coat.

Mr. BOLTON. Mr. Speaker, I would like to interrogate the gentleman from Washington, Mr. Williams.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. WILLIAMS. I shall, Mr. Speaker.

Mr. BOLTON. Has the gentleman ever been in Montgomery County?

Mr. WILLIAMS. Montgomery County? No I have not.

Mr. BOLTON. As a representative of the party of Alger Hiss, William Remington and the \$7840 royal pastel mink coat would you tell me then on what basis you included Montgomery in your list of racket infested territories?

Mr. WILLIAMS. Mr. Speaker, I did not say anything about Montgomery being racket infested at all. I would not say anything here to embarrass any Member of this House. I said that if there is going to be an investigation, it should be general, and it should be in the more heavily populated counties, because I do not think the rural counties have it.

Mr. BOLTON. Mr. Speaker, the gentleman can come down to Montgomery County any time. We would be glad to see him there. I thank the gentleman.

Mr. WILLIAMS. I do not know a thing about your County, brother.

Mr. TOMPKINS. Mr. Speaker, there has flared out on the floor today something that was the basis for which I introduced a resolution in this House earlier in this session to create a "little Kefauver Committee," not to investigate Philadelphia, not to investigate just the Republican counties in the state of Pennsylvania, not to investigate just the Democratic counties in the state of Pennsylvania, but to give to the people of Pennsylvania an opportunity to have cleared up for them the things which were exposed by the Kefauver Committee, and which in my opinion now fall back into the hands of our local governments.

The Kefauver Committee has taken that position. They feel that they have opened the door, that it now remains for the local setup and local governments to go inside that door and clean out the rooms that exist in there so far as graft, corruption, gambling, vice and racketeering are concerned. I have heard these things talked about and discussed from time to time. I have had my experiences in that respect as a Legislator in the last three sessions. I know what the people are thinking along these lines because I have received many communications to that effect. We are now not here to make political capital for the Democrats nor political capital for the Republicans. We are here if anything of this kind is going on in the Commonwealth of Pennsylvania, to stamp it out. There is no place for it and there is no room for it in the Commonwealth of Pennsylvania.

We have been arguing on a deficiency appropriation for the Department of Justice which I think has no relation to a lot of the arguments that have taken place on the floor of this House this afternoon on this measure.

However, inasmuch as this question has come up, I want to call your attention to the stand that I have taken on this side of the House in that respect, and I feel that the administration will go along to the extent that where these matters are pointed out to it, they will be taken care of even to the extent of setting up the necessary investigating committees if that is found necessary.

I propose to follow that up and I have in my hands here now the information in connection with the crime committee which has been setup in the State of New York. I propose to follow with a bill in this Legislature asking that a similar crime commission be setup in this state for the purposes of following through in connection with the various charges and counter charges referred to on all of these issues.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Buchlin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Westcott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, R. A.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 12, as follows:

An Act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws

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The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

ARTICLE I

PRELIMINARY PROVISIONS

Section 101 Short Title This act shall be known and may be cited as the "Liquor Code"

Section 102 Definitions The following words or phrases unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

"Alcohol" shall mean ethyl alcohol of any degree of proof originally produced by the distillation of any fermented liquid whether rectified or diluted with or without water whatever may be the origin thereof and shall include synthetic ethyl alcohol but shall not mean or include ethyl alcohol whether or not diluted that has been denatured or otherwise rendered unfit for beverage purposes

"Association" shall mean a partnership limited partnership or any form of unincorporated enterprise owned by two or more persons

"Board" shall mean the Pennsylvania Liquor Control Board

"Bonded warehouse" shall mean and include all places and warehouses legally established under the provisions of the acts of Congress and the administrative provisions of the internal revenue laws of the Government of the United States of America for the storage concentration distribution and holding in bond (a) of whiskey and any other potable distilled spirits except ethyl alcohol when used in Article VII entitled "Distillery Bonded Warehouse Certificates" and (b) of alcohol or liquor when otherwise used

"Club" shall mean any reputable group of individuals associated together not for profit for legitimate purposes of mutual benefit entertainment fellowship or lawful convenience having some primary interest and activity to which the sale of liquor or malt and brewed beverages shall be only secondary which if incorporated has been in continuous existence and operation for at least one year and if first licensed after June sixteenth one thousand nine hundred thirty-seven shall have been incorporated in this Commonwealth and if unincorporated for at least ten years immediately preceding the date of its application for a license under this act and which regularly occupies as owner or lessee a clubhouse or quarters for the use of its members Continuous existence must be proven by satisfactory evidence The board shall refuse to issue a license if it appears that the charter is not in possession of the original incorporators or their direct or legitimate successors The club shall hold regular meetings conduct its business through officers regularly elected admit members by written application investigation and ballot and charge and collect dues from elected members and maintain such records as the board shall from time to time prescribe but any such club may waive or reduce in amount or pay from its club funds the dues of any person who was a member at the time he was inducted into the military service of the United States or was enrolled in the armed forces of the United States pursuant to any selective service act during the time of the members' actual service or enrollment

"Container" shall mean and include any receptacle vessel or form of package tank vat cask barrel drum keg can bottle or conduit used or capable of use for holding storing transferring or shipment of alcohol liquor or malt or brewed beverages

"Corporation" shall mean a corporation or joint-stock association organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency

"Denatured alcohol" shall mean and include all alcohol or any compound thereof which by the admixture of such denaturing material or materials is rendered unfit for use as a beverage

"Denaturing plant" shall mean and include the premises of a distillery used exclusively for the denaturation of alcohol either specially or completely by the admixture of such denaturing materials as shall render the alcohol or any compound in which it is authorized to be used unfit for use as a beverage

"Distillery" shall mean and include any premises or plant wherein alcohol or liquor is manufactured made and distilled from raw materials blended or rectified or any place wherein alcohol or liquor is manufactured made and distilled from raw materials blended or rectified or any place wherein alcohol or liquor is produced by any method suitable for the production of alcohol The term

shall not include a "winery" where alcohol is derived from by-products of wine production by distillation for the sole purpose of adding to the fermented products to fortify the same

"Distillery Bonded Warehouse Certificate" shall mean a certificate receipt contract or other document given upon the storage of whiskey or any other potable distilled spirits except ethyl alcohol in a bonded warehouse and evidencing the ownership of such whiskey or other potable distilled spirits

"Distillery certificate broker" shall mean and include every person who engages directly or through an agent in selling purchasing exchanging offering for sale or delivery or entering into agreements for the purchase sale or exchange or soliciting subscriptions to or orders for or undertaking to dispose of or dealing in any manner in distillery bonded warehouse certificates

"Distributor" shall mean any person licensed by the board to engage in the purchase only from Pennsylvania manufacturers and from importing distributors and the resale of malt or brewed beverages except to importing distributors and distributors in the original sealed containers as prepared for the market by the manufacturer at the place of manufacture but not for consumption on the premises where sold and in quantities of not less than a case of twenty-four containers each container holding seven fluid ounces or more or a case of twelve containers each container holding twenty-four fluid ounces or more

"Eating place" shall mean a premise where food is regularly and customarily prepared and sold having a total area of not less than three hundred square feet available to the public in one or more rooms other than living quarters and equipped with tables and chairs accommodating thirty persons at one time

"Hotel" shall mean any reputable place operated by responsible persons of good reputation where the public may for a consideration obtain sleeping accommodations and meals and which in a city has at least ten and in any other place at least six permanent bedrooms for the use of guests a public dining room or rooms operated by the same management accommodating at least thirty persons at one time and a kitchen apart from the public dining room or rooms in which food is regularly prepared for the public

"Importing distributor" shall mean any person licensed by the board to engage in the purchase from manufacturers and other persons located outside this Commonwealth and from persons licensed as manufacturers of malt or brewed beverages and importing distributors under this act and the resale of malt or brew beverages in the original sealed containers as prepared for the market by the manufacturer at the place of manufacture but not for consumption on the premises where sold and in quantities of not less than a case of twenty-four containers each container holding seven fluid ounces or more or a case of twelve containers each container holding twenty-four fluid ounces or more

"Liquor" shall mean and include any alcoholic spirituous vinous fermented or other alcoholic beverage or combination of liquors and mixed liquor a part of which is spirituous vinous fermented or otherwise alcoholic including all drinks or drinkable preparations or mixtures and reused recovered or redistilled denatured alcohol usable or taxable for beverage purposes which contain more than one-half of one per cent of alcohol by volume except pure ethyl alcohol and malt or brewed beverages

"Malt or Brewed Beverages" means any beer lager beer ale porter or similar fermented malt beverage containing one-half of one per centum or more of alcohol by volume by whatever name such beverage may be called

"Manufacture" when the term is applied to malt or brewed beverages shall mean and include all means methods and processes used employed and made use of to produce make and manufacture for commercial purposes malt or brewed beverages from raw materials when applied otherwise it shall mean and include all means methods and processes used employed and made use of to produce and make alcohol or liquor from raw

materials and shall mean and include rectification and blending of alcohol and liquor the production recovery or reuse of alcohol in the making developing using the process of manufacture denaturing redistilling or recovering of any alcohol or liquor in distilleries denaturing plants and wineries

"Manufacturer" shall mean any person association or corporation engaged in the producing manufacturing distilling rectifying or compounding of liquor alcohol or malt or brewed beverages in this Commonwealth or elsewhere

"Manufacturer of malt or brewed beverages" shall mean any person holding a license issued by the board to engage in the manufacture transportation and sale of malt or brewed beverages also any person engaged in the legal manufacture of malt or brewed beverages within the territorial limits of the United States outside the Commonwealth of Pennsylvania

"Municipality" shall mean any city borough incorporated town or township of this Commonwealth

"Official Seal" shall mean and include any insignia approved by the board that is required to be affixed to a package as herein defined

"Original container" shall mean all bottles casks kegs or other suitable containers that have been securely capped sealed or corked by the manufacturer of malt or brewed beverages at the place of manufacture with the name and address of the manufacturer of the malt or brewed beverages contained or to be contained therein permanently affixed to the bottle cask keg or other container or in the case of a bottle or can to the cap or cork used in sealing the same or to a label securely affixed to a bottle or can

"Package" shall mean any container or containers or receptacle or receptacles used for holding liquor or alcohol as marketed by the manufacturer

"Person" shall mean a natural person association or corporation Whenever used in a clause prescribing or imposing a fine of imprisonment or both the term "person" as applied to "association" shall mean the partners or members thereof and as applied to "corporation" shall mean the officers thereof except as to incorporated clubs the term "person" shall mean such individual or individuals who under the by-laws of such club shall have jurisdiction over the possession and sale of liquor therein

"Population" shall mean the population as determined by the last preceding decennial census of the United States

"Potable distilled spirits" shall mean and include any distillate from grains wine fruits vegetables or molasses except ethyl alcohol capable of being used for beverage purposes

"Regulation" shall mean any regulation prescribed by the board for carrying out the provisions of this act

"Restaurant" shall mean a reputable place operated by responsible persons of good reputation and habitually and principally used for the purpose of providing food for the public the place to have an area within a building of not less than four hundred square feet equipped with tables and chairs accommodating at least thirty persons at one time

"Retail dispenser" shall mean any person licensed to engage in the retail sale of malt or brewed beverages for consumption on the premises of such licensee with the privilege of selling malt or brewed beverages in quantities not in excess of one hundred forty-four fluid ounces in a single sale to one person to be carried from the premises by the purchaser thereof

"Sale" or "Sell" shall include any transfer of liquor alcohol or malt or brewed beverages for a consideration

"Whiskey" shall mean and include any alcoholic distillate from a fermented mash of grain capable of being used for beverage purposes

"Winery" shall mean and include any premises and plants where any alcohol or liquor is produced by the process by which wine is produced or premises and plants wherein liquid such as wine is produced And shall include the manufacture by distillation of alcohol from the by-products of wine fermentation when the alcohol so

derived is used solely to fortify the fermented products under such regulations as are or may be promulgated by the proper agency of the United States Government and such alcohol for that purpose only may be sold or exchanged between wineries holding permits in this Commonwealth without restriction

Section 103 Saving Clause The provisions of this act so far as they are the same as those of existing laws are intended as a continuation of such laws and not as new enactments The repeal by this act of any act of Assembly or part thereof shall not revive any act or part thereof heretofore repealed or superseded The provisions of this act shall not affect any act done liability incurred or right accrued or vested or affect any suit or prosecution pending or to be instituted to enforce any right or penalty or punish any offense under the authority of such repealed laws All regulations and rules made and all licenses and permits issued pursuant to any act repealed by this act shall continue with the same force and effect as if such act had not been repealed

Section 104 Interpretation of Act (a) This act shall be deemed an exercise of the police power of the Commonwealth for the protection of the public welfare health peace and morals of the people of the Commonwealth and to prohibit forever the open saloon and all of the provisions of this act shall be liberally construed for the accomplishment of this purpose

(b) The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

(c) Except as otherwise expressly provided the purpose of this act is to prohibit the manufacture of and transactions in liquor alcohol and malt or brewed beverages which take place in this Commonwealth except by and under control of the board as herein specifically provided and every section and provision of the act shall be construed accordingly The provisions of this act dealing with the manufacture importation sale and disposition of liquor alcohol and malt beverages within the Commonwealth through the instrumentality of the board and otherwise provide the means by which such control shall be made effective This act shall not be construed as forbidding affecting or regulating any transaction which is not subject to the legislative authority of this Commonwealth

(d) Any reference in this act to the provisions of law on any subject shall apply to statutes becoming effective after the effective date of this act as well as to those then in existence

(e) Section headings shall not be taken to govern or limit the scope of the sections of this act The singular shall include the plural and the masculine shall include the feminine and neuter

ARTICLE II

PENNSYLVANIA LIQUOR CONTROL BOARD

Section 201 Appointment of Members Terms Salaries An independent administrative board to be known as the "Pennsylvania Liquor Control Board" is hereby created The board shall consist of three members to be appointed by the Governor by and with the advice and consent of two-thirds of all the members of the Senate Of the original members one shall be appointed for a term of two years one for a term of four years and one for a term of six years from the date of his appointment and until his successor shall have been appointed and qualified Thereafter all appointments shall be for terms of six years or until successors are appointed and qualified Each member of the board shall receive an annual salary as fixed by law

Section 202 Qualifications of Members Each member of the board at the time of his appointment and qualification shall be a citizen of the United States and a resident of the Commonwealth of Pennsylvania shall have been a

qualified elector in the Commonwealth for a period of at least one year next preceding his appointment and shall be not less than thirty years of age

No member of the board during his period of service as such shall hold any other office under the laws of this Commonwealth or of the United States

Section 203 Chairman of Board The board shall elect one of its members as chairman The chairman shall when present preside at all meetings and in his absence a member designated by the chairman shall preside

Two members of the board shall constitute a quorum and any action or order of the board shall require the approval of at least two members

Section 204 Secretary of Board The board may appoint a secretary to hold office at its pleasure The secretary if appointed shall have such powers and shall perform such duties not contrary to law as the board shall prescribe and shall receive such compensation as the board with the approval of the Governor shall determine The secretary shall have power and authority to designate from time to time one of the clerks appointed by the board to perform the duties of the secretary during his absence and the clerk so appointed shall exercise for the time so designated the powers of the secretary of the board

Section 205 Bonds Required of Members and Secretary Before entering upon the duties of their respective offices or positions each member of the board and the secretary shall execute and file with the State Treasurer a bond in such penal sum as shall be fixed by the Executive Board of this Commonwealth upon recommendation of the Governor but the amount of any such bond shall not be less than ten thousand dollars (\$10,000) Bonds in such penal sums as shall be fixed by the Executive Board likewise shall be executed and filed with the State Treasurer by such employees of the Pennsylvania Liquor Control Board as the head of such board shall with the approval of the Executive Board prescribe Such bonds shall be payable to the Commonwealth of Pennsylvania and shall be conditioned for the faithful performance of the members' secretary's or employees' duties imposed by law or by lawful authority and that the person bonded will not knowingly violate the provisions of this act All bonds required to be given under this section shall before being accepted by the State Treasurer be approved by the Department of Justice and unless the Commonwealth shall establish its own indemnity fund all such bonds shall be given with security approved by the Department of Justice If the Commonwealth shall establish its own indemnity fund the Executive Board may nevertheless require any bond given hereunder to be executed by a surety or sureties satisfactory to the Department of Justice The cost of such bonds require to be executed by a surety or sureties shall be borne by the board as part of its operating expense

Section 206 Board Subject to Administrative Code Except as otherwise expressly provided by law the board shall be subject to all the provisions of The Administrative Code of one thousand nine hundred twenty-nine as amended which apply generally to independent administrative boards and commissions

Section 207 General Powers of Board Under this act the board shall have the power and its duty shall be

(a) To buy import or have in its possession for sale and sell liquor and alcohol in the manner set forth in this act

Provided however That all purchases shall be made subject to the approval of the Auditor General or his designated deputy

(b) To control the manufacture possession sale consumption importation use storage transportation and delivery of liquor alcohol and malt or brewed beverages in accordance with the provisions of this act and to fix the wholesale and retail prices at which liquors and alcohol shall be sold at Pennsylvania liquor stores Provided That in fixing sale prices the board shall not give any preference or make any discrimination as to classes brands or otherwise except where special sales are deemed neces-

sary to move unsaleable merchandise The board shall require each Pennsylvania manufacturer and each non-resident manufacturer of liquors other than wine selling such liquors to the board which are not manufactured in this Commonwealth to make application for and be granted a permit by the board before such liquors not manufactured in this Commonwealth shall be purchased from such manufacturer Each such manufacturer shall pay for such permit a fee which in the case of a manufacturer of this Commonwealth shall be equal to that required to be paid if any by a manufacturer or wholesaler of the state territory or country of origin of the liquors for selling liquors manufactured in Pennsylvania and in the case of a nonresident manufacturer shall be equal to that required to be paid if any in such state territory or country by Pennsylvania manufacturers doing business in such state territory or country In the event that any such manufacturer shall in the opinion of the board sell or attempt to sell liquors to the board through another person for the purpose of evading this provision relating to permits the board shall require such person before purchasing liquors from him or it to take out a permit and pay the same fee as hereinbefore required to be paid by such manufacturer All permit fees so collected shall be paid into the State Stores Fund The board shall not purchase any alcohol or liquor fermented distilled rectified compounded or bottled in any state territory or country the laws of which result in prohibiting the importation therein of alcohol or liquor fermented distilled rectified compounded or bottled in Pennsylvania

(c) To determine the municipalities within which Pennsylvania Liquor Stores shall be established and the locations of the stores within such municipalities

(d) To grant issue suspend and revoke all licenses and permits authorized to be issued under this act and the regulations of the board

(e) Through the Department of Property and Supplies as agent to lease and furnish and equip such buildings rooms and other accommodations as shall be required for the operation of this act

(f) To appoint fix the compensation and define the powers and duties of such managers officers inspectors examiners clerks and other employees as shall be required for the operation of this act subject to the provisions of The Administrative Code of 1929 and the Civil Service Act

(g) To determine the nature form and capacity of all packages and original containers to be used for continuing liquor alcohol or malt or brewed beverages

(h) Without in any way limiting or being limited by the foregoing to do all such things and perform all such acts as are deemed necessary or advisable for the purpose of carrying into effect the provisions of this act and the regulations made thereunder

(i) From time to time to make such regulations not inconsistent with this act as it may deem necessary for the efficient administration of this act The board shall cause such regulations to be published and disseminated throughout the Commonwealth in such manner as it shall deem necessary and advisable or as may be provided by law Such regulations adopted by the board shall have the same force as if they formed a part of this act

Section 208 Specific Subjects on Which Board May Adopt Regulations Subject to the provisions of this act and without limiting the general power conferred by the preceding section the board may make regulations regarding

(a) The equipment and management of Pennsylvania Liquor Stores and warehouses in which liquor and alcohol are kept or sold and the books and records to be kept therein

(b) The duties and conduct of the officers and employees of the board

(c) The purchase as provided in this act of liquor and alcohol and its supply to Pennsylvania Liquor Stores

(d) The classes varieties and brands of liquor and alcohol to be kept and sold in Pennsylvania Liquor Stores

(e) The issuing and distribution of price lists for the

various classes varieties or brands of liquor and alcohol kept for sale by the board under this act

(f) The sealing and labeling of liquor and alcohol sold under this act and of liquor and alcohol lawfully acquired by any person prior to January first one thousand nine hundred thirty-four

(g) Forms to be used for the purposes of this act

(h) The issuance of licenses and permits and the conduct management sanitation and equipment of places licensed or included in permits

(i) The place and manner of depositing the receipts of Pennsylvania Liquor Stores and the transmission of balances to the Treasury Department through the Department of Revenue

(j) The solicitation by resident or nonresident vendors of liquor from Pennsylvania licensees and other persons of orders for liquor to be sold through the Pennsylvania Liquor Stores and in the case of nonresident vendors the collection therefrom of license fees for such privilege at the same rate as provided herein for importer's licenses

Section 209 Officers and Investigators of the Board to be Peace Officers Powers Such employees of the board as are designated "enforcement officers" or "investigators" are hereby declared to be peace officers and are hereby given police power and authority throughout the Commonwealth to arrest on view except in private homes without warrant any person actually engaged in the unlawful sale importation manufacture transportation or having unlawful possession of liquor alcohol or malt or brewed beverages contrary to the provisions of this act or any other law of this Commonwealth Such officers and investigators shall have power and authority upon reasonable and probable cause to search for and to seize without warrant or process except in private homes any liquor alcohol and malt or brewed beverages unlawfully possessed manufactured sold imported or transported and any stills equipment materials utensils vehicles boats vessels animals aircraft or any of them which are or have been used in the unlawful manufacture sale importation or transportation of the same Such liquor alcohol malt or brewed beverages stills equipment materials utensils vehicles boats vessels animals or aircraft so seized shall be disposed of as hereinafter provided

Section 210 Restrictions on Members of the Board and Employees of Commonwealth (a) A member or employee of the board shall not be directly or indirectly interested or engaged in any other business or undertaking dealing in liquor alcohol or malt or brewed beverages whether as owner part owner partner member of syndicate shareholder agent or employee and whether for his own benefit or in a fiduciary capacity for some other person

(b) No member or employee of the board nor any employee of the Commonwealth shall solicit or receive directly or indirectly any commission remuneration or gift whatsoever from any person having sold selling or offering liquor or alcohol for sale to the board for use in Pennsylvania Liquor Stores

ARTICLE III

PENNSYLVANIA LIQUOR STORES

Section 301 Board to Establish State Liquor Stores The board shall establish operate and maintain at such places throughout the Commonwealth as it shall deem essential and advisable stores to be known as "Pennsylvania Liquor Stores" for the sale of liquor and alcohol in accordance with the provisions of and the regulations made under this act When the board shall have determined upon the location of a liquor store in any municipality it shall give notice of such location by public advertisement in two newspapers of general circulation and no other advertisement of any kind or description shall be required any law to the contrary notwithstanding If within five days after the appearance of such advertisement fifteen or more taxpayers residing within a quarter of a mile of such location shall file a protest with the court of quarter sessions of the county averring that the location is objectionable because of its proximity to a church a school

or to private residences the court shall forthwith hold a hearing affording an opportunity to the protestants and to the board to present evidence The court shall render its decision immediately upon the conclusion of the testimony and from the decision there shall be no appeal If the court shall determine that the proposed location is undesirable for the reasons set forth in the protest the board shall abandon it and find another location The board may establish operate and maintain such establishments for storing and testing liquors as it shall deem expedient to carry out its powers and duties under this act

The board may lease the necessary premises for such stores or establishments but all such leases shall be made through the Department of Property and Supplies as agent of the board The board through the Department of Property and Supplies shall have authority to purchase such equipment and appointments as may be required in the operation of such stores or establishments

Section 302 Selection of Personnel Officers and employees of the board except as herein otherwise provided shall be appointed and employed subject to the provisions of the Civil Service Act

Section 303 Management of Pennsylvania Liquor Stores Every Pennsylvania Liquor Store shall be conducted by a person appointed in the manner provided in the Civil Service Act who shall be known as the "manager" and who shall under the directions of the board be responsible for carrying out the provisions of this act and the regulations adopted by the board under this act as far as they relate to the conduct of such stores

Section 304 When Sales May Be Made at Pennsylvania Liquor Stores Every Pennsylvania Liquor Store shall be open for business week days except legal holidays or any day on which a general municipal special or primary election is being held during such hours as the board in its discretion shall determine but shall not be open longer than fourteen hours in any one day nor later than eleven o'clock post-meridian The board may with the approval of the Governor temporarily close any store in any municipality

Section 305 Sales by Pennsylvania Liquor Stores (a) Every Pennsylvania Liquor Store shall keep in stock for sale such classes varieties and brands of liquor and alcohol as the board shall prescribe If any person shall desire to purchase any class variety or brand of liquor or alcohol which any such store does not have in stock it shall be the duty of such store immediately to order the same upon the payment of a reasonable deposit by the purchaser in such proportion of the approximate cost of the order as shall be prescribed by the regulations of the board The customer shall be notified immediately upon the arrival of the goods

Unless the customer pays for and accepts delivery of any such special order within five days after notice of arrival the store may place it in stock for general sale and the customer's deposit shall be forfeited

(b) Every Pennsylvania Liquor Store shall sell liquors at wholesale to hotels restaurants clubs and railroad pullman and steamship companies licensed under this act and under the regulations of the board to pharmacists duly licensed and registered under the laws of the Commonwealth and to manufacturing pharmacists and to reputable hospitals approved by the board or chemists The board may sell to registered pharmacists only such liquors as conform to the Pharmacopoeia of the United States the National Formulary or the American Homeopathic Pharmacopoeia All other sales by such stores shall be at retail No liquor shall be sold except for cash except that the board may by regulation authorize the acceptance of checks for liquor sold at wholesale The board shall have power to designate certain stores for wholesale or retail sales exclusively

(c) When any checks issued in payment of liquor or alcohol purchased from State Liquor Stores by persons holding wholesale purchase permit cards issued by the board shall be returned to the board as dishonored the board shall charge a fee of five dollars per hundred dollars or fractional part thereof plus all protest fees to the

maker of such check submitted to the board Failure to pay the face amount of the check in full and all charges thereon as herein required within ten days after demand has been made by the board upon the maker of the check shall be cause for revocation or suspension of any license issued by the board to the person who issued such check and the cancellation of the wholesale purchase permit card held by such person

(d) No liquor or alcohol shall be sold to any purchaser except in a package bearing the official seal of the board required by this act which package shall not be opened on the premises of a Pennsylvania Liquor Store No manager or other employe of the board employed in a Pennsylvania Liquor Store shall allow any liquor or alcohol to be consumed on the store premises nor shall any person consume any liquor or alcohol on such premises

(e) The board may sell tax exempt alcohol to the Commonwealth of Pennsylvania and to persons to whom the board shall by regulation to be promulgated by it issue special permits for the purpose of such tax exempt alcohol

Such permits may be issued to the United States or any governmental agency thereof to any university or college of learning any laboratory for use exclusively in scientific research any hospital sanatorium eleemosynary institution or dispensary to physicians dentists veterinarians and pharmacists duly licensed and registered under the laws of the Commonwealth of Pennsylvania to manufacturing chemists and pharmacists or other persons for use in the manufacture or compounding or preparations unfit for beverage purposes

(f) Every purchaser of liquor or alcohol from a Pennsylvania Liquor Store shall receive a numbered receipt which shall show the brand of liquor and alcohol the price paid therefor and such other information as the board may prescribe Copies of all receipts issued by a Pennsylvania Liquor Store shall be retained by and shall form part of the records of such store

(g) The board is hereby authorized and empowered to adopt and enforce appropriate rules and regulations to insure the equitable wholesale and retail sale and distribution through the Pennsylvania Liquor stores of available liquor and alcohol at any time when the demand therefor is greater than the supply

Section 306 Audits by Auditor General It shall be the duty of the Department of the Auditor General to make all audits which may be necessary in connection with the administration of the financial affairs of the board and the Pennsylvania Liquor Stores operated and maintained by the board

At least one audit shall be made each year of the affairs of the board and all collections made by the Pennsylvania Liquor Stores shall be audited quarterly

Special audits of the affairs of the board and the Pennsylvania Liquor Stores maintained and operated by the board may be made whenever they may in the judgment of the Auditor General appear necessary and shall be made whenever the Governor shall call upon the Auditor General to make them

Copies of all audits made by the Department of the Auditor General shall be promptly submitted to the board and to the Governor

Unless the Department of the Auditor General shall neglect or refuse to make annual quarterly or special audits as hereinabove required it shall be unlawful for the board to expend any money appropriated to it by the General Assembly for any audit of its affairs except for the payment of the compensation and expenses of such auditors as are regularly employed as part of the administrative staff of the board

ARTICLE IV

LICENSES AND REGULATIONS LIQUOR ALCOHOL AND MALT AND BREWED BEVERAGES

(A) Liquor and Alcohol (Not Including Manufacturers)

Section 401 Authority to Issue Liquor Licenses to Hotels Restaurants and Clubs (a) Subject to the provisions of

this act and regulations promulgated under this act the board shall have authority to issue a retail liquor license for any premises kept or operated by a hotel restaurant or club and specified in the license entitling the hotel restaurant or club to purchase liquor from a Pennsylvania Liquor Store and to keep on the premises such liquor and subject to the provisions of this act and the regulations made thereunder to sell the same and also malt or brewed beverages to guests patrons or members for consumption on the hotel restaurant or club premises Such licensees other than clubs shall be permitted to sell malt or brewed beverages for consumption off the premises where sold in quantities of not more than one hundred forty-four fluid ounces in a single sale to one person Such licensee shall be known as hotel liquor licenses restaurant liquor licenses and club liquor licenses respectively No person who holds either by appointment or election any public office which involves the duty to enforce any of the penal laws of the United States of America or the penal laws of the Commonwealth of Pennsylvania or any penal ordinance or resolution of any political subdivision of this Commonwealth shall be issued any hotel or restaurant liquor license nor shall such a person have any interest directly or indirectly in any such license

(b) The board may issue to any club which caters to groups of non-members either privately or for functions a catering license and the board shall by its rules and regulations define what constitutes catering under this subsection

Section 402 License Districts License Year Hearings The board shall by regulation divide the State into convenient license districts and shall hold hearings on applications for licenses and renewals thereof as it deems necessary at a convenient place or places in each of said districts at such times as it shall fix by regulation for the purpose of hearing testimony for and against applications for new licenses and renewals thereof The board may provide for the holding of such hearings by examiners learned in the law to be appointed by the Governor who shall not be subject to the "Civil Service Act" Such examiners shall make report to the board in each case with their recommendations The board shall by regulation fix the license year for each separate district so that the expiration dates shall be uniform in each of the several districts but staggered as to the State

Section 403 Applications for Hotel Restaurant and Club Liquor Licenses (a) Every applicant for a hotel liquor license restaurant liquor license or club liquor license shall file a written application with the board in such form and containing such information as the board shall from time to time prescribe which shall be accompanied by a filing fee of ten dollars the prescribed license fee and the bond hereinafter specified Every such application shall contain a description of that part of the hotel restaurant or club for which the applicant desires a license and shall set forth such other material information description or plan of that part of the hotel restaurant or club where it is proposed to keep and sell liquor as may be required by the regulations of the board

(b) If the applicant is a natural person his application must show that he is a citizen of the United States and has been a resident of this Commonwealth for at least two years immediately preceding his application

(c) If the applicant is a corporation the application must show that the corporation was created under the laws of Pennsylvania or holds a certificate of authority to transact business in Pennsylvania that all officers directors and stockholders are citizens of the United States and that the manager of the hotel restaurant or club is a citizen of the United States

(d) Each application shall be signed and verified by oath or affirmation by the owner if a natural person or in the case of an association by a member or partner thereof or in the case of a corporation by an executive officer thereof or any person specifically authorized by the corporation to sign the application to which shall be attached written evidence of his authority

(e) If the applicant is an association the application shall set forth the names and addresses of the persons constituting the association and if a corporation the names and addresses of the principal officers thereof. Every club applicant shall file with and as a part of its application a list of the names and addresses of its members directors officers agent and employes together with the dates of their admission election or employment and such other information with respect to its affairs as the board shall require.

(f) The board shall refuse to issue licenses to clubs when it appears that the operation of the licensed business would inure to the benefit of individual members officers agents or employes of the club rather than to the benefit of the entire membership of the club.

(g) Every applicant for a new license or for the transfer of an existing license to another premises not then licensed shall post for a period of at least fifteen days beginning with the day the application is filed with the board in a conspicuous place on the outside of the premises for which the license is applied a notice of such application in such form of such size and containing such provisions as the board may require by its regulations. Proof of the posting of such notice shall be filed with the board.

(h) If any false statement is intentionally made in any part of the application the affiant shall be deemed guilty of a misdemeanor and upon conviction shall be subject to the penalties provided by this article.

Section 404 Issuance of Hotel Restaurant and Club Liquor Licenses Upon receipt of the application the proper fees and bond and upon being satisfied of the truth of the statements in the application that the applicant is the only person in any manner pecuniarily interested in the business so asked to be licensed and that no other person will be in any manner pecuniarily interested therein during the continuance of the license except as hereinafter permitted and that the applicant is a person of good repute that the premises applied for meet all the requirements of this act and the regulations of the board that the applicant seeks a license for a hotel restaurant or club as defined in this act and that the issuance of such license is not prohibited by any of the provisions of this act the board shall in the case of a hotel or restaurant grant and issue to the applicant a liquor license and in the case of a club may in its discretion issue or refuse a license. Provided however That in the case of any new license or the transfer of any license to a new location the board may in its discretion grant or refuse such new license or transfer if such place proposed to be licensed is within three hundred feet of any church hospital charitable institution school or public playground or if such new license or transfer is applied for a place where the principal business is the sale of liquid fuels and oil. And provided further That the board shall not issue new licenses in any license district more than twice each license year effective from specific dates fixed by the board and new licenses shall not be granted unless the application therefor shall have been filed at least thirty days before the effective date of the license.

Section 405 License Fees (a) License fees for hotel and restaurant liquor licenses shall be graduated according to the population of the municipality as determined by the last preceding decennial census of the United States in which the hotel or restaurant is located as follows:

In municipalities having a population of less than fifteen hundred inhabitants one hundred fifty dollars (\$150.00).

In municipalities except townships having a population of fifteen hundred and more but less than ten thousand inhabitants and in townships having a population of fifteen hundred and more but less than twelve thousand inhabitants two hundred dollars (\$200.00).

In municipalities except townships having a population of ten thousand and more but less than fifty thousand inhabitants and in townships having a population of twelve thousand and more but less than fifty thousand inhabitants three hundred dollars (\$300.00).

In those having a population of fifty thousand or more but less than one hundred thousand inhabitants four hundred dollars (\$400.00).

In those having a population of one hundred thousand and more but less than one hundred fifty thousand inhabitants five hundred dollars (\$500.00).

In those having a population of one hundred fifty thousand and more inhabitants six hundred dollars (\$600.00).

(b) Every applicant for a club liquor license shall pay to the board a license fee of fifty dollars (\$50.00) except clubs to which catering licenses are issued in which cases the license fees shall be the same as for hotels and restaurants located in the same municipality.

(c) All license fees authorized under this section shall be collected by the board for the use of the municipalities in which such fees were collected.

Section 406 Sales by Liquor Licensees Restrictions Every hotel restaurant or club licensee may sell liquor and malt or brewed beverages by the glass open bottle or other container and in any mixture for consumption only in that part of the hotel or restaurant habitually used for the serving of food to guests or patrons and in the case of hotels to guests and in the case of clubs to members in their private rooms in the hotel or club. No club licensee nor its officers servants agents or employes other than one holding a catering license shall sell any liquor or malt or brewed beverages to any person except a member of the club. No club holding a catering license nor its officers servants agents or employes shall sell on Sunday to nonmembers any liquor or malt or brewed beverages. In the case of a restaurant located in a hotel which is not operated by the owner of the hotel and which is licensed to sell liquor under this act liquor and malt or brewed beverages may be sold for consumption in that part of the restaurant habitually used for the serving of meals to patrons and also to guests in private guests rooms in the hotel.

Hotel restaurant and public service liquor licensees their servants agents or employes may sell liquor and malt or brewed beverages only after seven o'clock antemeridian of any week day and until two o'clock antemeridian of the following week day, and shall not sell on Sunday or after two o'clock antemeridian on any day on which a general municipal special or primary election is being held until one hour after the time fixed by law for closing the polls. No club licensee or its servants agents or employes may sell liquor or malt or brewed beverages between the hours of three o'clock antemeridian and seven o'clock antemeridian on any day.

Section 407 Sale of Malt or Brewed Beverages by Liquor Licensees Every liquor license issued to a hotel restaurant club or a railroad pullman or steamship company under this subdivision (A) for the sale of liquor shall authorize the licensee to sell malt or brewed beverages at the same places but subject to the same restrictions and penalties as apply to sales of liquor except that licensees other than clubs may sell malt or brewed beverages for consumption off the premises where sold in quantities of not more than one hundred forty-four fluid ounces in a single sale to one person. No licensee under this subdivision (A) shall at the same time be the holder of any other class of license except a retail dispensers license authorizing the sale of malt or brewed beverages only.

Section 408 Public Service Liquor Licenses (a) Subject to the provisions of this act and regulations promulgated under this act the board upon application shall issue retail liquor licenses to railroad or pullman companies permitting liquor and malt or brewed beverages to be sold in dining club or buffet cars to passengers for consumption while en route on such railroad and may issue retail liquor licenses to steamship companies permitting liquor or malt or brewed beverages to be sold in the dining compartments of steamships or vessels wherever operated in the Commonwealth except when standing or moored in stations terminals or docks within a municipality wherein sales of liquor for consumption on the premises are prohibited. Such licenses shall be known as public service liquor licenses. The board may issue a master

license to railroad or pullman companies to cover the maximum number of cars which the company shall estimate that it will operate within the Commonwealth on any one day. Such licensees shall file monthly reports with the board showing the maximum number of cars operated in any one day during the preceding month and if it appears that more cars have been operated than covered by its license it shall forthwith remit to the boards the sum of twenty dollars for each extra car so operated.

(b) For the purpose of considering an application by a steamship company for a public service liquor license the board may cause an inspection of the steamship or vessel for which a license is desired. The board may in its discretion grant or refuse the license applied for and there shall be no appeal from its decision except that an action of mandamus may be brought against the board in the manner provided by law.

(c) Every applicant for a public service liquor license shall before receiving such license file with the board a surety bond as hereinafter prescribed payable to the board for each of the maximum number of dining club or buffet cars which the applicant estimates it will have in operation on any one day an annual fee of twenty dollars (\$20.00) and for each steamship or vessel for which a license is desired an annual fee of one hundred dollars (\$100.00).

(d) Unless previously revoked every license issued by the board under this section shall expire and terminate on the thirty-first day of December in the year for which the license is issued. Licenses issued under the provisions of this section shall be renewed annually as herein provided upon the filing of applications in such form as the board shall prescribe but no license shall be renewed until the applicant shall file with the board a new surety bond and shall pay the requisite license fee specified in this section.

(e) Sales of liquor and malt or brewed beverages by the aforesaid public service company licensees shall be made in accordance with and shall be subject to the provisions of this act relating to the sale of liquors by restaurant licensees.

Section 409 Sacramental Wine Licenses Fees Privileges Restrictions (a) Subject to the provisions of this act in general and more particularly to the following provisions of this section the board shall issue sacramental wine licenses to qualified applicants.

(b) Every applicant for a sacramental wine license shall file a written application with the board in such form as the board shall from time to time prescribe which shall be accompanied by a filing fee of ten dollars a license fee of one hundred dollars and a bond as hereinafter prescribed. Every such application shall contain a description of the premises for which the applicant desires a license and shall set forth such other material information as may be required by the board.

(c) If the applicant is a natural person his application must show that he is a citizen of the United States and a resident of this Commonwealth. If the applicant is an association or partnership each and every member of the association or partnership must be a citizen of the United States and a resident of this Commonwealth. If the applicant is a corporation the application must show that the corporation was created under the laws of Pennsylvania or holds a certificate of authority to transact business in Pennsylvania and that all officers directors and stockholders are citizens of the United States.

(d) Holders of such licenses may purchase from manufacturers or bring or import into this Commonwealth wine to be used for sacramental or religious purposes only and bottle and sell the same to priests clergymen and rabbis for use in the cathedral church synagogue or temple or for sustaining members of the congregation or members of the faith who attend religious services duly certified by such priest clergymen or rabbis. The sale and use of wine for sacramental or religious purposes shall be subject to and in accordance with the regulations of the board.

(e) Any wine purchased under the authority of this section shall not be used for any other than sacramental or religious purposes. Sacramental wine may not be sold by any person except the holder of a sacramental wine license. All original containers from which sacramental wine is dispensed shall bear the official seal of the board.

(f) Every sacramental wine licensee shall maintain on the licensed premises such records as the board may prescribe. No deliveries of sacramental wine shall be made unless and until an order therefor is on file at the principal place of business in Pennsylvania. All shipments into Pennsylvania of wine to be used for sacramental or religious purposes shall be consigned to the principal place of business maintained by the licensee.

(g) Any such license may be suspended or revoked by the board upon proof satisfactory to it that the licensee has violated any law of this Commonwealth or any regulation of the board relating to liquor and alcohol. The procedure in such cases shall be the same as for the revocation and suspension of hotel restaurant and club licenses.

Section 410 Liquor Importers' Licenses Fees Privileges Restrictions (a) Subject to the provisions of this act in general and more particularly to the following provisions of this section the board shall issue liquor importers' licenses to qualified applicants.

(b) Every applicant for an importer's license shall file a written application with the board in such form as the board shall from time to time prescribe which shall be accompanied by a filing fee of ten dollars a license fee of one hundred dollars and a bond as hereinafter required. Every such application shall contain a description of the principal place of business for which the applicant desires a license and shall set forth such other material information as may be required by the board.

(c) The holder of an importer's license may have included in such license one warehouse wherein only his liquor may be kept and stored located in the same municipality in which his licensed premises is situate and not elsewhere unless such licensee secures from the board a license for each additional storage warehouse desired. The board is authorized and empowered to issue to a holder of an importer's license a license for an additional storage warehouse or warehouses located in this Commonwealth provided such licensed importer files with the board a separate application for each warehouse in such form and containing such information as the board may from time to time require accompanied by a filing fee of ten dollars a license fee of twenty-five dollars and a bond of an approved surety company in the amount of ten thousand dollars. Such bond shall contain the same provisions and conditions as are required in the other license bonds under this article.

(d) If the applicant is a natural person his application must show that he is a citizen of the United States and a resident of this Commonwealth. If the applicant is an association or partnership each and every member of the association or partnership must be a citizen of the United States and a resident of this Commonwealth. If the applicant is a corporation the application must show that the corporation was created under the laws of Pennsylvania or holds a certificate of authority to transact business in Pennsylvania and that all officers directors and stockholders are citizens of the United States.

(e) Importers' licenses shall permit the holders thereof to bring or import liquor from other states foreign countries or insular possessions of the United States and purchase liquor from manufacturers located within this Commonwealth to be sold outside of this Commonwealth or to Pennsylvania Liquor Stores within this Commonwealth or when in original containers of ten gallons or greater capacity to licensed manufacturers within this Commonwealth.

All importations of liquor into Pennsylvania by the licensed importer shall be consigned to the Pennsylvania Liquor Control Board or the principal place of business or authorized place of storage maintained by the licensee.

(f) Every importer shall maintain on the licensed

premises such records as the board may prescribe. Any such license may be suspended or revoked by the board upon proof satisfactory to it that the licensee has violated any law of this Commonwealth or any regulation of the board relating to liquor and alcohol. The procedure in such cases shall be the same as for the revocation and suspension of hotel restaurant and club licenses.

Section 411 Interlocking Business Prohibited (a) No manufacturer and no officer or director of any manufacturer shall at the same time be a holder of a hotel restaurant or club liquor license nor be the owner proprietor or lessor of any place covered by any hotel restaurant or club liquor license.

(b) No manufacturer importer or sacramental wine licensee and no officer or director of a manufacturer importer or sacramental wine licensee shall own any stock or have any financial interest in any hotel or restaurant license under this act.

(c) Excepting as herein provided no manufacturer or officer director stockholder agent or employee of a manufacturer shall in any wise be interested either directly or indirectly in the ownership or leasehold of any property or the equipment of any property or any mortgage lien against the same for which a hotel restaurant or club license is granted nor shall a manufacturer importer or sacramental wine licensee or officer director stockholder agent or employee of a manufacturer importer or sacramental wine licensee either directly or indirectly lend any moneys credit or give anything of value or the equivalent thereof to or guarantee the payment of any bond mortgage note or other obligation of any hotel restaurant or club licensee his servant agent or employee for equipping fitting out or maintaining and conducting either in whole or in part a hotel restaurant or club licensed for the selling of liquor for use and consumption upon the premises.

(d) Excepting as herein provided no hotel licensee restaurant licensee or club licensee and no officer director stockholder agent or employee of any such licensee shall in any wise be interested either directly or indirectly in the ownership or leasehold of any property or the equipment of any property or any mortgage lien against the same used by a manufacturer in manufacturing liquor or malt or brewed beverages nor shall any hotel restaurant or club licensee or any officer director stockholder agent or employee of any such licensee either directly or indirectly lend any moneys credit or give anything of value or the equivalent thereof to any manufacturer for equipping fitting out or maintaining and conducting either in whole or in part an establishment used for the manufacture of liquor or malt or brewed beverages.

(e) Except as herein provided no hotel restaurant or club licensee and no officer director or stockholder agent or employee of any such licensee shall in any wise be interested directly or indirectly in the ownership or leasehold of any property or the equipment of any property or any mortgage lien against the same used by a distributor importing distributor retail dispenser or by an importer or sacramental wine licensee in the conduct of his business nor shall any hotel restaurant or club licensee or any officer director stockholder agent or employee of any such licensee either directly or indirectly lend any moneys credit or give anything of value or the equivalent thereof to any distributor importing distributor retail dispenser importer or sacramental wine licensee for equipping fitting out or maintaining and conducting either in whole or in part an establishment used in the conduct of his business.

The purpose of this section is to require a separation of the financial and business interests between manufacturers and holders of hotel or restaurant liquor licenses and as herein provided of club licenses issued under this article and no person shall by any device whatsoever directly or indirectly evade the provisions of the section. But in view of existing economic conditions nothing contained in this section shall be construed to prohibit the ownership of property or conflicting interest by a manufacturer of any

place occupied by a licensee under this article after the manufacturer has continuously owned and had a conflicting interest in such place for a period of at least five years prior to July eighteenth one thousand nine hundred thirty-five. Provided however That this clause shall not prohibit any hotel restaurant or club liquor licensee from owning land which is leased to and the buildings thereon owned by a holder of a retail dispenser's license and nothing in this clause shall prevent the issuance of a retail dispenser's license to a lessee of such lands who owns the buildings thereon.

(B) Malt and Brewed Beverages (Including Manufacturers)

Section 431 Malt and Brewed Beverages Manufacturers Distributors and Importing Distributors' Licenses (a) The board shall issue to any person a resident of this Commonwealth of good repute who applies therefor pays the license fee hereinafter prescribed and files the bond hereinafter required a manufacturer's license to produce and manufacture malt or brewed beverages and to transport sell and deliver malt or brewed beverages at or from one or more places of manufacture or storage only in original containers in quantities of not less than a case of twenty-four containers each container holding seven fluid ounces or more or a case of twelve containers each container holding twenty-four fluid ounces or more anywhere within the Commonwealth. Licenses for places of storage shall be limited to those maintained by manufacturers on July eighteenth one thousand nine hundred thirty-five and the board shall issue no licenses for places of storage in addition to those maintained on July eighteenth one thousand nine hundred thirty-five. The application for such license shall be in such form and contain such information as the board shall require. All such licenses shall be granted for the calendar year. Every manufacturer shall keep at his or its principal place of business within the Commonwealth daily permanent records which shall show (1) the quantities of raw materials received and used in the manufacture of malt or brewed beverages and the quantities of malt or brewed beverages manufactured and stored (2) the sales of malt or brewed beverages (3) the quantities of malt or brewed beverages stored for hire or transported for hire by or for the licensee and (4) the names and addresses of the purchasers or other recipients thereof. Every place licensed as a manufacturer shall be subject to inspection by members of the board or by persons duly authorized and designated by the board at any and all times of the day or night as they may deem necessary for the detection of violations of this act or of the rules and regulations of the board or for the purpose of ascertaining the correctness of the records required to be kept by licensees. The books and records of such licensees shall at all times be open to inspection by members of the board or by persons duly authorized and designated by the board. Members of the board and its duly authorized agents shall have the right without hindrance to enter any place which is subject to inspection hereunder or any place where such records are kept for the purpose of making such inspections and making transcripts thereof.

(b) The board shall issue to any reputable person who applies therefor pays the license fee hereinafter prescribed and files the bond hereinafter required a distributor's or importing distributor's license for the place which such person desires to maintain for the sale of malt or brewed beverages not for consumption on the premises where sold and in quantities of not less than a case of twenty-four containers each container holding seven fluid ounces or more or a case of twelve containers each container holding twenty-four fluid ounces or more and such containers to be the original containers as prepared for the market by the manufacturer at the place of manufacturer.

Such license shall authorize the holder thereof to sell or deliver malt or brewed beverages in quantities above specified anywhere within the Commonwealth of Pennsylvania which in the case of distributors have been pur-

chased only from persons licensed under this act as manufacturers or importing distributors and in the case of importing distributors have been purchased from manufacturers or persons outside this Commonwealth engaged in the legal sale of malt or brewed beverages or from manufacturers or importing distributors licensed under this article.

(c) The aforesaid licenses shall be issued only to reputable individuals partnerships and associations who are or whose members are citizens of the United States and have for two years prior to the date of their applications been residents of the Commonwealth of Pennsylvania or to reputable corporations organized or duly registered under the laws of the Commonwealth of Pennsylvania. Such licenses shall be issued to corporations duly organized or registered under the laws of the Commonwealth of Pennsylvania only when it appears that all of the officers and directors of the corporation are citizens of the United States and have been residents of the Commonwealth of Pennsylvania for a period of at least two years prior to the date of application and that at least fifty-one per centum of the capital stock of such corporation is actually owned by individuals who are citizens of the United States and have been residents of the Commonwealth of Pennsylvania for a period of at least two years prior to the date of application.

Section 432 Malt and Brewed Beverages Retail Licenses (a) Subject to the restrictions hereinafter provided in this act and upon being satisfied of the truth of the statements in the application that the premises and the applicant meet all the requirements of this act and the regulations of the board that the applicant seeks a license for a reputable hotel eating place or club as defined in this act the board shall in the case of a hotel or eating place grant and issue and in the case of a club may in its discretion issue or refuse the applicant a retail dispenser's license.

(b) In the case of hotels and eating places licenses shall be issued only to reputable persons who are citizens of the United States and have for two years been residents of the Commonwealth of Pennsylvania at the date of their application or to reputable corporations organized or duly registered under the laws of the Commonwealth of Pennsylvania all of whose officers and directors are citizens of the United States. In the case of incorporated clubs licenses shall be issued only to those incorporated under the laws of Pennsylvania.

(c) No retail dispenser's license shall be granted in any municipality in which the electors shall as hereinafter provided have voted against the licensing therein of places where malt or brewed beverages may be sold for consumption on the premises where sold.

(d) The board shall in its discretion grant or refuse any new license or the transfer of any license to a new location if such place proposed to be licensed is within three hundred feet of any church hospital charitable institution school or public playground or if such new license or transfer is applied for a place where the municipal business conducted is the sale of liquid fuels and oil. The board shall not issue new licenses except as herein otherwise provided in any license district more than twice each license year effective from specific dates fixed by the board and new licenses shall not be granted unless the application therefor is filed at least thirty days before the effective date of the license.

(e) Every applicant for a new or for the transfer of an existing license to another premises not then licensed shall post for a period of at least fifteen days beginning with the day the application is filed with the board in a conspicuous place on the outside of the premises or in a window plainly visible from the outside of the premises for which the license is applied a notice of such application in such form of such size and containing such provisions as the board may require by its regulations. Proof of the posting of such notice shall be filed with the board.

Section 433 Public Service Licenses. The board may issue public service malt and brewed beverage licenses to a railroad pullman or steamship company permitting malt or brewed beverages to be sold at retail in dining

club or buffet cars or the dining compartments of steamships or vessels for consumption on the trains steamships or vessels wherever operated in the State except when standing in stations or terminals within a municipality wherein retail sales are prohibited. Such licenses shall only be granted to reputable persons and for fit places. The board may issue a master license to railroad or pullman companies to cover the maximum number of cars which the company shall estimate that it will operate within the Commonwealth on any one day. Such licensees shall file monthly reports with the board showing the maximum number of cars operated at any time on any day during the preceding month and if it appears that more cars have been operated than covered by its license it shall forthwith remit to the board the sum of ten dollars for each extra car so operated. The board shall have the power to suspend or revoke any such licenses for cause after granting a hearing thereon to the licensee. Any person aggrieved by the decision of the board in refusing suspending or revoking any such license may appeal to the court of quarter sessions of Dauphin County in the same manner as provided in this article for appeals from refusals of licenses.

Section 434 License Year. (a) Licenses issued under this article to distributors importing distributors and retail dispensers shall unless revoked in the manner provided in this act be valid for the license year which may be established by the board for the particular license district in which the license issues.

(b) Malt or brewed beverage license issued under this article to manufacturers and public service companies shall unless revoked in the manner herein provided be valid for the calendar year for which they are issued. Licenses to such manufacturers and public service companies may be issued at any time during a calendar year.

Section 435 Filing of Applications for Distributors' Importing Distributors' and Retail Dispensers' Licenses. Filing Fee. Every person intending to apply for a distributor's importing distributor's or retail dispenser's license as aforesaid in any municipality of this Commonwealth shall file with the board his or its application. All such applications shall be filed at a time to be fixed by the board for the particular license district as set up by the board under the provisions of this act. The applicant shall at the time of filing the application and bond pay said board the filing fee of ten dollars as hereinafter specified.

Section 436 Application for Distributors' Importing Distributors' and Retail Dispensers' Licenses. Application for distributors importing distributors' and retail dispensers' licenses shall contain or have attached thereto the following information and statements:

(a) The name and residence of the applicant and how long he has resided there and if an association partnership or corporation the residences of the members officers and directors for the period of two years next preceding the date of such application.

(b) The particular place for which the license is desired and a detailed description thereof.

(c) Place of birth of applicant and if a naturalized citizen where and when naturalized and if a corporation organized or registered under the laws of the Commonwealth when and where incorporated with the names and addresses of each officer and director all of whom shall be citizens of the United States if the application is for a distributor's or importing distributor's license and the applicant therefore is a corporation the application shall also contain a statement of facts showing the qualifications of the corporation as hereinbefore required together with the names and addresses of all stockholders.

(d) Name of owner of premises and his residence.

(e) That the applicant is not or in case of a partnership or association that the members or partners are not and in the case of a corporation that the officers and directors are not in any manner pecuniarily interested either directly or indirectly in the profits of any other class of business regulated under this article except as hereinafter permitted.

(f) That applicant is the only person in any manner

pecuniarily interested in the business so asked to be licensed and that no other person shall be in any manner pecuniarily interested therein during the continuance of the license except as hereinafter permitted

(g) Whether applicant or in case of a partnership or association any member or partner thereof or in case of a corporation any officer or director thereof has during the three years immediately preceding the date of said application had a license for the sale of malt or brewed beverages or spirituous and vinous liquors revoked or has during the same period been convicted of any criminal offense and if so a detailed history thereof

(h) A full description of that portion of the premises for which license is asked and if any other business is to be conducted concurrently with the sale and distribution of malt or brewed beverages a full history of such business relating the nature thereof the length of time it has so previously been conducted by the applicant or his predecessor at such location and such additional information as the board may require

(i) Every club applicant shall file with and as a part of its application a list of the names and addresses of its members director officers agents and employes together with the dates of their admission election or employment and such other information with respect to its affairs as the board shall require

(j) The application must be verified by affidavit of applicant and if any false statement is intentionally made in any part of the application the affiant shall be deemed guilty of a misdemeanor and upon conviction shall be subject to the penalties provided by this article

Section 437 Prohibitions Against the Grant of Licenses

(a) The board shall refuse to grant any licenses unless the application therefor contains the information required by this act and the premises meet such reasonable sanitary requirements as the board by regulation shall prescribe

(b) The board shall refuse to grant a license to any club when it appears that the operation of such license would inure to the benefit of individual members officers agents or employes of the club rather than to the benefit of the entire membership of the club

(c) Licenses shall be granted by the board only to reputable individuals or to associations partnerships and corporations whose members or officers and directors are reputable individuals

(d) No person who holds either by appointment or election any public office which involves the duty to enforce any of the penal laws of the United States of America or any of the penal laws of this Commonwealth or any penal ordinance or resolution of any political subdivision of this Commonwealth shall be issued any manufacturer's importing distributor's distributor's or retail dispenser's license nor shall such a person have any interest directly or indirectly in any such license

(e) No distributor's or importing distributor's license shall be issued for any premises in any part of which there is operated any retail license for the sale of liquor or malt or brewed beverages

Section 438 Number and Kinds of Licenses Allowed Same Licensee (a) Any retail dispenser may be granted licenses to maintain operate or conduct any number of places for the sale of malt or brewed beverages but a separate license must be secured for each place where malt or brewed beverages are sold

(b) No person shall possess or be issued more than one distributor's or importing distributor's license

(c) No person shall possess more than one class of license except that a holder of a retail dispenser's license may also be a holder of a retail liquor license

Section 439 Malt or Brewed Beverage License Fee No public service license and no license to any manufacturer distributor importing distributor or retail dispenser shall be issued under the provisions of this subdivision (B) until the licensee shall have first paid an annual license fee as follows

(a) In the case of a manufacturer the license fee shall be one thousand dollars (\$1,000) for each place of manufacture and shall be paid to the board The fee for all such

licenses when applied for and issued on or after April 1 but prior to July 1 shall be three-fourths of the annual fee July 1 but prior to October 1 shall be one-half of the annual fee October 1 but prior to January 1 shall be one quarter of the annual fee

(b) In the case of a distributor the license fee shall be four hundred dollars (\$400) and shall be paid to the board

(c) In the case of an importing distributor the license fee shall be nine hundred dollars (\$900) and shall be paid to the board

(d) In the case of a retail dispenser except clubs the license fee shall be graduated according to the population of the municipality in which the place of business is located and shall be paid to the board as follows

(1) Less than 10,000	\$100
(2) 10,000 and more but less than 50,000	\$150
(3) 50,000 and more but less than 100,000	\$200
(4) 100,000 and more but less than 150,000	\$250
(5) 150,000 and more	\$300

(e) In the case of a club the fee shall be twenty-five dollars in all cases and shall be paid to the board

(f) In the case of a public service license for cars the fee shall be ten dollars per car for the maximum number of cars operated on any one day on which malt or brewed beverages are sold to be paid to the board

(g) In the case of a public service license for the sale of malt or brewed beverages on a boat or vessel the fee shall be fifty dollars for each such vessel or boat and shall be paid to the board

(h) The fee for filing applications for licenses and for renewals shall be ten dollars which together with fees for transfers shall be paid to the board

(i) The license fees fixed by this section shall be paid before the license or renewal is issued

Section 440 Sales by Manufacturers of Malt or Brewed Beverages Minimum Quantities No manufacturer shall sell any malt or brewed beverages for consumption on the premises where sold nor sell or deliver any such malt or brewed beverages in other than original containers approved as to capacity by the board nor in quantities of less than a case of twenty-four containers each container holding seven fluid ounces or more or a case of twelve containers each container holding twenty-four fluid ounces or more nor shall any manufacturer maintain or operate within the Commonwealth any place or places other than the place or places covered by his or its license where malt or brewed beverages are sold or where orders are taken

Section 441 Distributors' and Importing Distributors' Restrictions on Sales Storage Etc (a) No distributor or importing distributor shall purchase receive or resell any malt or brewed beverages except in the original containers as prepared for the market by the manufacturer at the place of manufacture

(b) No distributor or importing distributor shall sell any malt or brewed beverages in quantities of less than a case of twenty-four containers each container holding seven fluid ounces or more or a case of twelve containers each container holding twenty-four fluid ounces or more Provided That no malt or brewed beverages sold or delivered shall be consumed upon the premises of the distributor or importing distributor or in any place provided for such purpose by such distributor or importing distributor

(c) No distributor or importing distributor shall maintain or operate any place where sales are made other than that for which the license is granted

(d) No distributor or importing distributor shall maintain any place for the storage of malt or brewed beverages except in the same municipality in which the licensed premises is located and unless the same has been approved by the board In the event there is no place of cold storage in the same municipality the board may approve a place of cold storage in the nearest municipality

Section 442 Retail Dispensers' Restrictions on Purchases and Sales (a) No Retail dispenser shall purchase or receive any malt or brewed beverages except in original

containers as prepared for the market by the manufacturer at the place of manufacture. The retail dispenser may thereafter break the bulk upon the licensed premises and sell or dispense the same for consumption on or off the premises so licensed. Provided however That no retail dispenser may sell malt or brewed beverages for consumption off the premises in quantities in excess of one hundred forty-four fluid ounces. Provided further That no club licensee may sell any malt or brewed beverages for consumption off the premises where sold or to persons not members of the club.

(b) No retail dispenser shall sell any malt or brewed beverages for consumption on the licensed premises except in a room or rooms or place on the licensed premises at all times accessible to the use and accommodation of the general public but this section shall not be interpreted to prohibit a retail dispenser from selling malt or brewed beverages in a hotel or club house in any room of such hotel or club house occupied by a bona fide registered guest or member entitled to purchase the same.

Section 443 Interlocking Business Prohibited (a) No manufacturer of malt or brewed beverages and no officer or director of any such manufacturer shall at the same time be a distributor importing distributor or retail dispenser of an officer director or stockholder or creditor of any distributor importing distributor or retail dispenser nor except as hereinafter provided be the owner proprietor or lessor of any place for which a license has been issued for any importing distributor distributor or retail dispenser or for which a hotel restaurant or club liquor license has been issued.

(b) No distributor or importing distributor and no officer or director of any distributor or importing distributor shall at the same time be a manufacturer a retail dispenser or a liquor licensee or be an officer director stockholder or creditor of a manufacturer a retail dispenser or a liquor licensee or directly or indirectly own any stock of or have any financial interest in or be the owner proprietor or lessor of any place covered by any other malt or brewed beverage or liquor license.

(c) No licensee licensed under this subdivision (B) of Article IV and no officer or director of such licensee shall directly or indirectly own any stock of or have any financial interest in any other class of business licensed under this subdivision.

(d) Excepting as hereinafter provided no malt or brewed beverage manufacturer importing distributor or distributor shall in any wise be interested either directly or indirectly in the ownership or leasehold of any property or in any mortgage against the same for which a liquor or retail dispenser's license is granted nor shall any such manufacturer importing distributor or distributor either directly or indirectly lend any moneys credit or equivalent thereof to or guarantee the payment of any bond mortgage note or other obligation of any liquor licensee or retail dispenser in equipping fitting out or maintaining and conducting either in whole or in part an establishment or business operated under a liquor or retail dispenser's license excepting only the usual and customary credits allowed for returning original containers in which malt or brewed beverages were packaged for market by the manufacturer at the place of manufacture.

(e) Excepting as hereinafter provided no manufacturer of malt or brewed beverages shall in any wise be interested either directly or indirectly in the ownership or leasehold of any property or any mortgage lien against the same for which a distributor's or importing distributor's license is granted nor shall any such manufacturer either directly or indirectly lend any moneys credit or their equivalent to or guarantee the payment of any bond mortgage note or other obligation of any distributor or importing distributor in equipping fitting out or maintaining and conducting either in whole or in part an establishment or business where malt or brewed beverages are licensed for sale by a distributor or importing distributor excepting only the usual credits allowed for the return of original containers in which malt or brewed

beverages were originally packaged for the market by the manufacturer at the place of manufacture.

(f) No distributor importing distributor or retail dispenser shall in any wise receive either directly or indirectly any credit loan moneys or the equivalent thereof from any other licensee or from any officer director or firm member of any other licensee or from or through a subsidiary or affiliate of another licensee or from any firm association or corporation except banking institutions in which another licensee or any officer director or firm member of another licensee has a substantial interest or exercises a control of its business policy for equipping fitting out payment of license fee maintaining and conducting either in whole or in part an establishment or business operated under a distributor's importing distributor's or retail dispenser's license excepting only the usual and customary credits allowed for the return of original containers in which malt or brewed beverages were packaged for the market by the manufacturer at the place of manufacture.

(g) The purpose of this section is to require a separation of the financial and business interests between the various classes of business regulated by subdivision (B) of this article and no person or corporation shall by any device whatsoever directly or indirectly evade the provisions of this section. But in view of existing economic conditions nothing contained in this section shall be construed to prohibit the ownership of property or conflicting interest by a malt or brewed beverage manufacturer of any place occupied by a distributor importing distributor or retail dispenser after the manufacturer has continuously owned and had a conflicting interest in such place for a period of at least five years prior to the eighteenth day of July one thousand nine hundred thirty-five.

The term "manufacturer" as used in this section shall include manufacturers of malt or brewed beverages as defined in this act and any person manufacturing any malt or brewed beverages outside of this Commonwealth.

Section 444 Malt or Brewed Beverages Manufactured Outside This Commonwealth (a) In addition to compliance with all other provisions of this act the board shall require each person desiring to sell any malt or brewed beverages manufactured outside this Commonwealth to Pennsylvania licensees and shall require each Pennsylvania licensee who desires to purchase and resell any such malt or brewed beverages to pay to the board the same fees as are required to be paid by Pennsylvania licensees or by persons or licensees in any state territory or country outside of Pennsylvania who desires to sell malt or brewed beverages manufactured in Pennsylvania to licensees in such other state territory or country of origin of such malt or brewed beverages not manufactured in Pennsylvania and to observe and comply with the same regulations prohibitions and restrictions as are required of or enforced against Pennsylvania licensees or persons who desire to purchase and resell malt or brewed beverages manufactured in Pennsylvania in such other state territory or country of origin.

(b) In all cases where the board shall have issued any reciprocal regulations or orders concerning malt or brewed beverages manufactured in any state territory or country other than Pennsylvania no Pennsylvania licensee shall purchase any such malt or brewed beverages if their importation has been prohibited or if not entirely prohibited unless such regulations or orders have been observed and complied with by the Pennsylvania licensee and by the person from or through whom the Pennsylvania licensee desires to purchase.

(c) Any malt or brewed beverages manufactured outside of Pennsylvania which are sold transported or possessed in Pennsylvania contrary to any such regulations or orders of the board or without the payment of the fees herein required shall be considered contraband and shall be confiscated by the board and disposed of in the same manner as any other illegal liquor or malt or brewed beverages.

(d) Upon learning of the commission by a manufacturer of malt or brewed beverages whose principal place of business is outside this Commonwealth or by any servant

agent employe or representative of such manufacturer within or partly within and partly outside this Commonwealth of any violation of this act or any laws of this Commonwealth relating to liquor alcohol or malt or brewed beverages or of any regulation of the board adopted pursuant thereto or of any violation of any laws of this Commonwealth or of the United States of America relating to the tax payment of liquor or malt or brewed beverages the board shall cite such manufacturer to appear before it or its examiner not less than ten nor more than fifteen days from the date of mailing such manufacturer at his principal place of business wherever located by registered mail a notice to show cause why the further importation into this Commonwealth of malt or brewed beverages manufactured by him should not be prohibited

(e) Upon such hearing whether or not an appearance was made by such outside manufacturer if satisfied that any such violation has occurred the board is specifically empowered and directed to immediately issue an order prohibiting the importation of malt or brewed beverages manufactured by such manufacturer into this Commonwealth for a period of not less than six months nor more than three years

(f) Notice of such board action shall be given immediately to such manufacturer and to all persons licensed to import malt or brewed beverages within this Commonwealth by mailing a copy of such order to such manufacturer at its principal place of business wherever located and to such licensees at their licensed premises Thereafter it shall be unlawful for any person licensed to import malt or brewed beverages within this Commonwealth to purchase or sell any malt or brewed beverages manufactured by such outside manufacturer during the term of such prohibition

(g) Any violation of such prohibitory order shall be a misdemeanor and shall be punished in the same manner as herein provided for any other violation of this act and shall also constitute grounds for revocation or suspension of a license to import malt or brewed beverages

(h) In all such cases the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order

(i) Any outside manufacturer aggrieved by the action of the board may appeal to the quarter sessions court of Dauphin County in the same manner as herein provided for appeals from refusals to grant licenses

(C) General Provisions Applying to Both Liquor and Malt and Brewed Beverages

Section 461 Limiting Number of Retail Licenses To Be Issued In Each Municipality (a) No licenses shall hereafter be granted by the board for the retail sale of malt or brewed beverages or the retail sale of liquor and malt or brewed beverages in excess of one of such licenses of any class for each one thousand inhabitants or fraction thereof in any municipality exclusive of licenses granted to hotels as defined in this section and clubs but at least one such license may be granted in each municipality except in municipalities where the electors have voted against the granting of any retail licenses Nothing contained in this section shall be construed as denying the right to the board to renew or to transfer existing retail licenses of any class notwithstanding that the number of such licensed places in a municipality shall exceed the limitation hereinafter prescribed but where such number exceeds the limitation prescribed by this section no new license except for hotels as defined in this section shall be granted so long as said limitation is exceeded

(b) The board shall have the power to increase the number of licenses in any such municipality which in the opinion of the board is located within a resort area

(c) The word "hotel" as used in this section shall mean any reputable place operated by a responsible person of good reputation where the public may for a consideration obtain sleeping accommodations and which shall have the following number of bedrooms and requirements in each case at least one-half of the required number of bed-

rooms shall be regularly available to transient guests seven days weekly except in resort areas at least one-third of such bedrooms shall be equipped with hot and cold water a lavatory commode bathtub or shower and a clothes closet and an additional one-third of the total of such required rooms shall be equipped with lavatory and commode

(1) In municipalities having a population of less than three thousand at least twelve permanent bedrooms for the use of guests

(2) In municipalities having a population of three thousand and more but less than ten thousand inhabitants at least sixteen permanent bedrooms for the use of guests

(3) In municipalities having a population of ten thousand and more but less than twenty-five thousand inhabitants at least thirty permanent bedrooms for the use of guests

(4) In municipalities having a population of twenty-five thousand and more but less than one hundred thousand inhabitants at least forty permanent bedrooms for the use of guests

(5) In municipalities having a population of one hundred thousand or more inhabitants at least fifty permanent bedrooms for the use of guests

(6) A public dining room or rooms operated by the same management accommodating at least thirty persons at one time and a kitchen apart from the dining room or rooms in which food is regularly prepared for the public

(7) Each room to be considered a bedroom under the requirements of this section shall have an area of not less than eighty square feet and an outside window

(8) The provisions of this subsection (c) shall not apply to hotel licenses granted prior to the first day of September one thousand nine hundred forty-nine or that have been granted on any application made and pending prior to said date nor to any renewal or transfer thereof or hotels under construction or for which a bona fide contract had been entered into for construction prior to said date In such cases the provisions of section one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 806) shall continue to apply

Section 462 Licensed Places May Be Closed During Period of Emergency The board may with the approval of the Governor

(a) Temporarily close all licensed places within any municipality during any period of emergency proclaimed to be such by the Governor

(b) Advance by one hour the hours prescribed in this act as the hours during which liquor and malt or brewed beverages may be sold in any municipality during such part of the year when daylight saving time may be observed generally in such municipality

Section 463 Places of Amusement Not to be Licensed Penalty (a) No license for the sale of liquor or malt or brewed beverages in any quantity shall be granted to the proprietors lessees keepers or managers of any theaters circus museum or other place of amusement nor shall any house be licensed for the sale of liquor or malt or brewed beverages which has passage or communication to or with any theater circus museum or other place of amusement and any license granted contrary to this act shall be null and void

(b) Any proprietor lessee keeper or manager of any theater circus museum or other place of amusement or any other person who shall violate the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of one hundred dollars and to undergo an imprisonment of not less than thirty days

Section 464 Hearings Upon Refusal of Licenses Renewals or Transfers Appeals The board may of its own motion and shall upon the written request of any applicant for club hotel or restaurant liquor license or any applicant for any malt or brewed beverage license other than a public service license or for renewal or transfer thereof whose application for such license renewal or transfer has been refused fix a time and place for hearing of such application for license or for renewal or transfer thereof notice of which hearing shall be mailed to the applicant

at the address given in his application. Such hearing shall be before the board a member thereof or an examiner designated by the board. As such hearing the board shall present its reasons for its refusal or withholding of license renewal or transfer thereof. The applicant may appear in person or by counsel may cross-examine the witnesses for the board and may present evidence which shall likewise be subject to cross-examination by the board. Such hearing shall be stenographically recorded. The examiner shall thereafter report to the board upon such hearing. The board shall thereupon grant or refuse the license renewal or transfer thereof. In considering the renewal of a license the board shall not refuse any such renewal on the basis of the propriety of the original issuance or any prior renewal of such license. If the board shall refuse such license renewal or transfer following such hearing notice in writing of such refusal shall be mailed to the applicant at the address given in his application. In all such cases the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order and furnish a copy thereof to the applicant. Any applicant who has appeared before the board or any agent thereof at any hearing as above provided who is aggrieved by the refusal of the board to issue any such license or to renew or transfer any such license may appeal or any church hospital charitable institution school or public playground located within three hundred feet of the premises applied for aggrieved by the action of the board in granting the issuance of any such license or the transfer of any such license may take an appeal limited to the question of such grievance within twenty days from date of refusal or grant to the court of quarter sessions or the county court of Allegheny County of the county in which the premises applied for is located. Such appeal shall be upon petition of the aggrieved party who shall serve a copy thereof upon the board whereupon a hearing shall be held upon the petition by the court upon ten days' notice to the board which shall be represented in the proceeding by the Department of Justice. The said appeal shall act as a supersedeas unless upon sufficient cause shown the court shall determine otherwise. The court shall hear the application de novo on questions of fact administrative discretion and such other matters as are involved at such time as it shall fix of which notice shall be given to the board. The court shall either sustain or over-rule the action of the board and either order or deny the issuance of a new license or the renewal or transfer of the license to the applicant. The parties to the proceeding may within thirty days from the filing of the order or decree of said court appeal therefrom to the Superior Court.

The jurisdiction of the county court of Allegheny County conferred hereby shall be exclusive within the territorial limits of its jurisdiction.

Section 465 All licensees to Furnish Bond (a) No license shall be issued to any applicant under the provisions of this article until such applicant has filed with the board an approved bond and a warrant of attorney to confess judgment payable to the Commonwealth of Pennsylvania in the amount hereinafter prescribed.

(b) Bonds of all such applicants shall have as surety a surety company authorized to do business in this Commonwealth or shall have deposited therewith as collateral security cash or negotiable obligations of the United States of America or the Commonwealth of Pennsylvania in the same amount as herein provided for the penal sum of bonds. In all cases where cash or securities in lieu of other surety have been deposited with the board the depositor shall be permitted to continue the same deposit from year to year on each renewal of license but in no event shall he be permitted to withdraw his deposit during the time he holds said license or until six months after the expiration of the license held by him or while revocation proceedings are pending against such license. All cash or securities received by the board in lieu of other surety shall be turned over by the board to the State Treasurer and held by him. The State Treasurer shall repay or return money or securities deposited with

him to the respective depositors only on the order of the board.

(c) No such bond shall be accepted until approved by the board. All such bonds shall be conditioned for the faithful observance of all the laws of this Commonwealth relating to liquor alcohol and malt or brewed beverages and the regulations of the board. All bonds shall be retained by the board.

(d) The penal sum of the respective bonds filed under the provisions of this section shall be as follows:

(1) Manufacturers of malt or brewed beverages ten thousand dollars (\$10,000.00) for each place at which the licensee is authorized to manufacture.

(2) Liquor importers ten thousand dollars (\$10,000.00) for each license.

(3) Sacramental wine licensees ten thousand dollars (\$10,000.00).

(4) Importing distributors of malt or brewed beverages two thousand dollars (\$2,000.00).

(5) Hotel restaurant club and public service liquor licensees two thousand dollars (\$2,000.00) but in the case of a railroad or pullman company such penal sum shall cover every dining club or buffet car of such company operated under such license.

(6) Distributors of malt or brewed beverages one thousand dollars (\$1,000.00).

(7) Retail dispensers and public service malt or brewed beverage licensees one thousand dollars (\$1,000.00) for each place at which the licensee is authorized to sell malt or brewed beverages except that in the case of a railroad or pullman companies said penal sum shall be one thousand dollars (\$1,000.00) irrespective of the number of licensed cars operated by the company.

(e) Every such bond may be forfeited when a license is revoked and shall be turned over to the Attorney General for collection if and when the licensee's license shall have been revoked and his bond forfeited as provided in this act.

Section 466 Disposition of Cash and Securities Upon Forfeiture of Bond After notice from the board that any of the aforesaid bonds have been forfeited the State Treasurer shall immediately pay into the State Stores Fund all cash deposited as collateral with such bond and when securities have been deposited with such bond the State Treasurer shall sell at private sale at not less than the prevailing market price any such securities so deposited as collateral with such forfeited bond. The State Treasurer shall thereafter deposit in the State Stores Fund the net amount realized from the sale of such securities except that if the amount so realized after deducting proper costs and expenses is in excess of the penal amount of the bond such excess shall be paid over by him to the obligor on such forfeited bond.

Section 467 Display of License Every license issued under this article shall be constantly and conspicuously exposed under transparent substance on the licensed premises and no license shall authorize sales until this section has been complied with.

Section 468 Licenses Not Assignable Transfers (a) Licenses issued under this article may not be assigned. The board upon payment of the transfer filing fee and the execution of a new bond is hereby authorized to transfer any license issued by it under the provisions of this article from one person to another or from one place to another or both within the same municipality as the board may determine but no transfer shall be made to a person who would not have been eligible to receive the license originally nor for the transaction of business at a place for which the license could not lawfully have been issued originally nor except as herein provided to a place as to which a license has been revoked. Except in cases of emergency such as death serious illness or circumstances beyond the control of the licensee as the board may determine such circumstances to justify its action transfers of licenses may be made only at times fixed by the board. In the case of the death of a licensee the board may transfer the license to the surviving spouse or personal representative or to a person designated by

him From any refusal to grant a transfer or upon the grant of any transfer the party aggrieved shall have the right of appeal to the proper court and therefrom to the Superior Court in the manner hereinbefore provided

(b) In the event that any person to whom a license shall have been issued under the provisions of this article shall become insolvent make an assignment for the benefit of creditors become a bankrupt by either voluntary or involuntary action the license of such person shall immediately terminate and be cancelled without any action on the part of the board and there shall be no refund made or credit given for the unused portion of the license fee for the remainder of the license year for which said license was granted Thereafter no license shall be issued by the board for the premises wherein said license was conducted to any assignee committee trustee receiver or successor of such licensee until a hearing has been held by the board as in the case of a new application for license In all such cases the board shall have the sole and final discretion as to the propriety of the issuance of a license for such premises and as to the time it shall issue and the period for which it shall be issued and shall have the further power to exact conditions under which said license shall be conducted

Section 469 Applications for Transfers Fees Every applicant for a transfer of a license under the provisions of this article shall file a written application with the board together with a filing fee of twenty dollars (\$20.00) if the license to be transferred is a liquor license and ten dollars (\$10.00) if the license is a malt or brewed beverage license Such applications shall be in such form and shall be filed at such times as the board shall in its regulations prescribe Each such applicant shall also file an approved bond as required on original applications for such licenses

Whenever any license is transferred no license or other fees shall be required from the persons to whom such transfer is made for the balance of the then current license year except the filing fee as herein provided

Section 470 Renewal of Licenses Temporary Provisions for Licensees in Armed Service (a) All applications for renewal of licenses under the provisions of this article shall be filed at least sixty days before the expiration date of same and not thereafter Unless the board shall have given ten days' previous notice to the applicant of objections to the renewal of his license based upon violation by the licensee or his servants agents or employees of any of the laws of the Commonwealth or regulations of the board relating to the manufacture transportation use storage importation possession or sale of liquors alcohol or malt or brewed beverages or the conduct of a license establishment or unless the applicant has by his own act become a person of ill repute or unless the premises do not meet the requirements of this act or the regulations of the board the license of a licensee shall be renewed when the applicant shall file with the board a new approved bond and shall pay the requisite filing fee and license fee specified in this act

(b) In cases where a licensee or his servants agents or employees are arrested charged with violating any of the laws of this Commonwealth relating to liquor alcohol or malt or brewed beverages and where the board has on file in such cases reports of its enforcement officers or investigators or from other sources that a licensee or his servants agents or employees have violated any of the aforementioned laws and a proceeding to revoke such licensee's license is or is about to be instituted and such arrest occurs or report of violations is received or revocation proceeding instituted or about to be instituted during the time a renewal application of such license is pending before the board the board may in its discretion renew the license notwithstanding such alleged violations but such renewal license may be revoked if and when the licensee or any of his servants agents or employees are convicted or plead guilty to violations under the previous license as aforesaid or if and when such previous license is for any reason revoked

In the event such renewal license is revoked by the

board neither the license fee paid for such license nor any part thereof shall be returned to the licensee but the license bond filed with the application for such renewal of license shall not be forfeited

(c) Notwithstanding anything to the contrary in this section any individual who holds a restaurant or hotel liquor license or a retail dispenser (hotel or eating place) malt or brewed beverage license in effect at the time such individual enters the armed forces of the United States of America may surrender to the board for safekeeping the said license and if surrendered shall furnish the board with documentary evidence as to his entering such armed forces Upon surrender of the license the board shall without the filing of an application for renewal or surety bond the payment of filing and license fees renew the said license from year to year and hold the same in its possession for the benefit of such licensee A license so renewed by the board shall to all intents and purposes be considered as in full force and effect notwithstanding the licensee is not exercising the privileges thereunder and shall be returned to the said licensee at any time within one year from the date of his honorable discharge from the armed forces of the United States upon the filing of an application therefor surety bond and payment of the filing and license fees as hereinafter provided The said application for return of license shall be on a form prescribed by the board accompanied by a filing fee in the sum of ten dollars (\$10.00) and the prescribed license fee except that when such application is filed after a portion of the then current license term has elapsed the license fee shall be prorated on a monthly basis for the balance of the license year Provided however That the said license shall not be returned if the electors of the municipality in which the licensed establishment is situate have voted against the granting of retail liquor licenses or against the granting of retail dispenser licenses as the case may be under the local option provision of this act In the event the premises originally covered by the license are not available for occupancy by the licensee at the time he files his application for return of license as hereinbefore provided he shall be permitted to file an application for transfer of the license to other premises in the same municipality Such transfer of the license shall be subject to all of the provisions of this act pertaining to the transfer of such licenses

This subsection (c) was enacted due to conditions caused by the present war and shall remain in effect only until the termination of said war and one year thereafter

Section 471 Revocation and Suspension of Licenses Upon learning of any violation of this act or any laws of this Commonwealth relating to liquor alcohol or malt or brewed beverages or of any regulations of the board adopted pursuant to such laws of any violation of any laws of this Commonwealth or of the United States of America relating to the tax-payment of liquor or malt or brewed beverages by any licensee within the scope of this article his officers servants agents or employees or upon any other sufficient cause shown the board may within one year from the date of such violation or cause appearing cite such licensee to appear before it or its examiner not less than ten nor more than fifteen days from the date of sending such licensee by registered mail a notice addressed to him at his licensed premises to show cause why such license should not be suspended or revoked Hearings on such citations shall be held in the same manner as provided herein for hearings on applications for license Upon such hearing if satisfied that any such violation has occurred or for other sufficient cause the board shall immediately suspend or revoke the license notifying the licensee thereof by registered letter addressed to his licensed premises Such suspensions and revocations shall not go into effect until twenty days have elapsed from the date of notice of issuance of the board's order during which time the licensee may take an appeal as provided for in this act When a license is revoked the license's bond may be forfeited by the board Any licensee whose license is revoked shall be ineligible to have a license under this act until the expiration of

three years from the date such license was revoked. In the event the board shall revoke a license no license shall be granted for the premises or transferred to the premises in which the said license was conducted for a period of at least one year after the date of the revocation of the license conducted in the said premises except in cases where the licensee or a member of his immediate family is not the owner of the premises in which case the board may in its discretion issue or transfer a license within the said year. In all such cases the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order. In the event the person whose license was suspended or revoked by the board shall feel aggrieved by the action of the board he shall have the right to appeal to the court of quarter sessions or the county court of Allegheny County in the same manner as herein provided for appeals from refusals to grant licenses. Upon appeal the court so appealed to shall in the exercise of its discretion sustain, reject, alter or modify the findings, conclusions and penalties of the board based on the findings of fact and conclusions of law as found by the court. The aforesaid appeal shall act as a supersedeas unless upon sufficient cause shown the court shall determine otherwise. The licensee or the board may within thirty days from the filing of the order or decree of said court file an appeal therefrom to the Superior Court. In those cases where the board shall suspend a license the board may accept from the licensee an offer in compromise as a penalty in lieu of such suspension and thereupon rescind such suspension. In the case of a manufacturer of malt or brewed beverages the offer in compromise shall be at the rate of one hundred dollars (\$100) for each day of suspension in the case of a liquor importer, sacramental wine licensee and a malt or brewed beverage importing distributor thirty dollars (\$30) in the case of a distributor of malt or brewed beverages twenty dollars (\$20) for each day of suspension and in the case of a hotel restaurant and club liquor licensee and a retail malt or brewed beverage dispenser or transporter for hire ten dollars (\$10) for each day of suspension. No offer in compromise may be accepted by the board in those cases where the suspension is for a period in excess of 100 days.

The jurisdiction of the county court of Allegheny County conferred hereby shall be exclusive within the territorial limits of its jurisdiction.

Section 472 Local Option. In any municipality an election may be held on the date of the primary election immediately preceding any municipal election but not oftener than once in four years to determine the will of the electors with respect to the granting of liquor licenses to hotels, restaurants and clubs or not oftener than once in four years with respect to the granting of licenses to retail dispensers of malt and brewed beverages within the limits of such municipality under the provisions of this act. Provided however, Where an election shall have been held at the primary preceding a municipal election in any year another election may be held under the provisions of this act at the primary occurring the fourth year after such prior election. Whenever electors equal to at least twenty-five per centum of the highest vote cast for any office in the municipality at the last preceding general election shall file a petition with the county board of elections of the county for a referendum on the question of granting either of said classes of licenses the said county board of elections shall cause a question to be placed on the ballots or on the voting machine board and submitted at the primary immediately preceding the municipal election occurring at least sixty days thereafter. Said proceedings shall be in the manner and subject to the provisions of the election laws which relate to the signing, filing and adjudication of nomination petitions insofar as such provisions are applicable.

When the question is in respect to the granting of liquor licenses it shall be in the following form:

Do you favor the granting of liquor licenses for the sale of liquor in	Yes
of	No

When the question is in respect to the granting of licenses to retail dispensers of malt and brewed beverages it shall be in the following form:

Do you favor the granting of malt and brewed beverage retail dispenser licenses for consumption on premises where sold in the	Yes
of	No

In case of a tie vote or if a majority of the voting electors on such question vote "yes" then liquor licenses shall be granted by the board to hotels, restaurants and clubs or malt and brewed beverage retail dispenser licenses shall be granted by the board as the case may be in such municipality as provided by this act but if a majority of the electors voting on such question vote "no" then the board shall have no power to grant or to renew upon their expiration any licenses of the class so voted upon in such municipality unless and until at a later election a majority of the voting electors vote "yes" on such question.

(D) Unlawful Acts Penalties

Section 491 Unlawful Acts Relative to Liquor, Alcohol and Liquor Licensees

It shall be unlawful:

(1) **Sales of Liquor.** For any person by himself or by an employe or agent to expose or keep for sale or directly or indirectly or upon any pretense or upon any device to sell or offer to sell any liquor within this Commonwealth except in accordance with the provisions of this act and the regulations of the board. This clause shall not be construed to prohibit hospitals, physicians, dentists or veterinarians who are licensed and registered under the laws of this Commonwealth from administering liquor in the regular course of their professional work and taking into account the cost of the liquor so administered in making charges for their professional service or a pharmacist duly licensed and registered under the laws of this Commonwealth from dispensing liquor on a prescription of a duly licensed physician, dentist or veterinarian or selling medical preparations containing alcohol or using liquor in compounding prescriptions or medicines and making a charge for the liquor used in such medicines or a manufacturing pharmacist or chemist from using liquor in manufacturing preparations unfit for beverage purposes and making a charge for the liquor so used. All such liquors so administered or sold by hospitals, physicians, dentists, veterinarians, pharmacists or chemists shall conform to the Pharmacopoeia of the United States, the National Formulary or the American Homeopathic Pharmacopoeia.

(2) **Possession or Transportation of Liquor or Alcohol.** For any person except a manufacturer or the board or the holder of a sacramental wine license or of an importer's license to possess or transport any liquor or alcohol within this Commonwealth which was not lawfully acquired prior to January first one thousand nine hundred and thirty-four or has not been purchased from a Pennsylvania Liquor Store or in accordance with the board's regulations. The burden shall be upon the person possessing or transporting such liquor or alcohol to prove that it was so acquired. But nothing herein contained shall prohibit the manufacture or possession of wine by any person in his home for consumption of himself, his family and guests and not for sale not exceeding during any one calendar year two hundred gallons, any other law to

the contrary notwithstanding Such wine shall not be manufactured possessed offered for sale or sold on any licensed premises

(3) Purchase of Liquor or Alcohol For any person within this Commonwealth by himself or by an employee or agent to attempt to purchase or directly or indirectly or upon any pretense or device whatsoever to purchase any liquor or alcohol from any person or source other than a Pennsylvania Liquor Store except in accordance with the provisions of this act or the regulations of the board

(4) Liquor Packages Without Official Seal For any person except a manufacturer or the board or the holder of a sacramental wine license or of an importer's license or a priest clergyman or rabbi who has purchased wine from the holder of a sacramental wine license to have or keep any liquor within the Commonwealth unless the package (except the decanter or other receptacle containing liquor for immediate consumption) in which the liquor is contained while containing that liquor bears the official seal of the board The use of decanters or other similar receptacles by licensees shall be permitted only in the case of wines and then only in accordance with the regulations of the board but nothing herein contained shall prohibit the manufacture and possession of wine as provided in (2) of this section

(5) Failure to Break Empty Liquor Containers For any restaurant hotel or club license his servants agents or employees to fail to break any package in which liquors were contained within twenty-four hours after the original contents were removed therefrom

(6) Sales by Restaurant and Hotel Liquor Licensees For any restaurant or hotel licensee his servants agents or employees to sell any liquor or malt or brewed beverages for consumption on the licensed premises except in a room or rooms or place on the licensed premises at all times accessible to the use and accommodation of the general public but this section shall not be interpreted to prohibit a hotel licensee or a restaurant licensee when the restaurant is located in a hotel from selling liquor or malt or brewed beverages in any room of such hotel occupied by a bona fide guest

(7) Sales of Liquor by Manufacturers and Licensed Importers For any manufacturer or licensed importer of liquor in this Commonwealth his agents servants or employees to sell or offer to sell any liquor in this Commonwealth except to the board for use in Pennsylvania Liquor Stores and in the case of a manufacturer to the holder of a sacramental wine license or in importer's license but a manufacturer or licensed importer may sell or offer to sell liquor to persons outside of this Commonwealth

(8) Importation and Sales of Alcohol For any person to import alcohol into this Commonwealth or to sell alcohol to any person except in accordance with the regulations of the board

(9) Possession of Alcohol For any person to have alcohol in his possession except in accordance with the provisions of this act and the regulations of the board

(10) Fortifying Adulterating or Contaminating Liquor For any licensee or any employee or agent of a licensee or of the board to fortify adulterate or contaminate any liquor except as permitted by the regulations of the board or to refill wholly or in part with any liquid or substance whatsoever any bottle or other container bearing the official seal of the board

(11) Importation of Liquor For any person other than the board or the holder of sacramental wine license or of an importer's license to import any liquor whatsoever into this Commonwealth but this section shall not be construed to prohibit railroad and pullman companies from selling liquors purchased outside the Commonwealth in their dining club and buffet cars which are covered by public service liquor licenses and which are operated in this Commonwealth

(12) Delivery of Liquor by Certain Licensees For a liquor licensee permitted to deliver liquor to make any deliveries except in his own vehicles bearing his name address and license number on each side in letters not smaller than four inches in height or in the vehicle of

another person duly authorized to transport liquor within this Commonwealth

(13) Violation of Certain Rules and Regulations of Board For any person to violate any rules and regulations adopted by the board to insure the equitable wholesale and retail sale and distribution of liquor and alcohol through the Pennsylvania Liquor Stores

(14) Offering Commission or Gift to Members of Board or State Employee For any person selling or offering to sell liquor or alcohol to or purchasing at wholesale liquor or alcohol from the board either directly or indirectly to pay or offer to pay any commission profit or remuneration or to make or offer to make any gift to any member or employee of the board or other employee of the Commonwealth or to anyone on behalf of such member or employee

Section 492 Unlawful Acts Relative to Malt or Brewed Beverages and Licensees

It shall be unlawful

(1) Manufacturing Without License For any person to manufacture malt or brewed beverages unless such person holds a valid manufacturer's license for such purpose issued by the board

(2) Sales of Malt or Brewed Beverages for Consumption on the Premises For any person to sell to another for consumption upon the premises where sold or to permit another to consume upon the premises where sold any malt or brewed beverages unless such person holds a valid retail dispenser license or a valid liquor license issued by the board authorizing the sale of malt or brewed beverages for consumption upon such premises

(3) Sales of Malt or Brewed Beverages Not for Consumption on the Premises For any person to sell to another any malt or brewed beverages not for consumption upon the premises where sold unless such person holds a valid license permitting such sale

(4) Sunday Sales of Malt or Brewed Beverages by Manufacturers Importing Distributors or Distributors For any manufacturer of malt or brewed beverages importing distributor or distributor or the servants agents or employees of the same to sell trade or barter in malt or brewed beverages between the hours of twelve o'clock midnight of any Saturday and two o'clock in the forenoon of the following Monday

(5) Sunday Sales of Malt or Brewed Beverages by Hotels Eating Place or Public Service Licensees For any hotel or eating place holding a retail dispenser's license or any malt or brewed beverage public service licensee or the servants agents or employees of such licensees to sell trade or barter in malt or brewed beverages between the hours of twelve o'clock midnight of any Saturday and seven o'clock in the forenoon of the following Monday or between the hours of two o'clock antemeridian and seven o'clock antemeridian of any week day

(6) Sales of Malt or Brewed Beverages on Election Day by Hotel Eating Place or Public Service Licensees For any hotel or eating place holding a retail dispenser's license or any malt or brewed beverage public service licensee or his servants agents or employees to sell furnish or give any malt or brewed beverages to any person after two o'clock antemeridian or until one hour after the time fixed by law for the closing of polling places on days on which a general municipal special or primary election is being held

(7) Clubs Selling Between Three O'Clock Antemeridian and Seven O'Clock Antemeridian For any club retail dispenser or its servants agents or employees to sell malt or brewed beverages between the hours of three o'clock antemeridian and seven o'clock antemeridian on any day

(8) Transportation of Malt or Brewed Beverages For any person to transport malt or brewed beverages except in the original containers or to transport malt or brewed beverages for another who is engaged in selling either liquor or malt or brewed beverages unless such person shall hold (a) a license to transport for hire alcohol liquor and malt or brewed beverages as hereinafter provided in this act or (b) shall hold a permit issued by the board and shall have paid to the board such permit fee not exceeding one hundred dollars (\$100) and shall have filed

with the board a bond in the penal sum of not more than two thousand dollars (\$2000) as may be fixed by the rules and regulations of the Board any other law to the contrary notwithstanding

(9) Transportation of Malt or Brewed Beverages by Licensee For a malt or brewed beverage licensee to deliver or transport any malt or brewed beverages excepting in vehicles bearing the name and address and license number of such licensee painted or affixed on each side of such vehicle in letters no smaller than four inches in height

(10) Importing or Transporting Malt or Brewed Beverages Without Tax Stamps For any person to transport within or import any malt or brewed beverages into this Commonwealth except in accordance with the rules and regulations of the board or for any person to transport malt or brewed beverages into or within this Commonwealth unless there shall be affixed to the original containers in which such malt or brewed beverages are transported stamps or crowns evidencing the payment of the malt liquor tax to the Commonwealth. Provided however That this clause shall not be construed to prohibit transportation of malt or brewed beverages through this Commonwealth and not for delivery therein if such transporting is done in accordance with the rules and regulations of the board

(11) Delivery of Malt or Brewed Beverages With Other Commodities For any manufacturer importing distributor or distributor or his servants agents or employees except with board approval to deliver or transport any malt or brewed beverages in any vehicle in which any other commodity is being transported

(12) Distributors and Importing Distributors Engaging in Other Business For any distributor or importing distributor or his servants agents or employees without the approval of the board and then only in accordance with board regulations to engage in any other business whatsoever except the business of distributing malt or brewed beverages

(13) Possession or Storage of Liquor or Alcohol by Certain Licensees For any distributor importing distributor or retail dispenser or his servants agents or employees to have in his possession or to permit the storage of on the licensed premises or in any place contiguous or adjacent thereto accessible to the public or used in connection with the operation of the licensed premises any alcohol or liquor

(14) Malt or Brewed Beverage Licensees Dealing in Liquor or Alcohol For any malt or brewed beverage licensee other than a manufacturer or the servants agents or employees thereof to manufacture import sell transport store trade or barter in any liquor or alcohol

(15) Selling to Persons Doing Illegal Business For any malt or brewed beverage licensee or his servants agents or employees to knowingly sell any malt or brewed beverages to any person engaged in the business of illegally selling liquor or malt or brewed beverages

(16) Distributors and Importing Distributors Failing to Keep Records For any importing distributor or distributor engaged in the sale of products other than malt or brewed beverages to fail to keep such complete separate records covering in every respect his transactions in malt or brewed beverages as the board shall by regulation require

(17) Fortifying Adulterating or Contaminating Malt or Brewed Beverages For any person to fortify adulterate contaminate or in any wise to change the character or purity of the malt or brewed beverages from that as originally marketed by the manufacturer at the place of manufacture

Section 493 Unlawful Acts Relative to Liquor Malt and Brewed Beverages and Licensees The term "licensee" when used in this section shall mean those persons licensed under the provisions of Article IV unless the context clearly indicates otherwise

It shall be unlawful

(1) Furnishing Liquor or Malt or Brewed Beverages to Certain Persons For any licensee or the board or any employe servant or agent of such licensee or of the board

or any other person to sell furnish or give any liquor or malt or brewed beverages or to permit any liquor or malt or brewed beverages to be sold furnished or given to any person visibly intoxicated or to any insane person or to any minor or to habitual drunkards or persons of known intemperate habits

(2) Purchase or Sale of Liquor or Malt or Brewed Beverages on Credit For any licensee his agent servant or employe to sell or offer to sell or purchase or receive any liquor or malt or brewed beverages except for cash excepting credit extended by a hotel or club to a bona fide guest or member no right of action shall exist to collect any claim for credit extended contrary to the provisions of this clause Nothing herein contained shall prohibit a licensee from crediting to a purchaser the actual price charged for original containers returned by the original purchaser as a credit on any sale or from refunding to any purchaser the amount paid by such purchaser for such containers or as a deposit on containers when title is retained by the vendor if such original containers have been returned to the licensee Nothing herein contained shall prohibit a manufacturer from extending usual and customary credit for liquor or malt or brewed beverages sold to customers or purchasers who live or maintain places of business outside of the Commonwealth of Pennsylvania when the liquor or malt or brewed beverages so sold are actually transported and delivered to points outside of the Commonwealth. Provided however That as to all transactions affecting malt or brewed beverages to be resold or consumed within this Commonwealth every licensee shall pay and shall require cash deposits on all returnable original containers which contain not more than one hundred twenty-eight fluid ounces and all such cash deposits shall be refunded upon return of the original containers

(3) Exchange of Liquor or Malt or Brewed Beverages For Merchandise etc For any licensee or the board or any employe servant or agent of a licensee or of the board to sell offer to sell or furnish any liquor or malt or brewed beverages to any person on a pass book or store order or to receive from any person any goods wares merchandise or other articles in exchange for liquor or malt or brewed beverages

(4) Peddling Liquor or Malt or Brewed Beverages For any person to hawk or peddle any liquor or malt or brewed beverages in this Commonwealth

(5) Failure to Have Brands as Advertised For any licensee his servants agents or employees to advertise or hold out for sale any liquor or malt or brewed beverages by trade name or other designation which would indicate the manufacture or place of production of the said liquor or malt or brewed beverages unless he shall actually have on hand and for sale a sufficient quantity of the particular liquor or malt or brewed beverages so advertised to meet requirements to be normally expected as a result of such advertisement or offer

(6) Brand or Trade Name on Spigot For any licensee his agents servants or employees to furnish or serve any malt or brewed beverages from any faucet spigot or other dispensing apparatus unless the trade name or brand of the product served shall appear in full sight of the customer and in legible lettering upon such faucet spigot or dispensing apparatus

(7) Alcoholic Strength on Label of Malt or Brewed Beverages For any licensee or his servants agents or employees to transport sell deliver or purchase any malt or brewed beverages upon which there shall appear a label or other informative data which in any manner refers to the alcoholic contents of the malt or brewed beverage or which refers in any manner to the original alcoholic strength extract or balling proof from which such malt or brewed beverage was produced This clause shall not be construed to prohibit a manufacturer from designating upon the label or descriptive data the alcoholic content of malt or brewed beverages intended for shipment into another state or territory when the laws of such state or territory require that the alcoholic content

of the malt or brewed beverage must be stated upon the package

(8) Advertisements on Labels Giving Alcoholic Content of Malt or Brewed Beverages For any manufacturer or other licensee or his servants agents or employees to issue publish or post or cause to be issued published or posted any advertisement of any malt or brewed beverage including a label which shall refer in any manner to the alcoholic strength of the malt or brewed beverage manufactured sold or distributed by such licensees or to use in any advertisement or label such words as "full strength" "extra strength" "high test" "high proof" "pre-war strength" or similar words or phrases which would lead or induce a consumer to purchase a brand of malt or brewed beverage on the basis of its alcoholic content or to use in or on any advertisement or label any numeral unless adequately explained in type of the same size prominence and color or for any licensee to purchase transport sell or distribute any malt or brewed beverage advertised or labeled contrary to the provisions of this clause

(9) Retail Licensees Furnishing Free Lunch etc For any retail liquor licensee or any retail dispenser his agents servants or employees to furnish give or sell below a fair cost any lunch to any consumer except such articles of food as the board may authorize and approve

(10) Entertainment on Licensed Premises (Except Clubs) Permits Fees For any licensee his servants agents or employees except club licensees to permit in any licensed premises or in any place operated in connection therewith dancing theatricals or floor shows of any sort or moving pictures other than television or such as are exhibited through machines operated by patrons by the deposit of coins which project pictures on a screen not exceeding in size twenty-four by thirty inches and which forms part of the machine unless the licensee shall first have obtained from the board a special permit to provide such entertainment or for any licensee under any circumstances to permit in any licensed premises any lewd immoral or improper entertainment regardless of whether a permit to provide entertainment has been obtained or not The Board shall have power to provide for the issue of such special permits and to collect a fee for such permits equal to one-fifth of the annual license fee but not less than twenty-five dollars (\$25) All such fees shall be paid into the State Stores Fund No such permit shall be issued in any municipality which by ordinance prohibits amusements in licensed places Any violation of this clause shall in addition to the penalty herein provided subject the licensee to suspension or revocation of his permit and his license

(11) Licensees Employed by Others For any hotel restaurant or club liquor licensee or any malt or brewed beverage licensee or any servant agent or employee of such licensee to be at the same time employed directly or indirectly by any other person engaged in the manufacture sale transportation or storage of liquor malt or brewed beverages or alcohol

(12) Failure to Have Records on Premises For any liquor licensee or any importing distributor distributor or retail dispenser to fail to keep on the licensed premises for a period of at least two years complete and truthful records covering the operation of his licensed business particularly showing the date of all purchases of liquor and malt or brewed beverages the actual price paid therefor and the name of the vendor including State Store receipts or for any licensee his servants agents or employees to refuse the board or an authorized employee of the board access thereto or the opportunity to make copies of the same when the request is made during business hours

(13) Retail Licensees Employing Minors For any hotel restaurant or club liquor licensee or any retail dispenser to employ any minor or to permit any minor to render any service whatever in or about the licensed premises except in accordance with board regulations nor shall any entertainer be employed or permitted to perform in

any licensed premises in violation of the labor laws of this Commonwealth

(14) Permitting Undesirable Persons or Minors to Frequent Premises For any hotel restaurant or club liquor licensee or any retail dispenser his servants agents or employees to permit persons of ill repute known criminals prostitutes or minors to frequent his licensed premises or any premises operated in connection therewith except minors accompanied by parents guardians or under proper supervision

(15) Cashing Pay Roll Checks For any licensee or his servants agents or employees to cash pay roll checks except in accordance with board regulations

(16) Furnishing or Delivering Liquor or Malt or Brewed Beverages at Unlawful Hours For any Licensee his servants agents or employees to give furnish trade barter serve or deliver any liquor or malt or brewed beverages to any person during hours or on days when the licensee is prohibited by this act from selling liquor or malt or brewed beverages

(17) Licensees etc Interested or Employed in Manufacturing or Sale of Equipment or Fixtures For any licensee or any officer director stockholder servant agent or employee of any licensee to own any interest directly or indirectly in or be employed or engaged in any business which involves the manufacture or sale of any equipment furnishings or fixtures to any hotel restaurant or club licensees or to any importing distributors distributors or retail dispensers Provided however That as to malt or brewed beverage licensees the provisions of this subsection shall not apply to such a conflicting interest if it has existed for a period of not less than three years prior to the first day of January one thousand nine hundred thirty-seven and the board shall approve

(18) Displaying Price of Liquor or Malt or Brewed Beverages For any restaurant hotel or club liquor licensee or any importing distributor distributor or retail dispenser or the servants agents or employees of such licensees to display on the outside of any licensed premises or to display any place within the licensed premises where it can be seen from the outside any advertisement whatsoever referring directly or indirectly to the price at which the licensee will sell liquor or malt or brewed beverages

(19) Licensees Outside Advertisements For any retail liquor licensee or any retail dispenser distributor or importing distributor to display in any manner whatsoever on the outside of his licensed premises or on any lot of ground on which the licensed premises are situate or on any building of which the licensed premises are a part of a sign of any kind printed painted or electric advertising any brand of liquor or malt or brewed beverage and it shall be likewise unlawful for any manufacturer distributor or importing distributor to permit the display of any sign which advertises either his products or himself on any lot of ground on which such licensed premises are situate or on any building of which such licensed premises are a part

(20) Retail Liquor and Retail Malt or Brewed Beverages Licensee's Inside Advertisements For any retail liquor or retail malt or brewed beverages licensee to display or permit the display in the show window or doorways of his licensed premises any placard or sign advertising the brands of liquor or malt or brewed beverages produced by any one manufacturer if the total display area of any such placard or sign advertising the products of any one manufacturer exceeds three hundred square inches Nothing herein shall prohibit a licensee from displaying inside his licensed premises point of sale displays advertising brand names of products sold by him other than a window or door display Provided That the total cost of all such point of sale advertising matter relating to products of any one manufacturer shall not exceed the sum of twenty dollars (\$20) at any one time and no single piece of advertising shall exceed a cost of ten dollars (\$10) All such advertising material including the window and door signs may be furnished by a manufacturer distributor or importing distributor

(21) Refusing The Right of Inspection For any licensee or his servants agents or employees to refuse the board

or any of its authorized employes the right to inspect completely the entire licensed premises at any time during which the premises are open for the transaction of business or when patrons guests or members are in that portion of the licensed premises wherein either liquor or malt or brewed beverages are sold

(22) Allowance or Rebate to Induce Purchases For any licensee or his servants agents or employes to offer pay make or allow or for any licensee or his servants agents or employes to solicit or receive any allowance or rebate refunds or concessions whether in the form of money or otherwise to induce the purchase of liquor or malt or brewed beverages or any other commodity manufactured or sold by the licensee

(23) Money or Valuables Given to Employes to Influence Actions of Their Employers For any licensee or any agent employe or representative of any licensee to give or permit to be given directly or indirectly money or anything of substantial value in an effort to induce agents employes or representatives of customers or prospective customers to influence their employer or principal to purchase or contract to purchase liquor or malt or brewed beverages from the donor of such gift or to influence such employers or principals to refrain from dealing or contracting to deal with other licensees

(24) Things of Value Offered as Inducement For any licensee under the provisions of this article or the board or any manufacturer or any employe or agent of a manufacturer licensee or of the board to offer to give anything of value or to solicit or receive anything of value as a premium for the return of caps stoppers corks stamps or labels taken from any bottle case barrel or package containing liquor or malt or brewed beverage or to offer or give or solicit or receive anything of value as a premium or present to induce the purchase of liquor or malt or brewed beverage or for any other purpose whatsoever in connection with the sale of such liquor or malt or brewed beverage or for any licensee manufacturer or other person to offer or give to trade or consumer buyers any prize premium gift or other similar inducement except advertising novelties of nominal value which the board shall define Provided however That this section shall not apply to the return of any monies specifically deposited for the return of the original containers to the owners thereof

(25) Employment of Females in Licensed Places For any licensee or his agent to employ or permit the employment of any female at his licensed hotel restaurant or eating place to mix or serve liquor or malt or brewed beverages behind the bar or to employ any female for the purpose of enticing customers or to encourage them to drink liquor or make assignments for improper purposes Provided That nothing in this section shall be construed to prevent the employment of any female waitress who regularly takes orders for food from serving food liquor or malt or brewed beverages at tables also that nothing shall prevent any such licensees from employing any female stenographer hotel secretary clerk or other employe for their respective positions Provided further That nothing in this section shall be so construed as to prevent the wife of any such licensee or agent from mixing or serving liquor or malt or brewed beverages behind the bar of any such license place

Any person violating the provisions of this clause shall be guilty of a misdemeanor and upon conviction of the same shall be sentenced to pay a fine of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500) for each and every female so employed or undergo an imprisonment of not less than three (3) months nor more than one (1) year or either or both at the discretion of the court having jurisdiction of the case The board shall have the power to revoke or refuse licenses for violation of this clause.

Section 494 Penalties (a) Any person who shall violate any of the provisions of this article except as otherwise specifically provided shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars (\$100) nor more than three hundred dollars (\$300) and on failure to pay such fine to imprisonment for not less than one month

nor more than three months and for any subsequent offense shall be sentenced to pay a fine or not less than three hundred dollars (\$300) nor more than five hundred dollars (\$500) and to undergo imprisonment for a period not less than three months nor more than one year

(b) The right of the board to suspend and revoke licenses granted under this article shall be in addition to the penalty set forth in this section

Section 495 Miners' Identification Cards Licensees Saved From Prosecution (a) The statement of registration signed and issued to any registered elector by a Registrar Commissioner or Clerk under the provisions of any permanent personnel registration law of this Commonwealth shall for the purpose of this act be and accepts as an identification card

(b) Such identification card shall be presented by the holder thereof upon request of any State Liquor Store or any licensee or the servant agent or employe thereof for the purpose of aiding such store licensee or the servant agent or employe to determine whether or not such person is twenty-one years of age and upwards when such person desires alcoholic beverage at a State Liquor Store or licensed establishment

(c) In addition to the presentation of such identification card the agent of the State Liquor Store or the licensee or his servant agent or employe shall require the person whose age may be in question to fill in and sign a card in the following form

.....195....
I hereby represent
to a State Store or
licensee of the Pennsylvania Liquor Control Board that
I am of full age and discretion and over the age of 21
years having been born on19...
at This statement is made to
induce said store or licensee above named to sell or
otherwise furnish alcoholic beverages to the undersigned
Serial Number of Registration Card

I understand that I am subject to a fine of \$100.00 and
thirty days imprisonment for any misrepresentation herein

.....
(Name)

.....
(Address)

Witness

Name

Address

Such statement shall be printed upon a 3 inch by 5 inch or 4 inch by 5 inch file card which card shall be filed alphabetically by the State Liquor Store or licensee at or before the close of business on the day of which said certificate is executed in a file box containing a suitable alphabetical index and which card shall be subject to examination by any officer agent or employe of the Liquor Control Board at any and all times

(d) It shall be unlawful for the owner of an identification card as defined by this act to transfer said card to any other person for the purpose of aiding such person to secure alcoholic beverage Any person who shall transfer such identification card for the purpose of aiding such transferee to obtain alcoholic beverage shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one hundred dollars (\$100) or undergo imprisonment for not more than thirty (30) days Any person not entitled thereto who shall have unlawfully procured or have issued or transferred to him as aforesaid identification card and any person who shall make any false statement on any card required by subsection (c) hereof to be signed by him shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one hundred dollars (\$100) or undergo imprisonment for not more than thirty (30) days

(e) The signed statement in the possession of a licensee may be offered as a defense in all civil and criminal prosecutions for serving a minor and no penalty shall be imposed if the Liquor Control Board or the courts are satisfied that the licensee acted in good faith.

ARTICLE V

DISTILLERS WINERIES BONDED WAREHOUSES
BAILEES FOR HIRE AND TRANSPORTERS
FOR HIRE

Section 501 License Required Except as otherwise provided in this article and except as otherwise provided in article four as to malt and brewed beverages it shall be unlawful for any person without a license obtained under provisions of this article to hold in storage as bailee for hire or transport for hire any malt or brewed beverage or to manufacture produce distill develop or use in the process of manufacture denature redistill recover rectify blend reuse hold in bond hold in storage as bailee for hire or transport for hire within this Commonwealth any alcohol or liquor except that a person may manufacture wine out of grapes grown in Pennsylvania by fermentation only and with no alcohol or alcoholic product added thereto by way of fortification and sell the same to a licensed winery

Section 502 Exemptions No license hereunder shall be required from any registered pharmacist or a physician licensed by the State Board of Medical Education and Licensure or any person who makes and sells vinegar nonalcoholic cider and fruit juices or any person who manufactures stores sells or transports methanol propanol butanol and amanol or any person who conducts a wholesale drug business or any person who manufactures alcoholic preparations not fit for use as a beverage other than denatured alcohol or for beverage purposes any person engaged in the manufacture possession or sale of patent patented or proprietary medicines toilet medicinal or antiseptic preparations unfit for beverage purposes or solutions or flavoring extracts or syrups unfit for beverage purposes or any person who manufactures or sells paints varnishes enamels lacquers stains or paint or varnish removing or reducing compounds or wood fillers or any person who manufactures any substance where the alcohol or any liquor is changed into other chemical substances and does not appear in the finished product as alcohol or liquor or any common carrier by railroad which is subject to regulation by the Pennsylvania Public Utility Commission of the Commonwealth of Pennsylvania or scheduled common carriers by air of mail and passengers or any person who sells stores or transports alcohol or liquor completely denatured as specified by the board

Section 503 Qualifications for License No license shall be issued under the provisions of this article to any person unless (a) in case of individuals he or she is a citizen of the United States of America (b) in case of companies or unincorporated associations of individuals each and every one is a citizen of the United States of America (c) in case of corporations each and every stockholder thereof is a citizen of the United States of America.

Section 504 Applications Filing Fees (a) Every applicant for a license under this article shall file with the board a written application in such form as the board shall from time to time require Every such application shall be accompanied by a filing fee of ten dollars (\$10) the prescribed license fee and the bond hereinafter specified and shall set forth

1. The legal names of the applicant and of the owner of the place where business under the license will be carried on with their residence addresses by street and number if a partnership of each separate partner and if a corporation of each individual officer thereof

2 The exact location of said place of business and of every place to be occupied or used in connection with such business the productive capacity of each plant where any alcohol or liquor is to be manufactured produced distilled rectified blended developed or used in the process of manufacture denatured redistilled recovered reused the capacity of every warehouse or other place where such alcohol or liquor or malt or brewed beverage is to be held in bond or stored for hire or the equipment to be used where a transportation business is to be carried on under the license

3 That each and every one of the applicants is a citizen of the United States of America

4 Such other relevant information as the board shall from time to time require by rule or regulation

(b) Each application must be verified by affidavit of the applicant made before any officer legally qualified to administer oaths and if any false statement is wilfully made in any part of said application the applicant or applicants shall be deemed guilty of a misdemeanor and upon conviction shall be subject to the penalties provided by this article

Section 505 Licenses Issued Upon receipt of the application in the form herein provided the proper fees and an approved bond as herein designated the board may grant to such applicant a license to engage in (a) the operation of a winery or (b) the manufacturing producing distilling developing or using in the process of manufacturing denaturing redistilling recovering rectifying blending and reusing of alcohol and liquor or (c) the holding in bond of alcohol and liquor or (d) the holding in storage as bailee for hire of alcohol liquor and malt or brewed beverages or (e) the transporting for hire of alcohol liquor and malt or brewed beverages

Section 506 Bonds Required (a) No license shall be issued to any such applicant until he has filed with the board an approved bond duly executed payable to the Commonwealth of Pennsylvania together with a warrant of attorney to confess judgment in the penal sum herein set forth All such bonds shall be conditioned for the faithful observance of all the laws of this Commonwealth and regulations of the board relating to alcohol liquor and malt or brewed beverages and the conditions of the license and shall have as surety a duly authorized surety company or shall have deposited therewith as collateral security cash or negotiable obligations of the United States of America or the Commonwealth of Pennsylvania in the same amount as herein provided for the penal sum of bonds

(b) In all cases where cash or securities in lieu of other surety have been deposited with the board the depositor shall be permitted to continue the same deposit from year to year on each renewal of license but in no event shall he be permitted to withdraw his deposit during the time he holds said license or until six months after the expiration of the license held by him or while revocation proceedings are pending against such licensee

(c) All cash or securities received by the board in lieu of other surety shall be turned over by the board to the State Treasurer and held by him The State Treasurer shall repay or return money or securities deposited with him to the respective depositors only on the order of the board

(d) After notice from the board that such a bond has been forfeited the State Treasurer shall immediately pay into the State Stores Fund all cash deposited as collateral with such bond and when securities have been deposited with such a bond the State Treasurer shall sell at private sale at not less than the prevailing market price any such securities so deposited as collateral with any such forfeited bond The State Treasurer shall thereafter deposit in the State Stores Fund the net amount realized from the sale of such securities except that if the amount so realized after deducting proper costs and expenses is in excess of the penal amount of the bond such excess shall be paid over by him to the obligator on such forfeited bond

(e) The penal sum of bonds required to be filed by applicants for license shall be as follows

In the case of a distillery (manufacturer) the bond shall be in the amount of ten thousand dollars (\$10,000) in the case of a bonded warehouse a bailee for hire and a transporter for hire each shall be in the amount of three thousand dollars (\$3000) and in the case of a winery shall be in the amount of five thousand dollars (\$5000) Such bonds shall be filed with and retained by the board

(f) Every such bond shall be turned over to the Department of Justice to be collected if and when the licensee's license shall have been revoked and his bond forfeited as provided in this act

Section 507 Hearings Upon Refusal of Licenses The board may of its own motion and shall upon the written request of any applicant for license or for renewal thereof whose application for such license or renewal has been refused fix a time and place for hearing of such applica-

tion or renewal notice of which hearing shall be sent to the applicant by registered mail at the address given in his application. Such hearing shall be before the board a member thereof or an examiner designated by the board. At such hearing the board shall present its reasons for its refusal or withholding of such license or renewal thereof. The applicant may appear in person or by counsel may cross-examine the witnesses for the board and may present evidence which shall likewise be subject to cross-examination by the board. Such hearing shall be stenographically recorded. The examiner shall thereafter report to the board. The board shall thereafter grant or refuse the license or renewal thereof. If the board shall refuse such license or renewal following such hearing notice in writing of such refusal shall be mailed to the applicant at the address given in his application. In all cases the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order.

Section 508 License Fees The annual fee for every license issued to a winery shall be two hundred and fifty dollars (\$250). The annual fee for every license issued to a distillery (manufacturer) shall be twenty-five hundred dollars (\$2500) per annum if the annual production is five hundred thousand (500,000) proof gallons or less and an additional fee of one hundred dollars (\$100) for each one hundred thousand (100,000) proof gallons or fraction thereof in excess of five hundred thousand (500,000) proof gallons but for the purpose of determining the amount of the fee payable by a distillery the annual production of alcohol that is denatured by the manufacturer thereof during the license year in Pennsylvania and not elsewhere shall be excluded but alcohol or liquor used by the manufacturer thereof during the license year in rectification or blending shall not be excluded except that no fee for a distillery shall be less than twenty-five hundred dollars (\$2500) per annum. The annual fee for all other licenses shall be one hundred dollars (\$100). The fee for any license when applied for and issued on or after April first but prior to July first shall be three-fourth of the annual fee. July first but prior to October first shall be one-half of the annual fee. October first but prior to January first one-fourth of the annual fee.

For the purpose of this section the term "proof gallon" shall mean a gallon liquid which contains one-half its volume of alcohol of a specific gravity of seven thousand nine hundred thirty-nine ten thousandths (.7939) at sixty degrees Fahrenheit.

Section 509 License Must Be Posted Business Hours Licenses shall be issued by the board under its official seal. Every license so issued must at all times be posted in a conspicuous place where the business is carried on under it and said place of business must be kept open during general business hours of every day in the year except Sundays and legal holidays.

Section 510 Containers To Be Labeled All persons except as exempted by section five hundred two hereof manufacturing producing distilling developing or using in the process of manufacture denaturing redistilling recovering rectifying blending reusing holding in bond holding in storage as bailee for hire or transporting for hire of alcohol or liquor under the provisions of this article shall securely and permanently attach to every container ready for shipment thereof as the same is manufactured produced distilled developed denatured redistilled recovered rectified blended reused a label stating the name of the manufacturer kind and quantity of alcohol or liquor contained therein and the date of its manufacture together with the number of the license authorizing the manufacture thereof and all persons possessing such alcohol or liquor in wholesale quantities shall securely keep and maintain such label thereon.

Section 511 License To Specify Each Place Authorized For Use Every license issued under the provision of this article shall specify by definite location every place to be occupied or used in connection with the business to be conducted thereunder. It shall be unlawful for the holder of any license to occupy or use any place in connection with any business authorized under a license other than the place or places designated therein.

Section 512 Records To Be Kept Every person holding a license issued under the provisions of this article shall keep on the licensed premises daily permanent records which shall show (a) the quantities of any alcohol or liquor manufactured produced distilled developed denatured redistilled recovered reused stored in bond stored as bailee for hire received or used in the process of manufacture by him and of all other material used in manufacturing or developing any alcohol or liquor (b) the sales or other disposition of any alcohol liquor or malt or brewed beverages if covered by said license (c) the quantities thereof if any stored in bond stored for hire or transported for hire by or for the licensee and (d) the names and addresses of the purchasers or other recipients thereof. Provided however That persons holding licenses issued under the provisions of this article for the transportation for hire of any alcohol liquor or malt or brewed beverages shall not be required to keep the above records but shall keep daily permanent records showing the names and addresses of the persons from whom any alcohol liquor or malt or brewed beverage was received and to whom delivered and such other permanent records as the board shall prescribe.

Section 513 Premises and Records Subject To Inspection Every place operated under license secured under the provisions of this article where any alcohol liquor or malt or brewed beverage covered by the license is manufactured produced distilled developed or used in the process of manufacture denatured redistilled rectified blended recovered reused held in bond stored for hire or in connection with a licensee's business shall be subject to inspection by members of the board or by persons duly authorized and designated by the board at any and all times of the day or night as they may deem necessary (a) for the detection of violations of this act or of the rules and regulations of the board promulgated under the authority of this act or (b) for the purpose of ascertaining the correctness of the records required by this act to be kept by licensees and the books and records of licensees and the books and records of their customers in so far as they relate to purchases from said licensees shall at all times to be open to inspection by the members of the board or by persons duly authorized and designated by the board for the purpose of making inspections as authorized by this section. Members of the board and the persons duly authorized and designated by the board shall have the right without fee or hindrance to enter any place which is subject to inspection hereunder or any place where records subject to inspection hereunder are kept for the purpose of making such inspections.

Section 514 Suspension and Revocation of Licenses (a) Upon learning of any violation of this act or of any rule or regulation promulgated by the board under the authority of this act or any violation of any laws of this Commonwealth or of the United States of America relating to the tax payment of alcohol liquor or malt or brewed beverages by the holder of a license issued under the provisions of this article or upon other sufficient cause the board may within one year from the date of such violation or cause appearing cite such licensee to appear before it or its examiner not less than ten (10) nor more than fifteen (15) days from the date of sending such licensee by registered mail a notice addressed to his licensed premises to show cause why the license should not be suspended or revoked. Hearings on such citations shall be held in the same manner as provided herein for hearings on applications for license. And upon such hearing if satisfied that any such violation has occurred or for other sufficient cause the board shall immediately suspend or revoke such license notifying the licensee thereof by registered letter addressed to his licensed premises or to the address given in his application where no licensed premises is maintained in Pennsylvania.

(b) When a license is revoked the licensee's bond may be forfeited by the board. Any licensee whose license is revoked shall be ineligible to have a license under this act or under any other act relating to alcohol liquor or malt or brewed beverages until the expiration of three (3) years from the date such license was revoked. In

the event the board shall revoke a license no license shall be granted for the premises or transferred to the premises in which said license was conducted for a period of at least one (1) year after the date of the revocation of the license conducted in said premises except in cases where the licensee or a member of his immediate family is not the owner of the premises in which case the board may in its discretion issue or transfer a license within said year. In all such cases the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order

Section 515 Appeals Any licensee aggrieved by any decision of the board refusing suspending or revoking a license under the provisions of this article may appeal within twenty (20) days from the date of refusal suspension or revocation to the court of quarter sessions of the county in which the licensed premises or the premises to be licensed are located In the event an applicant or a licensee shall have no place of business established within the Commonwealth his appeal shall be to the court of quarter sessions of Dauphin County Such appeal shall be upon petition of the applicant or licensee as the case may be who shall serve a copy thereof upon the board The said appeal shall act as a supersedeas unless upon sufficient cause shown the court shall determine otherwise The court shall hear the application de novo at such time as it shall fix of which notice shall be given to the board The court shall in the case of a refusal by the board either sustain such refusal or order the issuance of the license to the applicant The parties to such proceeding may within thirty (30) days from the filing of said court order or decree appeal therefrom to the Superior Court

Section 516 Compromise Penalty In Lieu of Suspension In those cases where the board shall suspend a license the board may accept from the licensee an offer in compromise as a penalty in lieu of such suspension and shall thereupon rescind its order of suspension In the case of a distillery licensee the offer in compromise shall be at the rate of one hundred dollars (\$100) for each day of suspension in the case of a bonded warehouse bailee for hire and transporter for hire licensees twenty-five dollars (\$25) for each day and in the case of a winery licensee fifty dollars (\$50) for each day No offer in compromise may be accepted by the board in those cases where the suspension is for a period in excess of one hundred (100) days

Section 517 Expiration of Licenses Renewals All licenses issued under this article shall expire at the close of the calendar year but new licenses for the succeeding year shall be issued upon written application therefor duly verified by affidavit stating that the facts in the original application are unchanged and upon payment of the fee as hereinafter provided and the furnishing of a new bond without the filing of further statements or the furnishing of any further information unless specifically requested by the board Provided however That any such license issued to a corporation shall expire thirty (30) days after any change in the officers of such corporation unless the name and address of each such new officer of such corporation shall within that period be reported to the board by certificate duly verified Applications for renewals must be made not less than thirty (30) nor more than sixty (60) days before the first day of January of the ensuing year All applications for renewal received otherwise shall be treated as original applications

Section 518 Unlawful Acts (a) It shall be unlawful for any person to transport any illegal alcohol liquor or malt or brewed beverages

(b) Whenever any person withdraws or removes any alcohol or liquor which has not been denatured from any distillery denaturing plant winery or bonded warehouse for the purpose of denaturing the same it shall be unlawful for any such person to use sell or conceal or attempt to use sell or conceal or be concerned in the sale use or concealment of any such alcohol or liquor unless before such sale or use the said alcohol or liquor shall be denatured by adding thereto denaturing material

or materials or admixtures thereof which render it unfit for beverage purposes

(c) It shall be unlawful for any person to recover and reuse or attempt to recover and reuse by redistillation or by any other process or means whatsoever any alcohol or liquor from denatured alcohol or from any other liquid or to knowingly use sell conceal or otherwise dispose of alcohol or liquor so recovered or redistilled

Section 519 Penalties Any person or persons who knowingly violate any of the provisions of this article or any person who shall violate any of the conditions of any license issued under the provisions of this article or who shall falsify any record or report required by this article to be kept or who shall violate any rule or regulation of the board or who shall interfere with hinder or obstruct any inspection authorized by this article or prevent any member of the board or any person duly authorized and designated by the board from entering any place which such member of the board or such person is authorized by this article to enter for the purpose of making an inspection or who shall violate any other provision of this article shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars (\$100) nor more than five thousand dollars (\$5000) or undergo imprisonment of not more than three (3) years or both at the discretion of the court

ARTICLE VI

PROPERTY ILLEGALLY POSSESSED OR USED FORFEITURES NUISANCES

(A) Forfeitures

Section 601 Forfeiture of Property Illegally Possessed or Used No property rights shall exist in any liquor alcohol or malt or brewed beverage illegally manufactured or possessed or in any still equipment material utensil vehicle boat vessel animals or aircraft used in the illegal manufacture or illegal transportation of liquor alcohol or malt or brewed beverages and the same shall be deemed contraband and shall be forfeited to the Commonwealth No such property when in the custody of the law shall be seized or taken therefrom on any writ or replevin or like process

Section 602 Forfeiture Proceedings (a) The proceedings for the forfeiture or condemnation of all property shall be in rem in which the Commonwealth shall be the plaintiff and the property the defendant A petition shall be filed in the court of quarter sessions verified by oath or affirmation of any officer or citizen containing the following (1) A description of the property so seized (2) a statement of the time and place where seized (3) the owner if known (4) the person or persons in possession if known (5) an allegation that the same had been possessel or used or was intended for use in violation of this act (6) and a prayer for an order of forfeiture that the same be adjudged forfeited to the Commonwealth unless cause be shown to the contrary

(b) A copy of said petition shall be served personally on said owner if he can be found within the jurisdiction of the court or upon the person or persons in possession at the time of the seizure thereof Said copy shall have endorsed thereon a notice as follows

"To the Claimant of Within Described Property You are required to file an answer to this petition setting forth your title in and right to possession of said property within fifteen (15) days from the service hereof and you are also notified that if you fail to file said answer a decree of forfeiture and condemnation will be entered against said property"

Said notice shall be signed by petitioner or his attorney or the district attorney or the Attorney General

(c) If the owner of said property is unknown or outside the jurisdiction of the court and there was no person in possession of said property when seized or such person so in possession can not be found within the jurisdiction of the court notice of said petition shall be given by an advertisement in only one newspaper of general circulation published in the county where such property shall

have been seized once a week for two (2) successive weeks. No other advertisement of any sort shall be necessary any other law to the contrary notwithstanding. Said notice shall contain a statement of the seizure of said property with a description thereof, the place and date of seizure and shall direct any claimants thereof to file a claim therefor on or before a date given in said notice which date shall not be less than ten (10) days from the date of the last publication.

(d) Upon the filing of any claim for said property setting forth a right of possession thereof, the case shall be deemed at issue and a time be fixed for the hearing thereof.

(e) At the time of said hearing, if the Commonwealth shall produce evidence that the property in question was unlawfully possessed or used, the burden shall be upon the claimant to show (1) that he is the owner of said property, (2) that he lawfully acquired the same, and (3) that it was not unlawfully used or possessed.

In the event such claimant shall prove by competent evidence to the satisfaction of the court that said liquor, alcohol or malt or brewed beverage or still equipment, material, utensil, vehicle, boat, vessel, container, animal or aircraft was lawfully acquired, possessed and used, then the court may order the same returned or delivered to the claimant; but if it appears that the property was unlawfully possessed or used, the court shall order it destroyed, delivered to a hospital or turned over to the board as hereinafter provided.

Section 603 Disposition of Forfeited Property. If upon petition as hereinbefore provided and hearing before the court of quarter sessions it appears that any liquor, alcohol or malt or brewed beverage was so illegally possessed or property so used in the illegal manufacture or transportation of liquor, alcohol or malt or brewed beverage, such liquor, alcohol, malt or brewed beverage or property shall be adjudged forfeited and condemned and shall be disposed of as follows:

(a) Upon conviction of any person of a violation of any of the provisions of this act, the court shall order the sheriff to destroy all such condemned liquor, alcohol or malt or brewed beverage and property seized or obtained from such defendants, except that the court may order the liquor, alcohol or malt or brewed beverages or any part thereof to be delivered to a hospital for its use and make return to the court of compliance with said order and any vehicle, container, boat, vessel, animals or aircraft seized under the provisions of this act shall be disposed of as hereinafter provided.

(b) In any case in which the defendant is acquitted of a violation of this act and denies the ownership or possession thereof or no claimant appears for same or appearing in unable to sustain claim thereof, the court shall order all such condemned liquor, alcohol or malt or brewed beverages and property (except vehicles, boats, vessels, containers, animals and aircraft) publicly destroyed by the sheriff, except that the court may order the liquor, alcohol or malt or brewed beverages or any part thereof to be delivered to a hospital for its use. Return of compliance with said order shall be made by the sheriff to the court.

(c) In the case of any vehicle, boat, vessel, container, animal or aircraft seized under the provisions of this act and condemned, the court shall order the same to be delivered to the board for its use or sale or disposition by the board in its discretion. Notice of such sale shall be given in such manner as the board may prescribe. The proceeds of such sale shall be paid into the State Stores Fund.

Section 604 Motor Vehicle Licenses to be Revoked. In addition to the foregoing provisions, the court may in its order of condemnation and in every conviction under this act where it shall appear that liquor, alcohol or malt or brewed beverages were unlawfully transported in a motor vehicle, declare that the license issued by the Department of Revenue for any motor vehicle so forfeited and condemned or issued to any defendant convicted of transporting liquor, alcohol or malt or brewed beverages in any motor vehicle shall be forfeited and revoked and it shall be the duty of the clerk of the court in which such conviction is had and order of condemnation made to certify such conviction to the Secretary of Revenue who shall

suspend or revoke the license issued for such motor vehicles. Provided That a license may be issued for such motor vehicle to the board or to any purchaser of the vehicle after the sale thereof as above provided.

Section 605 Application of Subdivision. The provisions of this subdivision shall apply to the disposition of any liquor, alcohol or malt or brewed beverage or property in the custody of the law or of any officer at the time of the passage of this act.

(B) Nuisances

Section 611 Nuisances. Actions to Enjoin. (a) Any room, house, building, boat, vehicle, structure or place except a private home where liquor, alcohol or malt or brewed beverages are manufactured, possessed, sold, transported, offered for sale, bartered or furnished or stored in bond or stored for hire in violation of this act and all such liquids, beverages and property kept or used in maintaining the same are hereby declared to be common nuisances and any person who maintains such a common nuisance shall be guilty of a misdemeanor and upon conviction thereof shall be subject to the same penalties provided in section four hundred ninety-four of this act.

(b) An action to enjoin any nuisance defined in this act may be brought in the name of the Commonwealth of Pennsylvania by the Attorney General or by the district attorney of the proper county. Such action shall be brought and tried as an action in equity and may be brought in any court having jurisdiction to hear and determine equity cases within the county in which the offense occurs. If it is made to appear by affidavit or otherwise to the satisfaction of the court that such nuisance exists, a temporary writ of injunction shall forthwith issue restraining the defendant from conducting or permitting the continuance of such nuisance until the conclusion of the proceedings. If a temporary injunction is prayed for, the court may issue an order restraining the defendant and all other persons from removing or in any way interfering with the liquids, beverages or other things used in connection with the violation of this act constituting such nuisance. No bond shall be required in instituting such proceedings. It shall not be necessary for the court to find the property involved was being unlawfully used as aforesaid at the time of the hearing, but on finding that the material allegations of the petition are true, the court shall order that no liquor, alcohol or malt or brewed beverage shall be manufactured, sold, offered for sale, transported, bartered or furnished or stored in bond or stored for hire in such room, house, building, structure, boat, vehicle or place or any part thereof.

(c) Upon the decree of the court ordering such nuisance to be abated, the court may upon proper cause shown order that the room, house, building, structure, boat, vehicle or place shall not be occupied or used for one year thereafter, but the court may in its discretion permit it to be occupied or used if the owner, lessee, tenant or occupant thereof shall give bond with sufficient surety to be approved by the court, making the order in the penal and liquidated sum of not less than five hundred dollars (\$500.00) payable to the Commonwealth of Pennsylvania for use of the county in which said proceedings are instituted and conditioned that neither liquor, alcohol nor malt or brewed beverages will thereafter be manufactured, sold, transported, offered for sale, bartered or furnished or stored in bond or stored for hire therein or thereon in violation of this act and that he will pay all fines, costs and damages that may be assessed for any violation of this act upon said property.

ARTICLE VII

DEALING IN DISTILLERY BONDED WAREHOUSE CERTIFICATES

(A) Preliminary Provisions

Section 701 Definitions and Interpretation. (a) When used in this article, the following words or phrases unless the context clearly indicates otherwise, shall have the meanings ascribed to them in this section:

"Agent" shall mean and include every person employed by a distillery certificate broker to sell offer for sale or delivery to purchase exchange or to enter into agreements for the purchase sale or exchange or to solicit subscriptions to or orders for or to undertake to dispose of or to deal in any manner in distillery bonded warehouse certificates

"Fraud" "fraudulent" and "fraudulent practice" shall include any misrepresentation in any manner of a relevant fact not made honestly and in good faith any promise or representation or prediction as to the future not made honestly and in good faith or an intentional failure to disclose a material fact the gaining directly or indirectly through the purchase sale or exchange of distillery bonded warehouse certificates of any promotion fee or profit selling or managing commission or profit so gross and exorbitant as to be unconscionable and fraudulent and any scheme device artifice or investment plan to obtain such an unconscionable profit Provided however That nothing herein shall limit or diminish the full meaning of the terms "fraud" and "fraudulent" as applied or accepted in courts of law or equity

(b) Nothing contained in this article shall be construed as permitting the holder or owner of a distillery bonded warehouse certificate as defined in this act to secure possession of the whiskey or other potable distilled spirits named or designated in such certificate except in accordance with the provisions of this act and the laws of this Commonwealth hereafter enacted relating to alcohol or alcohol beverages and the regulations of the board adapted and promulgated thereunder

(B) Permits

Section 702 Unlawful to Act as a Distillery Certificate Broker or to Buy or Sell Distillery Bonded Warehouse Certificate Without a Permit It shall be unlawful for any person except as hereinafter exempted directly or through an agent to sell purchase exchange offer for sale deliver enter into agreements for the purchase sale exchange solicit subscriptions to orders for undertake to dispose of deal in any manner in distillery bonded warehouse certificate without first having obtained a permit to act as a distillery certificate broker as provided in this article

Section 703 Authority to Issue Permits to Distillery Certificate Brokers Subject to the provisions of this article and regulations promulgated under this act the board shall have authority to issue to any reputable financially responsible person whose plan of business in dealing in distillery bonded warehouse certificates is not deemed by the board to constitute "fraudulent practice" as defined herein a permit to act as distillery certificate broker

Section 704 Application for Permit Filing Fee Every applicant for a distillery certificate broker permit shall file a written application with the board outlining his plan of business in dealing in distillery bonded warehouse certificates in such form and containing such other information as the board shall from time to time prescribe which shall be accompanied by a filing fee of ten dollars (\$10) and the prescribed permit fee If the applicant is a natural person his application must show that he is a citizen of the United States and if a corporation the application must show that the corporation was created under the laws of Pennsylvania or holds a certificate of authority to transact business in Pennsylvania The application shall be signed and verified by oath or affirmation of the applicant if a natural person or in the case of an association by a member or partner thereof or in the case of a corporation by an executive officer thereof or any person specifically authorized by the corporation to sign the application to which shall be attached written evidence of his authority If the applicant is an association the application shall set forth the names and addresses of the persons constituting the association and if a corporation the names and addresses of all the officers thereof All applications must be verified by affidavit of applicant and if any false statement is intentionally made in any part of the application the signer shall be guilty of a misdemeanor and upon indictment and conviction shall be subject to penalties provided by this article

Section 705 Issuance of Permits receipt of the application and proper fees and upon being satisfied of the truth of the statements in the application and being also satisfied that the applicant's plan of business in dealing in distillery bonded warehouse certificates does not constitute "fraudulent practice" as defined in this article and that the applicant is a person of good repute and financially responsible the board may issue to such applicant a permit authorizing the permittee to sell purchase exchange pledge and deal in distillery bonded warehouse certificates

Section 706 Office or Place of Business to be Maintained Every applicant for a distillery certificate broker permit under this article and every person to whom such a permit is issued shall maintain an office or place of business within the Commonwealth

Section 707 Permit Fee Permits Not Assignable or Transferable Display of Permit Term of Permit Every applicant for distillery certificate broker permit shall before receiving such permit pay to the board an annual permit fee of one hundred dollars (\$100) Permits issued under this act may not be assigned or transferred and shall be conspicuously displayed at the place of business of the permittee All permits shall be valid only during the year for which issued and shall automatically expire on the thirty-first day of December of each calendar year unless suspended revoked or cancelled prior thereto

Section 708 Records to be Kept Every person holding a permit issued under this act shall keep daily permanent records containing a complete record of all transactions in distillery bonded warehouse certificates within this Commonwealth in such form and manner as the board may from time to time prescribe Such records shall be available for examination by the board's officers at the broker's principal place of business or office in Pennsylvania

Section 709 Renewal of Permits Upon the filing of an application and the payment of the prescribed filing fee and permit fee in the same amount as herein required on original applications for permits the board may renew the permit for the calendar year beginning January first provided such application for renewal is filed and fee paid on or before December fifteenth of the preceding year unless the board shall have given previous notice of objections to the renewal of the permit based upon violation of this article or the board's regulations promulgated thereunder or unless the applicant has by his own act become a person of ill repute or ceases to be financially responsible

Section 710 Permit Hearings Appeals from Refusal of the Board to Issue or Renew Permits The board may of its own motion and shall upon written request of any applicant for distillery certificate broker permit or for renewal thereof whose application for such permit or renewal has been refused fix a time and place for hearings of such application for permit or for renewal thereof notice of which hearing shall be sent by registered mail to the applicant at the address given in his application Such hearing shall be before the board or a member thereof At such hearing the board shall present its reasons for its refusal or withholding a permit or renewal thereof The applicant may appear in person or by counsel cross-examine the witnesses of the board and may present evidence which shall be subject to cross-examination by the board Such hearings shall be stenographically recorded The board shall thereupon grant or refuse the permit or renewal thereof If the board shall refuse such permit or renewal following such hearing notice in writing of such refusal shall be sent by registered mail to the applicant at the address given in his application In all such cases the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order and furnish a copy thereof to the applicant Any applicant who has appeared before the board at any hearing as above provided who is aggrieved by the refusal of the board to issue or to renew a distillery certificate broker permit may appeal within twenty days from the date of refusal to the court of common pleas of Dauphin County

Section 711 Procedure of Appeal Record to be Certified

Cost of Preparing Record Appeal to Supreme Court Such appeal to the court of common pleas of Dauphin County shall be upon petition of the applicant against the board officially as defendant alleging therein in brief detail the action and decision complained of and praying for a reversal thereof. Upon service of a summons upon the board returnable within ten days from its date the board shall on or before the return day file an answer in which it shall allege by way of defense the grounds for its decision. It shall also on or before the return day of such summons certify to the court of common pleas of Dauphin County the record of the proceedings to which the petition refers. Such record shall include the testimony taken therein the findings of fact if any of the board based upon such testimony a copy of all orders made by the board in the proceedings and a copy of the action or decision of the board which the petition calls upon the court to reverse. The cost of preparing and certifying such record shall be paid to the board by the petitioner and taxed as part of the costs in the case to be paid as directed by the court upon the final determination of the case.

Upon the filing of the board's answer the case before the court of common pleas of Dauphin County shall be at issue without further pleadings and upon application of either party the case shall be advanced and heard without delay. Mere technical irregularities in the procedure of the board shall be disregarded.

The case shall be heard upon the record certified to the court by the board. Additional testimony shall not be taken before the court but the court may in proper cases remit the record to the board for the taking of further testimony.

From the decision of the court of common pleas of Dauphin County an appeal may be taken by either party to the Supreme Court of Pennsylvania as in other cases.

Section 712 Revocation and Suspension of Permit Upon learning of any violation of this act or regulations of the board promulgated thereunder or any violation of any laws of this Commonwealth or of the United States of America by the permittee his officers servants agents or employees or upon any other sufficient cause shown the board may cite such permittee to appear before it or a member thereof not less than ten or more than fifteen days from the date of sending such permittee by registered mail a notice addressed to him at the address set forth in the application for permit to show cause why such permit should not be suspended or revoked. When such notice is duly addressed and deposited in the post office it shall be deemed due and sufficient notice. Hearings on such citations shall be held in the same manner as provided herein for hearing on application for permit. Upon such hearing if satisfied that any such violation has occurred or for other sufficient cause the board shall immediately suspend or revoke the permit notifying the permittee thereof by registered letter addressed to the address set forth in the application for permit. Any permittee whose permit is revoked shall be ineligible to have a permit under this act until the expiration of three years from the date such permit was revoked. In all such cases the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order. In the event the person whose permit was suspended or revoked by the board shall feel aggrieved by the action of the board he shall have the right to appeal to the court of common pleas of Dauphin County in the same manner as herein provided for appeals from refusals to grant permits.

(C) Permittees' Registered Agents

Section 721 Unlawful to Act as Agent or to Employ Agents Without Registration It shall be unlawful for a distillery certificate broker to employ any person to act as agent or for any person to act as agent for any distillery certificate broker in purchasing exchanging offering for sale delivering entering into agreements for the purchase sale exchange soliciting subscriptions to orders for undertaking to dispose of dealing in any manner in distillery bonded warehouse certificates without such person first

having been registered as an agent as provided in this article.

Section 722 Registered Agents Every person holding a distillery certificate broker permit under this article who desires to employ an agent or agents in the operation of his business under the permit shall make application to the board for registration of such agent or agents. Every such permittee's application shall set forth the name of the permittee and the address of his main office or principal place of business in Pennsylvania and the full address where complete records are maintained covering the permittee's operations in Pennsylvania. With each such permittee's application there shall be filed an agent's application for each agent to be registered. Permittees' applications for agents and agents' applications shall contain such information as the board shall from time to time require and shall be signed and verified by oath or affirmation of the agent. Each application shall be accompanied by two unmounted photographs of the agent.

Section 723 Registration Fee Every application for the registration of agents filed by a permittee shall be accompanied by a registration fee in the amount of ten dollars (\$10) for each agent to be registered which shall cover the agent's registration from date of approval until December thirty-first of the year in which approved Registrations may be renewed for a period of one calendar year upon the filing of a new application and payment of the same registration fee as herein provided for original registration together with agent's new applications and photographs of each agent. Applications for renewal of registration shall be filed not later than December fifteenth of each year.

Section 724 Registration and Issuance of Identification Card Upon receipt of the application the proper fees and upon being satisfied of the truth of the statements in the application and that the applicant is a person of good reputation and the applicant seeks a registration as defined in this act the board may register such agent and issue to him an identification card.

Section 725 Hearings Upon Refusal of the Board Appeals In the event that the board shall refuse to issue or to renew an agent's registration a hearing shall be had and an appeal from the board's order may be taken to the same court and in the same manner as herein provided in the case of refusal of the board to issue or renew distillery certificate broker permits.

Section 726 Revocation and Suspension of Agents' Registrations Upon learning of any violation of this act or regulation of the board promulgated thereunder or any violation of any laws of this Commonwealth or of the United States of America by a registered agent the board may revoke or suspend the agent's registration in the same manner as provided herein for the revocation and suspension of distillery certificate broker permits. In the event the agent whose license was suspended or revoked by the board shall feel aggrieved by the action of the board he shall have the right to appeal to the court of common pleas of Dauphin County in the same manner as herein provided for appeals in the case of suspension or revocation of distillery certificate broker permits.

Section 727 Identification Cards Upon approval by the board of the application for registration of an agent there shall be issued to such registered agent an identification card containing the name and address of the distillery certificate broker the name address and physical description of the agent. There shall also be affixed to the identification card a photograph of the agent and no identification card shall be valid until signed by both the distillery certificate broker and the agent and countersigned by a representative of the board.

Before any agent's registration can be changed from one distillery certificate broker to another the identification card of such agent shall either be returned to the board by the broker under whom he is registered or such broker shall file with the board a notice in writing that he has knowledge of and consents to the employment of such agent by the other broker.

When the employment of any agent is terminated the

broker shall immediately notify the board and the identification card issued to the agent shall be surrendered to the board

(D) Exemptions

Section 731 Bank and Trust Companies and Other Persons Banks and trust companies and other persons duly authorized within this Commonwealth to engage in the business of lending money to licensed distillers rectifiers importers and distillery certificate brokers may without a permit required under the provisions of this act accept distillery bonded warehouse certificates as security or collateral for any loan made in the regular conduct of their business and such banks and trust companies and other persons may liquidate such security or collateral by sale only to licensed distillers rectifiers importers or distillery certificate brokers

Section 732 Distillers Rectifiers and Importers Duly licensed distillers rectifiers and importers may without a permit required under the provisions of this article deal in distillery bonded warehouse certificates but only with other duly licensed distillers rectifiers importers and with distillery certificate brokers

Section 733 Certificate Owned Since July 24 1939 Persons other than licensed distillers rectifiers importers and distillery certificate brokers holding distillery bonded warehouse certificates on and since the twenty-fourth day of July one thousand nine hundred thirty-nine may dispose of same without a permit required under the provisions of this act but only to or through distillery certificate broker holding a permit from the board

(E) Administration and Enforcement

Section 741 Duties of the Board It shall be the duty of the board to see that the provisions of this article are at all times properly administered and obeyed and to take such measures and make such investigations as will detect the violations of any provisions thereof In the event it shall discover any violation it shall in addition to revoking any permit or registration of an agent take such measures as may be necessary to cause the apprehension and prosecution of all persons deemed guilty thereof

(F) Fines and Penalties

Section 751 Penalties Any person who shall violate any of the provisions of this article or who shall engage in any fraud or fraudulent practice as defined herein shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay the costs of prosecution and a fine of not less than one thousand dollars (\$1000) nor more than five thousand dollars (\$5000) or undergo imprisonment of not less than one year nor more than five years or both at the discretion of the court

ARTICLE VIII

DISPOSITION OF MONEYS COLLECTED UNDER PROVISIONS OF ACT

Section 801 Moneys Paid Into Liquor License Fund and Returned to Municipalities (a) The following fees collected by the board under the provisions of this act shall be paid into the State Treasury through the Department of Revenue into a special fund to be known as the "Liquor License Fund"

(1) License fees for hotel restaurant and club liquor licenses

(2) License fees for retail dispensers' (malt and brewed beverages) licenses

(b) The moneys in the Liquor License Fund shall on the first days of February and August of each year be paid by the board to the respective municipalities in which the respective licensed places are situated in such amounts as represent the aggregate license fees collected from licenses in such municipalities during the preceding period

(c) The board shall have the power to appropriate moneys in the Liquor License Fund for the payment of claims for funds allowed and approved by the board for moneys paid into the Liquor License Fund because of

the over-payment or overcharge on license fees In the event that the moneys in the Liquor License Fund have been distributed to the respective municipalities the board shall have the authority to deduct from the next semi-annual payment to the respective municipalities the amount of any over-payment previously refunded by the board to any person on account of an overcharge or overpayment on a license fee

Section 802 Moneys Paid Into the State Stores Fund for Use of the Commonwealth All moneys except fees to be paid into the Liquor License Fund as provided by the preceding section collected received or recovered under the provisions of this act for license fees permit fees filing fees and registration fees from forfeitures sales of forfeited property compromise penalties and sales of liquor and alcohol at the Pennsylvania Liquor Stores shall be paid into the State Treasury through the Department of Revenue into a special fund to be known as "The State Stores Fund"

All moneys in such fund shall be available for the purposes for which they are appropriated by law

Section 803 Alcohol Tax Moneys Paid Into General Fund All taxes collected or received by the board on sales of taxable alcohol under the provisions of this act shall be paid into the State Treasury through the Department of Revenue into the General Fund

ARTICLE IX

REPEALS

Section 901 Acts and Parts of Acts Repealed The following acts and parts of acts and all amendments thereof are hereby repealed to the extent hereinafter specified

Section five of the act passed in one thousand seven hundred five (1 Sm L 25) entitled "An act to restrain people from labour on the first day of the week" absolutely

The act passed in one thousand seven hundred five (1 Sm L 43) entitled "An act for selling beer and ale by wine-measure" absolutely

The act passed the thirty-first day of May one thousand seven hundred eighteen (1 Sm L 104) entitled "An act empowering the justices to settle the prices of liquors in public houses and provendor for horses in public stables" absolutely

The act passed the twenty-sixth day of August one thousand seven hundred twenty-one (1 Sm L 126) entitled "A supplementary act to a law of this province entitled "An act that no public house or inn within this province be kept without license'" absolutely

Section twenty of the act approved the thirtieth day of March one thousand eight hundred eleven (Pamphlet Laws 145) entitled "An act to amend and consolidate the several acts relating to the settlement of the public accounts and the payment of the public monies and for other purposes" absolutely

The act approved the fourteenth day of March one thousand eight hundred fourteen (Pamphlet Laws 100) entitled "An act providing for the inspection of spirituous liquors" absolutely

Sections one two three and four of the act approved the second day of April one thousand eight hundred twenty-two (Pamphlet Laws 286) entitled "An act to prevent the disturbance of meetings held for the purpose of religious worship" absolutely

The act approved the eight day of March one thousand eight hundred fifteen (Pamphlet Laws 91) entitled "An act altering the mode of issuing tavern licenses" absolutely

The act approved the thirteenth day of March one thousand eight hundred fifteen (Pamphlet Laws 171) entitled "A supplement to the act entitled "An act providing for the inspection of spirituous liquors" passed the fourteenth day of March one thousand eight hundred and fourteen and for the prevention of fraud in the purchase or sale of flour or whiskey" absolutely

The act approved the twenty-seventh day of March one thousand eight hundred twenty-one (Pamphlet Laws 133) entitled "An act to regulate inspections" absolutely

The act approved the second day of April one thousand eight hundred twenty-one (Pamphlet Laws 244) entitled

"An act laying a duty on the retailers of foreign merchandize" in so far as it relates to wine or distilled liquors

Section two of the act approved the second day of April one thousand eight hundred twenty-two (Pamphlet Laws 226) entitled "A further supplement to the act entitled 'An act relative to habitual drunkards'" absolutely

The act approved the sixteenth day of January one thousand eight hundred twenty-three (Pamphlet Laws 10) entitled "A supplement to the act entitled 'An act providing for the inspection of spirituous liquors'" absolutely

Section one of the act approved the twelfth day of April one thousand eight hundred twenty-five (Pamphlet Laws 247) entitled "An act more effectually to secure the collection of the revenue from tavern licenses and for other purposes" absolutely

The act approved the seventh day of April one thousand eight hundred thirty (Pamphlet Laws 352) entitled "An act to regulate inns and taverns" absolutely

The act approved the fifteenth day of February one thousand eight hundred thirty-two (Pamphlet Laws 73) entitled "A supplement to an act entitled 'An act to regulate inns and taverns' passed April seventh eighteen hundred and thirty" absolutely

Section one two three four five ten eleven twelve thirteen fourteen fifteen sixteen seventeen eighteen nineteen twenty twenty-one twenty-two twenty-three twenty-four twenty-five twenty-six and twenty-seven of the act approved the eleventh day of March one thousand eight hundred thirty-four (Pamphlet Laws 117) entitled "An act relating to Inns Taverns and retailers of vinous and spirituous liquors" absolutely

Sections one hundred twenty-three one hundred twenty-four one hundred twenty-five one hundred twenty-six one hundred twenty-seven one hundred twenty-eight one hundred twenty-nine one hundred thirty one hundred thirty-one one hundred thirty-two one hundred thirty-three one hundred thirty-four one hundred thirty-five one hundred thirty-six one hundred thirty-seven one hundred thirty-eight one hundred thirty-nine and one hundred forty of the act approved the fifteenth day of April one thousand eight hundred thirty-five (Pamphlet Laws 384) entitled "An act relating to inspections" absolutely

Section sixty-six of the act approved the thirteenth day of June one thousand eight hundred thirty-six (Pamphlet Laws 589) entitled "An act relating to lunatics and habitual drunkards" absolutely

Section twenty-two of the act approved the twenty-seventh day of May one thousand eight hundred forty (Pamphlet Laws 548) entitled "An act to erect the town of South Easton in the county of Northampton into a borough and for other purposes" absolutely

The act approved the twenty-ninth day of March one thousand eight hundred forty-one (Pamphlet Laws 121) entitled "An act supplementary to the various acts relating to Tavern Licenses" absolutely

Section forty-four of the act approved the twenty-fifth day of March one thousand eight hundred forty-two (Pamphlet Laws 192) entitled "An act to appoint Commissioners to Re-survey and mark that portion of the county line which divides the township of Bristol in the county of Philadelphia from the township of Cheltenham in the county of Montgomery and for other purposes" absolutely

Section four of the act approved the twenty-first day of April one thousand eight hundred forty-six (Pamphlet Laws 431) entitled "An act to authorize the voters of Mifflin county to decide the question of tavern license therein and to prohibit the sale of intoxicating drinks within specified limits in certain counties" absolutely

Sections twenty twenty-one twenty-two twenty-three thirty-one thirty-two and thirty-three of the act approved the tenth day of April one thousand eight hundred forty-nine (Pamphlet Laws 570) entitled "An act to create a sinking fund and to provide for the gradual and certain extinguishment of the debt of the commonwealth" absolutely

The act approved the sixteenth day of April one thousand eight hundred forty-nine (Pamphlet Laws 657) entitled "An act to change the mode of granting tavern

licenses in the city and county of Philadelphia" absolutely

Sections five six and eight of the act approved the thirtieth day of April one thousand eight hundred fifty (Pamphlet Laws 634) entitled "An act regulating the hunting of deer in the county of Warren and relative to hawkers and peddlers in the counties of Carbon Butler and Union authorizing the Philadelphia Germantown and Norristown railroad company to become stockholders in the Chester Valley Railroad Company relative to the sale of spirituous and vinous liquors in Washington county and to the licensing of inn-keepers in this commonwealth to the estate of John Claar deceased legitimating John Diefenbach of Lancaster county and authorizing the sale of the real estate of Darius Grimes of Fayette county deceased" absolutely

Section eight of the act approved the fourteenth day of April one thousand eight hundred fifty-one (Pamphlet Laws 569) entitled "A further supplement to the act entitled 'An act authorizing the Governor to incorporate the Bear Mountain Railroad Company' and for other purposes passed July thirteenth one thousand eight hundred and forty-two and relative to roads streets and alleys in the borough of Pottsville in Schuylkill county to hawkers and peddlers in Armstrong and Carbon counties to the Bethany and Dingman's choice turnpike road to the district of West Philadelphia to the bottling of cider and malt liquors licensing billiard rooms and bowling saloons to the district of Moyamensing and to authorize Charles B. Mench to sell certain real estates" absolutely

Sections one two three six seven and eight of the act approved the eight day of May one thousand eight hundred fifty-four (Pamphlet Laws 663) entitled "An act to protect certain domestic and private Rights and prevent abuses in the Sale and Use of Intoxicating Drinks" absolutely

The act approved the twenty-sixth day of January one thousand eight hundred fifty-five (Pamphlet Laws 53) entitled "An act to prevent the Sale of Intoxicating Liquors on the First Day of the Week commonly called Sunday" absolutely

Sections one two three four five six seven eight nine ten eleven twelve thirteen fourteen fifteen sixteen seventeen eighteen nineteen twenty twenty-one twenty-two twenty-three twenty-four twenty-five thirty thirty-two thirty-three and thirty-four of the act approved he thirty-first day of March one thousand eight hundred fifty-six (Pamphlet Laws 200) entitled "An act to regulate the Sale of Intoxicating Liquors" absolutely

Sections one two three four five six seven eight nine ten eleven twelve thirteen fourteen fifteen sixteen seventeen eighteen nineteen twenty twenty-one twenty-three and twenty-four of the act approved the twentieth day of April one thousand eight hundred fifty-eight (Pamphlet Laws 365) entitled "A supplement to an act to Regulate the Sale of Intoxicating liquors approved the thirty-first of March Anno Domini one thousand eight hundred and fifty-six" absolutely

The act approved the twenty-first day of April one thousand eight hundred fifty-eight (Pamphlet Laws 393) entitled "A further supplement to an act relative to the inspection of Liquors" absolutely

Section two of the act approved the seventeenth day of March one thousand eight hundred fifty-nine (Pamphlet Laws 167) entitled "An act relating to Trustees of Farmers' High School of Pennsylvania" absolutely

The act approved the fourteenth day of April one thousand eight hundred fifty-nine (Pamphlet Laws 653) entitled "An act relating to the granting of Licenses to Hotel Inn or Tavern Keepers" absolutely

The act approved the twenty-ninth day of March one thousand eight hundred sixty (Pamphlet Laws 346) entitled "An act to prevent Recovery for the Sale of Adulterated Liquors" absolutely

The act approved the fifteenth day of April one thousand eight hundred sixty-three (Pamphlet Laws 480) entitled "An act relating to the inspection of domestic distilled spirits" absolutely

The act approved the twenty-second day of March one thousand eight hundred sixty-seven (Pamphlet Laws 40)

entitled "A further supplement to an act to regulate the granting of licenses to hotels and eating houses approved March thirty-first one thousand eight hundred and fifty-six" absolutely

The act approved the twenty-ninth day of April one thousand eight hundred sixty-seven (Pamphlet Laws 95) entitled "A supplement to an act 'An act to prevent the sale of intoxicating liquors on the first day of the week commonly called Sunday' approved February twenty-six one thousand eight hundred and fifty-five" absolutely

Sections two and four of the act approved the eighth day of April one thousand eight hundred seventy-three (Pamphlet Laws 566) entitled "An act to provide for the appointment of mercantile appraisers in the city of Philadelphia defining the duties of the same and constituting a board of appeal" absolutely

Sections two three four five six seven eight nine ten eleven and twelve of the act approved the twelfth day of April one thousand eight hundred seventy-five (Pamphlet Laws 40) entitled "An act to repeal an act to permit the voters of this Commonwealth to vote every three years on the question of granting licenses to sell intoxicating liquors and to restrain and regulate the sale of the same" absolutely

Section one of the act approved the twelfth day of April one thousand eight hundred seventy-five (Pamphlet Laws 48) entitled "An act to prevent the sale of intoxicating liquors and for the preservation of order at soldiers' encampments or re-unions" absolutely

The act approved the second day of June one thousand eight hundred eighty-one (Pamphlet Laws 43) entitled "An act to prevent the use of poisonous or deleterious drugs or chemicals or impure or injurious materials or those prejudicial to the public health in the brewing or manufacture of ale beer or other malt liquors or in the fermentation distillation or manufacture of any vinous or spirituous liquors and to provide for the punishment of any persons using the same" absolutely

The act approved the ninth day of July one thousand eight hundred eighty-one (Pamphlet Laws 162) entitled "An act to prohibit the granting of a license for the sale of liquors to proprietors lessees keepers or managers of theaters or other places of amusement" absolutely

Section four of the act approved the twenty-eighth day of May one thousand eight hundred eighty-five (Pamphlet Laws 27) entitled "An act supplementary to an act entitled 'An act to protect children from neglect and cruelty and relating to their employment protection and adoption' approved the eleventh day of June one thousand eight hundred and seventy-nine providing for the further protection of minors and regulating the boarding and maintaining of infant children for hire" in so far as it relates to premises for which a hotel restaurant or club liquor license or a retail dispenser's license is held

The act approved the twenty-fourth day of May one thousand eight hundred eighty-seven (Pamphlet Laws 194) entitled "An act providing for the licensing of wholesale dealers in intoxicating liquors" absolutely

The act approved the second day of June one thousand eight hundred ninety-one (Pamphlet Laws 173) entitled "An act to permit the growers of grapes in this Commonwealth to manufacture wine from grapes of their own raising that are not first-class or marketable and sell such wine to licensed dealers without taking out or paying a license for such manufacture or sale" absolutely

The act approved the ninth day of June one thousand eight hundred ninety-one (Pamphlet Laws 257) entitled "An act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixture thereof by wholesale" absolutely

The act approved the twentieth day of June one thousand eight hundred ninety-three (Pamphlet Laws 474) entitled "An act authorizing distillers of spirituous or vinous liquors to sell such liquors of their own manufacture in original packages of not less than forty gallons without being required to take out a license as is now required by existing laws" absolutely

Section one of the act approved the twenty-fifth day of May one thousand eight hundred ninety-seven (Pamphlet

Laws 93) entitled "An act relating to the prosecutions of licensed dealers and their employes on the charge of furnishing intoxicating liquors to minors and prescribing the penalty therefor" absolutely

The act approved the twenty-first day of June one thousand eight hundred ninety-seven (Pamphlet Laws 176) entitled "An act providing that the manufacturers who shall pay a certain sum annually into the Treasury of the Commonwealth shall sell only malt or brewed liquors of their own manufacture to dealers only who have been licensed by the court" absolutely

The act approved the thirtieth day of July one thousand eight hundred ninety-seven (Pamphlet Laws 464) entitled "An act to provide revenue and regulate the sale of malt brewed vinous and spirituous liquors or any admixture thereof by requiring and authorizing licenses to be taken out by brewers distillers wholesalers bottlers rectifiers compounders storekeepers and agents having a store office or place of business within this Commonwealth prescribing the amount of license fees to be paid in such cases and by imposing an additional license fee on retail dealers in intoxicating liquors" absolutely

Section one of the act approved the eleventh day of May one thousand nine hundred one (Pamphlet Laws 162) entitled "A supplement to an act entitled 'An act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixture thereof' approved the thirteenth day of May Anno Domini one thousand eight hundred and eighty-seven" absolutely

The act approved the nineteenth day of June one thousand nine hundred one (Pamphlet Laws 572) entitled "An act authorizing the several courts of quarter sessions of this Commonwealth to grant licenses to sell intoxicating liquors at retail wholesale or by brewers for a longer or shorter period than one year in certain cases but only for the purpose of changing the date from which annual licenses shall thereafter run and take effect" absolutely

The act approved the twenty-second day of April one thousand nine hundred three (Pamphlet Laws 257) entitled "An act to amend the second section of an act entitled 'An act to protect certain domestic and private rights and prevent abuses in the sale and use of intoxicating drinks' approved the eighth day of May Anno Domini one thousand eight hundred and fifty-four in relation to the penalties and fines therein prescribed and giving the court discretionary power in relation thereto" absolutely

Section one of the act approved the twenty-second day of April one thousand nine hundred three (Pamphlet Laws 259) entitled "An act providing for the payment of liquor license money to school districts in townships in which the roads shall be made and repaired by taxpayers pursuant to the act of twelfth of June Anno Domini one thousand eight hundred and ninety-three and its supplements" absolutely

The act approved the twenty-third day of April one thousand nine hundred three (Pamphlet Laws 265) entitled "A supplement to an act entitled 'An act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixture thereof' approved the thirteenth day of May Anno Domini one thousand eight hundred and eighty-seven" absolutely

The act approved the twenty-seventh day of April one thousand nine hundred three (Pamphlet Laws 317) entitled "An act amending section three of an act entitled 'An act to provide revenue and regulate the sale of malt brewed vinous and spirituous liquors or any admixture thereof by requiring and authorizing licenses to be taken out by brewers distillers wholesalers bottlers rectifiers compounders store-keepers and agents having a store office or place of business within this Commonwealth prescribing the amount of license fees to be paid in such cases an by imposing an additional license fee on retail dealers in intoxicating liquors' approved the thirtieth day of July Anno Domini one thousand eight hundred and ninety-seven by providing that in counties having a population of more than five hundred thousand (500,000) and less than one million (1,000,000) the cost of publishing the list of applicants for liquor licenses shall be paid out of the general funds of the county and not deducted from the fees paid

by such applicants for expenses connected therewith" absolutely

The act approved the twenty-ninth day of March one thousand nine hundred seven (Pamphlet Laws 38) entitled "An act to amend section two of an act entitled 'An act to provide revenue and regulate the sale of malt brewed vinous and spirituous liquors or any admixture thereof by requiring and authorizing licenses to be taken out by brewers distillers wholesalers bottlers rectifiers compounders storekeepers and agents having a store office or place of business within this Commonwealth prescribing the amount of license fees to be paid in such cases and by imposing an additional license on retail dealers in intoxicating liquors' approved the thirtieth day of July Anno Domini one thousand eight hundred and ninety-seven by changing the time when the treasurers of the respective counties shall pay all license funds to the State Treasurer and to the treasurers of the respective municipalities" absolutely

The act approved the twenty-seventh day of April one thousand nine hundred seven (Pamphlet Laws 122) entitled "An act authorizing licensed wholesale liquor sellers and dealers to purchase vinous spirituous malt or brewed liquors in kegs barrels or otherwise in bulk and to transfer the same into bottles or smaller packages and to sell the same in such bottles or smaller packages in certain quantities and fixing the annual license fee of such dealers in cities of the first class second class third class and in boroughs and townships" absolutely

The act approved the twenty-ninth day of May one thousand nine hundred seven (Pamphlet Laws 307) entitled "An act regulating the payment of retail liquor license fees in this Commonwealth" absolutely

The act approved the twenty-second day of April one thousand nine hundred nine (Pamphlet Laws 136) entitled "An act regulating the payment of brewers' wholesale and bottlers' license fees in this Commonwealth" absolutely

The act approved the second day of April one thousand nine hundred thirteen (Pamphlet Laws 32) entitled "An act permitting any wholesale or retail licensed liquor dealer or bottler to keep such licensed place of business open during the pendency of any application for transfer of license" absolutely

The act approved the fourteenth day of May one thousand nine hundred thirteen (Pamphlet Laws 203) entitled "An act to provide and fix fees and compensation to be received by constables in this Commonwealth for visiting places where liquors are sold or kept" absolutely

The act approved the twelfth day of June one thousand nine hundred thirteen (Pamphlet Laws 490) entitled "An act prohibiting the offering or giving of premium by any person, partnership or corporation licensed to sell vinous spirituous malt or brewed liquors at wholesale or retail for the return of caps stoppers corks stamps or labels taken from any bottle case keg barrel or package containing such vinous spirituous malt or brewed liquors and providing a penalty for the violation thereof" absolutely

Section one of the act approved the twenty-second day of July one thousand nine hundred thirteen (Pamphlet Laws 914) entitled "An act authorizing any person firm or corporation owning or operating distilleries producing only denatured alcohol for industrial purposes and not for use as a beverage or for medicinal purposes to operate such distillery without a license regulating the taxation of such corporations requiring certain reports to be made to the Auditor General and providing penalties" in so far as it exempts any person firm or corporation owning or operating a distillery from the necessity of obtaining a license under the provisions of this act to operate such distillery

The act approved the seventeenth day of July one thousand nine hundred seventeen (Pamphlet Laws 1020) entitled "An act amending an act entitled 'An act prohibiting the offering or giving of premium by any person partnership or corporation licensed to sell vinous spirituous malt or brewed liquors at wholesale or retail for the return of caps stoppers corks stamps or labels taken from any bottle case keg barrel or package containing such vinous spirituous malt or brewed liquors and providing a penalty for

the violation thereof' approved the twelfth day of June Anno Domini one thousand nine hundred thirteen prohibiting the offer or gifts or premiums or presents as an inducement for the purchase of liquors or for any other purpose" absolutely

The act approved the eighteenth day of July one thousand nine hundred seventeen (Pamphlet Laws 1071) entitled "An act amending section one of an act approved the fourteenth day of May one thousand nine hundred thirteen entitled 'An act to provide and fix fees and compensation to be received by constables in this Commonwealth for visiting places where liquors are sold or kept'" absolutely

The act approved the twenty-sixth day of February one thousand nine hundred nineteen (Pamphlet Laws 9) entitled "An act to amend section one of an act approved the thirtieth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws 464) entitled 'An act to provide revenue and regulate the sale of malt brewed vinous and spirituous liquors or any admixture thereof by requiring and authorizing licenses to be taken out by brewers distillers wholesalers bottlers rectifiers compounders storekeepers and agents having a store office or place of business within this Commonwealth prescribing the amount of license fees to be paid in such cases and by imposing an additional license fee on retail dealers in intoxicating liquors'" absolutely

The act approved the eighth day of May one thousand nine hundred nineteen (Pamphlet Laws 167) entitled "An act providing for the refunding of liquor license fees and additional taxes to wholesale and retail dealers brewers distillers rectifiers compounders bottlers agents and other persons prevented from engaging in business by order or regulation of the President or Secretary of War providing for the return of the proportions thereof paid to municipalities and the Commonwealth and making an appropriation" absolutely

The act approved the twenty-sixth day of June one thousand nine hundred nineteen (Pamphlet Laws 673) entitled "An act permitting wholesale or retail dealers brewers distillers rectifiers compounders bottlers agents or other persons licensed to deal in or sell any vinous spirituous malt or brewed liquors to surrender licenses heretofore granted and issued authorizing county treasurers to refund a proportionate amount of the annual license fee and additional license tax where such licenses have been surrendered or where the licensees have been prevented from selling thereunder by any State or Federal laws or regulation and requiring the State Treasurer and the municipalities to contribute to the amount so refunded and making an appropriation" absolutely

The act approved the twenty-first day of July one thousand nine hundred nineteen (Pamphlet Laws 1069) entitled "An act to provide for the manufacture or distillation and sale of ethyl alcohol for medicinal scientific mechanical commercial and other lawful purposes and the issuance of licenses therefor and providing a penalty for violation of the provisions hereof" absolutely

Section forty-two of the act approved the seventeenth day of May one thousand nine hundred twenty-one (Pamphlet Laws 869) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" in so far as it relates to liquor or malt or brewed beverages.

The act approved the nineteenth day of February one thousand nine hundred twenty-six (Pamphlet Laws 16) entitled "A supplement to the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws 34) entitled 'An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws' providing for the registering of federal permits also

regulating under permit through a Pennsylvania Alcohol Permit Board created in the Department of Welfare the manufacture production distillation development use in manufacture denaturization redistillation recovery reuse holding in bond holding in storage by bailees for hire sale at wholesale and transportation for hire of any alcohol or alcoholic liquid by certain persons also providing for fees and the disposition thereof also authorizing the inspection of the records of permittees and purchasers of said alcohol or alcoholic liquid also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act" absolutely

The act approved the third day of May one thousand nine hundred thirty-three (Pamphlet Laws 252) entitled "An act to regulate and restrain the traffic in malt brewed and vinous and fruit juice beverages as herein defined providing for the licensing of the sale and distribution of such beverages imposing license fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon county treasurers the Department of Revenue quarter sessions courts district attorneys proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" absolutely

The act approved the twenty-ninth day of November one thousand nine hundred thirty-three (Pamphlet Laws 13 (1933-34)) entitled "An act creating an independent administrative board to be known as the Pennsylvania Liquor Control Board" absolutely

The act approved the twenty-ninth day of November one thousand nine hundred thirty-three (Pamphlet Laws 15 (1933-34)) entitled "An act to regulate and restrain the sale importation and use of certain alcoholic beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others making disposition of the receipts from State stores and of license fees and imposing penalties" absolutely

The act approved the eighth day of December one thousand nine hundred thirty-three (Pamphlet Laws 57 (1933-34)) entitled "An act to amend the title and certain sections of the act approved the nineteenth day of February one thousand nine hundred twenty-six (Pamphlet Laws 16) entitled 'A supplement to the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws 34) entitled "An act concerning alcoholic liquors prohibiting the manufacturing advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws' providing for the registering of Federal permits also regulating under permit through a Pennsylvania Alcohol Permit Board created in the Department of Welfare the manufacture production distillation development use in manufacture denaturization redistillation recovery reuse holding in bond holding in storage by bailees for hire sale at wholesale and transportation for hire of any alcohol or alcoholic liquid by certain persons also providing for fees and the disposition thereof also authorizing the inspection of the records of permittees and purchasers of said alcohol or alcoholic liquid also declaring certain places nuisances and providing for the

abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act" by providing that the act shall be administered by the Pennsylvania Liquor Control Board making the act consistent with the repeal of the Eighteenth Amendment changing definitions and exemptions bringing rectifiers and blenders within the act allowing appeals to the courts providing for the abatement of nuisances and increasing fees" absolutely

The act approved the twentieth day of December one thousand nine hundred thirty-three (Pamphlet Laws 75 (1933-34)) entitled "An act to amend the title and certain sections of the act approved the third day of May one thousand nine hundred thirty-three (Act number 92) entitled 'An act to regulate and restrain the traffic in malt brewed and vinous and fruit juice beverages as herein defined providing for the licensing of the sale and distribution of such beverages imposing license fees and providing for collection and distribution thereof destricting ownership and interest in licensed places permitting municipalities and townships by vote of electors to prevent the licensing therein if places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon county treasurers the Department of Revenue quarter sessions courts district attorney proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts' by limiting the provisions of the act to malt liquors as defined therein and clarifying certain provisions of the act" absolutely

The act approved the eighteenth day of July one thousand nine hundred thirty-five (Pamphlet Laws 1217) entitled "An act to reenact and amend the title and the act approved the third day of May one thousand nine hundred and thirty-three (Pamphlet Laws 252) entitled 'An act to regulate and restrain the traffic in malt and brewed and vinous and fruit juice beverages as herein defined providing for the licensing of the sale and distribution of such beverages imposing license fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon county treasurers the Department of Revenue quarter sessions courts district attorneys proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts' as amended by providing for the issue by the county treasurer of retail dispensers' licenses and by the Pennsylvania Liquor Control Board of distributors' importing distributors' and manufacturers' licenses regulating the business of manufacturers of malt and brew beverages and providing for the issue of public service licenses and special permits relating to entertainment and transportation for hire by said board changing fixing and providing for the fixing of permit and license fees and providing for the disposition thereof providing for the abatement of nuisances providing for the revocation and suspension of licenses by the court of quarter sessions and the board further regulating the manufacture sale transportation and traffic in malt and brewed beverages prescribing penalties and repealing inconsistent acts" absolutely

The act approved the eighteenth day of July one thousand nine hundred thirty-five (Pamphlet Laws 1246) entitled "An act to reenact and amend the title and the act approved the twenty-ninth day of November one thousand nine hundred and thirty-three (Pamphlet Laws 15 (1933-34)) entitled 'An act to regulate and restrain the sale importation and use of certain alcoholic beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on the premises forbidding importation or

bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connections with and transactions in such beverages by licensees and others making disposition of the receipts from State Stores and of license fees and imposing penalties' by extending the provisions of said act to the manufacture and possession of alcohol alcoholic beverages and malt or brewed beverages permitting licensees to sell malt or brewed beverages for consumption off premises providing for the revocation and suspension of licenses by the board and the court of quarter sessions and conferring additional powers and imposing additional duties on the board including power to fix the form and capacity of packages and containers and the duty to require certain manufacturers and other persons to secure permit and pay permit fees conferring power on agents of the board to arrest on view without warrant and to confiscate property unlawfully used and providing for the destruction and disposition thereof providing for the disposition of license and filing fees providing that fines and penalties collected shall be for the use of counties legalizing the home manufacture and possession of wine extending the civil service provisions of this act further regulating the manufacture sale and traffic in alcohol alcoholic beverages and malt and brewed beverages prescribing penalties and repealing existing laws" absolutely

The act approved the eighteenth day of July one thousand nine hundred thirty-five (Pamphlet Laws 1283) entitled "An act to amend clause (i) and (1) of section two and section three of the act approved the nineteenth day of February one thousand nine hundred and twenty-six (Pamphlet Laws 16) entitled as amended 'An act regulating under permit through the Pennsylvania Liquor Control Board the manufacture production distillation development use in manufacture production distillation development use in manufacture denaturization redistillation rectification blending recovery reuse holding in bond holding in storage by bailees for hire and transportation for hire of any alcohol alcoholic liquid or alcoholic beverage by certain persons requiring the registration of Federal permits also providing for fees and the disposition thereof and for appeals to the courts also authorizing the inspection of the records of permittees and purchasers of said alcohol alcoholic liquid and alcoholic beverages also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act' as amended further defining distilleries and wineries and and providing for the licensure and rights of manufacturers of wine" absolutely

The act approved the sixteenth day of June one thousand nine hundred thirty-seven (Pamphlet Laws 1762) entitled "An act to reenact and further amend the title and the act approved the twenty-ninth day of November one thousand nine hundred and thirty-three (Pamphlet Laws 15 (1933-34)) entitled as amended 'An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State Stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others making disposition of the receipts from State stores and of fees and imposing penalties' further regulating the manufacture sale importation use and traffic in liquors alcohol and malt and brewed beverages conferring additional powers and imposing additional duties on the Pennsylvania Liquor Control Board further regulating those licensed under this act imposing additional filing fees and increasing fees for certain permits and providing for the disposition thereof further regulating the establish-

ment of State liquor stores and the employment and use of personnel by the board regulating and providing the procedure for the grating transfer revocation and suspension of licensees and for compromises in certain cases and the disposition of moneys arising therefrom providing for the forfeiture of certain property regulating the jurisdiction of courts and local option procedure prohibiting certain interlocking business and providing penalties" absolutely

The act approved the sixteenth day of June one thousand nine hundred thirty-seven (Pamphlet Laws 1811) entitled "An act to reenact and amend the act approved the nineteenth day of February one thousand nine hundred twenty-six (Pamphlet Laws 16) entitled as amended 'An act regulating under permit through the Pennsylvania Liquor Control Board the manufacture production distillation development use in manufacture denaturization redistillation rectification blending recovery reuse holding in bond holding in storage by bailees for hire and transportation for hire of any alcohol alcoholic liquid or alcoholic beverage by certain persons requiring the registration of Federal permits also providing for fees and the disposition thereof and for appeals to the courts also authorizing the inspection of the records of permittees and purchasers of said alcohol alcoholic liquid and alcoholic beverages also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act' further regulating the manufacture sale use and traffic in alcohol and alcoholic liquids conferring additional powers and imposing additional duties upon the Pennsylvania Liquor Control Board further regulating those licensed under this act imposing filing fees changing the method of calculating certain license fees providing for the use of the word "license" instead of "permit" regulating and providing the procedure for the granting suspension and revocation of licenses and for compromises in certain cases providing for the disposition of fees compromise penalties and forfeitures regulating the jurisdiction of courts and providing penalties" absolutely

The act approved the sixteenth day of June one thousand nine hundred thirty-seven (P. L. 1827) entitled "An act to reenact and further amend the title and the act approved the third day of May one thousand nine hundred and thirty-three (P. L. 252) entitled as amended 'An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon county treasurers the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts' defining and further defining and regulating licensees application for licenses and sales by licensees and fixing fees for amusement permits regulating the granting suspension revocation and transfer of licenses and the procedure therefor and conferring jurisdiction on certain courts providing for the granting of licenses by the Pennsylvania Liquor Control Board instead of the county treasurer and prescribing the powers and duties of said board providing for compromises where licenses are suspended and for the disposition of application license permit fees forfeitures and penalties and providing penalties" absolutely

The act approved the twenty-fifth day of June one thousand nine hundred thirty-seven (P. L. 2073) entitled "An act to amend section five of the act, approved the twenty-ninth day of November one thousand nine hundred thirty-three (One thousand nine hundred thirty-three one thousand nine hundred thirty-four P. L. 13) entitled 'An act creating an independent administrative

board to be known as the Pennsylvania Liquor Control Board' by making further provision with respect to the fidelity bonds of the members secretary and employees of the board" absolutely

The act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 764) entitled "An act to regulate and restrain the sale purchase exchange pledge and dealing in distillery bonded warehouse certificate for whiskey or any other potable distilled spirits except ethyl alcohol conferring powers and imposing duties upon the Pennsylvania Liquor Control Board authorizing the granting of permits and registration of agents to deal in such certificates and the suspension and revocation of such permits and registration of agents providing for hearings and appeals to the court of common pleas forbidding transaction in such certificates in this State except as herein provided prescribing and imposing penalties and providing for the disposition of filing registration and permit fees" absolutely

The act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 802) entitled "An act to further amend clause (a) of section four hundred and seven of the act approved the twenty-ninth day of November one thousand nine hundred and thirty-three (P. L. 15 1933-34) entitled as amended 'An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State Stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties' changing the fees for hotel and restaurant liquor licenses in certain cases" absolutely

The act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 804) entitled "An act to amend clause (e) of section six hundred and nine of the act approved the twenty-ninth day of November one thousand nine hundred and thirty-three (P. L. 15 1933-34) entitled as amended 'An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties' as re-enacted and amended permitting hotel restaurant and club licensees to own land but not the buildings thereon where such land is leased and the buildings owned by a holder of a retail dispenser's license under the beverage license law" absolutely

The act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 806) entitled "An act limiting the number of licenses for the retail sale of liquor malt or brewed beverages or malt and brewed beverages to be issued by the Pennsylvania Liquor Control Board defining hotels and prescribing the accommodations required of hotels in certain municipalities"

except insofar as the provisions of section one as amended shall apply to hotel licenses granted prior to the first day of September one thousand nine hundred forty-nine or granted on any application made and pending prior to said date or to any renewal or transfer of such licenses or to hotels under construction or for which a bona fide contract had been entered into for construction prior to said date

The act approved the eighteenth day of July one thousand nine hundred forty-one (P. L. 408) entitled "An act relative to the employment of females in hotels taverns saloons and eating houses for the mixing or sale of alcoholic drinks and the penalty for violation thereof" absolutely

The act approved the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 480) entitled "An act to further amend section two of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended 'An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts' by permitting clubs to waive or reduce or pay dues payable by members in military service" absolutely

The act approved the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 483) entitled "An act to further amend section two of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15 1933-34) entitled 'An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales of practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties' by permitting clubs to waive or reduce or pay dues payable by members in military service" absolutely

The act approved the sixteenth day of April one thousand nine hundred forty-three (P. L. 60) entitled "An act to further amend section four hundred ten of the act approved the twenty-ninth day of November one thousand nine hundred and thirty-three (P. L. 15 one thousand nine hundred thirty-three and thirty-four) entitled as amended 'An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided pro-

hibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties' by postponing the time for the taking effect of orders of the Pennsylvania Liquor Control Board suspending or revoking licenses for a period of twenty days during which time the licensee may take an appeal" absolutely

The act approved the twenty-first day of May one thousand nine hundred forty-three (Pamphlet Laws 332) entitled "An act to further amend subsection fourteen of section six hundred two of the act approved the twenty-ninth day of November one thousand nine hundred and thirty-three (Pamphlet Laws 15 1933-34) entitled as amended 'An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties' exempting certain coin operated motion picture machines from provisions of the act requiring special permits" absolutely

The act approved the twenty-first day of May one thousand nine hundred forty-three (Pamphlet Laws 374) entitled "An act to further amend section sixteen of the act approved the third day of May one thousand nine hundred thirty-three (Pamphlet Laws 252) entitled as amended 'An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and township by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts' by providing for the surrender by persons in military service of licenses granted to them the renewal thereof by the board during the licensee's continuance in such service and the renewal thereof thereafter" absolutely

The act approved the twenty-first day of May one thousand nine hundred forty-three (Pamphlet Laws 401) entitled "An act to amend section four hundred nine of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (Pamphlet Laws 15 1933-34) entitled as amended 'An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection

with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties' by providing for the surrendering by persons in military service of licenses granted to them the renewal thereof by the board during licensee's continuance in such service and the renewal thereof thereafter" absolutely

The act approved the twenty-first day of May one thousand nine hundred forty-three (Pamphlet Laws 403) entitled "An act to further amend section two three hundred five section six hundred two and section six hundred three of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (Pamphlet Laws 15 1933-34) entitled as amended 'An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties' by defining "Official Seal" authorizing the designation of wholesale or retail stores authorizing the Pennsylvania Liquor Control Board to adopt and enforce rules and regulations to insure the equitable wholesale and retail sale and distribution of liquor and alcohol through the Pennsylvania liquor stores during times of shortage and making it unlawful to violate any such rules and regulations" absolutely

The act approved the twenty-seventh day of May one thousand nine hundred forty-three (Pamphlet Laws 688) entitled "An act to further amend sections four hundred four and four hundred ten of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (Pamphlet Laws 15 1933-34) entitled as amended 'An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties' conferring jurisdiction on the county court of Allegheny County in cases of appeals from the Pennsylvania Liquor Control Board" absolutely

The act approved the twenty-seventh day of May one thousand nine hundred forty-three (P. L. 694) entitled "An act to further amend sections seven and thirteen of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended 'An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such

beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts' conferring jurisdiction on the county court of Allegheny County in cases of appeals from the Pennsylvania Liquor Control Board" absolutely

The act approved the twenty-third day of May one thousand nine hundred forty-seven (P. L. 287) entitled "An act providing that the statement of registration issued to electors and his signed declaration of age shall be sufficient proof of age for the purchase of alcoholic beverages prohibiting transfers thereof and false statements imposing penalties and saving from prosecution licenses serving holders of such statements making such declarations" absolutely

The act approved the fourteenth day of April one thousand nine hundred forty-nine (P. L. 481) entitled "An act to further amend section five of the act approved the nineteenth day of February one thousand nine hundred twenty-six (P. L. 16) entitled as amended 'An act regulating under permit through the Pennsylvania Liquor Control Board the manufacture production distillation development use in manufacture denaturization redistillation rectification blending recovery reuse holding in bond holding in storage by bailees for hire and transportation for hire of any alcohol liquid or alcoholic beverage by certain persons requiring the registration of Federal permits also providing for fees and the disposition thereof and for appeals to the courts also authorizing the inspection of the records of permittees and purchasers of said alcohol alcoholic liquid and alcoholic beverages also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act' by exempting scheduled common carriers by air of mail and passengers from license requirement" absolutely

The act approved the twenty-eighth day of April one thousand nine hundred forty-nine (P. L. 764) entitled "An act to further amend section four hundred twelve and subsections (9) and (10) of section six hundred two of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15 1933-34) entitled as amended 'An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales of practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties' by further regulating advertisements allowed on and about licensed premises and increasing the quantity of malt or brewed beverages which may be sold in a single sale by certain licensees for consumption off premises" absolutely

The act approved the twenty-eighth day of April one thousand nine hundred forty-nine (P. L. 769) entitled "An act to further amend the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended 'An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by

vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts' by providing the quantity of malt or brewed beverages to be sold by any manufacturer distributor importing distributor or retail dispenser further regulating advertisements allowed on and about licensed premises" absolutely

The act approved the second day of May one thousand nine hundred forty-nine (P. L. 896) entitled "An act to further amend subsection fourteen of section six hundred two of the act approved the twenty-ninth day of November one thousand nine hundred and thirty-three (P. L. 15 1933-34) entitled as amended 'An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State Government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties' by exempting television exhibitions from provisions of the act requiring special permits" absolutely

The act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 964) entitled "An act to amend section one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 806) entitled 'An act limiting the number of licenses for the retail sale of liquor malt or brewed beverages or malt and brewed beverages to be issued by the Pennsylvania Liquor Control Board defining hotels and prescribing the accommodations required of hotels in certain municipalities' changing the requirements necessary for a hotel to qualify under said act" except in so far as it shall apply to hotel licenses granted prior to September first one thousand nine hundred forty-nine or granted on any application made and pending prior to said date or to any renewal or transfer of such licenses or to hotels under construction or for which a bona fide contract had been entered into for construction prior to said date.

The act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1482) entitled "An act to further amend section four hundred fifteen of the act approved the twenty-ninth day of November one thousand nine hundred and thirty-three (P. L. 15 1933-34) entitled as amended 'An act to regulate and restrain the sale, manufacture possession transportation importation traffic in and use of alcohol and alcoholic malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties' by permitting holders of importers licenses to sell liquor when in original containers of ten

gallons or greater capacity to licensed manufacturers within this Commonwealth" absolutely

The act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1546, entitled "An act to amend the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended 'An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions court district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts' by further defining the parties who may appeal and the powers of courts in certain appeals from the board and providing for certain appeals to the Superior Court" absolutely

The act approved the twentieth day of May one thousand nine hundred forty nine (P. L. 1551) entitled "An act to amend the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15 1933-1934) entitled as amended 'An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licenses and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties' by further defining the parties who may appeal and the powers of courts in certain appeals from the board and providing for certain appeals to the Superior Court" absolutely

Section 902 General Repeal Clause All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,

Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnar,
Dalrymple,	Kilne,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunm,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Fillip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 77, Printer's No. 99 and

Senate Bill No. 195, Printer's No. 49

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 243, as follows:

An Act validating certain deeds bonds and mortgages and trust indentures executed and delivered by nonprofit corporations unless the validity thereof is raised by legal proceedings within a prescribed period of time

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever any nonprofit corporation of this Commonwealth incorporated under or now subject to the provisions of the Nonprofit Corporation Law has heretofore executed and delivered in good faith for value received any deed of conveyance bond and mortgage or trust indenture without first having received authority for the execution thereof from the membership of such corporation in strict compliance with the provisions of section six hundred six of said act in that some of the members thereof voted by proxy or by writing and not in person such deed bond and mortgage or trust indenture is hereby ratified confirmed and validated unless a proceedings in law or equity attacking the validity of such deed bond and mortgage or trust indenture shall be instituted in a court of competent jurisdiction within one year after the execution of such instrument or within one year after the effective date of this act

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Vanner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolaniewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBols,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovanssek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

MEMBERS COMMENDED

The SPEAKER. The Chair desires to commend the Members for the order and decorum they maintained during this trying day. During the debate on the serious measures that were brought on the floor of the House.

REPORTS FROM COMMITTEES

Mr. DUFFY from the Committee on Public Utilities, reported as committed, House Bill No. 206, entitled:

An Act to further amend Section 2401 of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," by requiring water utility companies to furnish to the township lists of water meter readings, flat-rate water bills, and other data for the purpose of determining sewer and drainage rates.

Mr. SAX from the Committee on Judiciary, reported as amended, House Bill No. 513, entitled:

An Act to amend section 2 of the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles; and to make uniform the law with reference thereto; requiring owners and operators in certain cases to furnish proof of financial responsibility; providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases; regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue; the State Treasurer and prothonotaries; and prescribing penalties," by providing that certain appeals may be taken to the court of common pleas of the county in which the aggrieved person resides.

Mr. ROBERTSON from the Committee on Judiciary, reported as amended, House Bill No. 755, entitled:

An Act to further amend Section 1208 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of the highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," by regulating jurisdiction of magistrates, aldermen and justices of the peace in civil actions arising from use of vehicles.

Mr. COYLE from the Committee on Public Utilities, reported as committed, House Bill No. 708, entitled:

An Act requiring certain non-profit and cooperative associations and corporations to obtain the approval of the Pennsylvania Public Utility Commission before beginning to furnish telephone service on a cooperative or non-profit basis or to furnish such service in areas not theretofore served; providing for regulation of such services after approval; and conferring powers and imposing duties upon the Pennsylvania Public Utility Commission.

Mr. PFAFF from the Committee on Professional Licensure, re-reported as amended, House Bill No. 48, entitled:

An Act relating to and defining chiropractic and the right to practice chiropractic requiring licensure conferring powers and imposing duties upon the State Board of Chiropractic Examiners providing for the granting suspension and revocation of licenses issued by the board conferring jurisdiction upon the Court of Common Pleas of Dauphin County and prescribing penalties.

Mr. SEYLER from the Committee on Education, re-reported as amended, House Bill No. 269, entitled:

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto;" by providing for the establishment by the Department of Public Instruction of a standardized driver-training program in the public schools and providing for assistance to school districts in certain cases.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. LEDERER asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

BILLS ON SECOND READING

Mr. McMILLEN. Mr. Speaker, I wish to call up on page 3 of today's calendar, bills on second reading, House Bill No. 277, Printer's No. 159.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 277, entitled:

An Act to amend section six hundred eighty of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by requiring new residents and residents becoming of age to notify assessors of such facts; and prescribing penalties.

The first section was read.

On the question,

Will the House agree to the section?

Mr. McMILLEN offered the following amendment:

Amend Sec. 1 (Sec. 680), page 3, by inserting after line 12, the following "The board of school directors shall, at the same time as they give public notice of a proposed budget, include a notice of the requirements of this subsection, together with the name and address of the assessor to be notified."

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. McMILLEN offered the following amendment:

Amend Title, page 1, last line of Title, by inserting after the word "penalties" the following "and providing for public notice of the requirement."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Mr. ROBERTSON. Mr. Speaker, I wish to call up on page 6 of today's calendar, bills on second reading, House Bill No. 614, Printer's No. 130.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 614, entitled:

An Act to amend section one thousand one hundred nine of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto" by providing for qualifications of principals.

The first section was read.

On the question,

Will the House agree to the section?

Messrs. ROBERTSON and CLENDENING offered the following amendments:

Amend Sec. 1 (Sec. 1109), page 2, line 13, by inserting after the word "principal" the following "appointed after August thirty-first one thousand nine hundred fifty-three."

Amend Sec. 1 (Sec. 1109), page 2, line 14, by inserting after the word "wealth" the following "who devotes one-half or more of his time to supervision and administration."

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Messrs. ROBERTSON and CLENDENING offered the following amendment:

Amend Title, page 1, last line of Title, by inserting after the word "of" the following "certain."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. EDWIN F. THOMPSON asked and obtained unanimous consent to add additional sponsors to a privileged resolution to be introduced by him.

RESOLUTION

Messrs. EDWIN F. THOMPSON, MINTESS, SAX, CELLA, RUBEN, TAHL, LOFTUS, McCORMACK, WILBUR H. HAMILTON, SMITH and COSTA offered a resolution which was read, considered, and unanimously adopted as follows:

In the House of Representatives, April 3, 1951.

Birthday anniversaries, after a certain age has been attained, become an occasion for a retrospect of the triumphs, the achievements and the happy events of life. In some mysterious and unaccountable way a backward

glance passes lightly over our disappointments and failures and tends to linger on the more pleasant aspects of past experience.

Harry Pichney, a Legislator from the 13th District in Philadelphia, can review with pride and satisfaction the many facets of his fifty-one years of an action-packed, a vibrant, and an interesting sojourn on earth. With his children and grandchildren, he and Mrs. Pichney constitute a family group that has been widely acclaimed as a prototype of social compatibility and civic responsibility. His successful career as an insurance counselor, his unusual activity in many fraternal and civic groups, his outstanding legislative ability, and his unstinted willingness to assist his "freshman" colleagues through the maze of procedure and routine that bewilder the novice have widened immeasurably his circle of friends and admirers; therefore be it

Resolved, That the House of Representatives express its congratulations to the Honorable Harry Pichney on the celebration of his fifty-first birthday anniversary, and its special wishes that abundant health, good fortune, and greater distinction shall come to him in increasing measure through the many years ahead.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Pichney.

Mr. PICHNEY. Mr. Speaker, I deeply appreciate the honor bestowed upon me this afternoon. I wish to thank Almighty God for giving me fifty-one years of good health and prosperity and I further pray that Almighty God will give me additional years so I may enjoy the privileges that our country offers us with regards to taxation in Pennsylvania and the cities and government.

Last evening, Mr. Speaker, the Members of the Republican Philadelphia delegation invited me to a dinner, and believe me, when I say their appetites went to extremes. They dined, and they ate the finest, including wine and champagne—from steaks to lobsters. After the dinner was over Mr. Costa and Mr. Sax, with the assistance of my colleague Dr. Thompson, picked up the bill. They examined it thoroughly and after due examination pre-

sented it to me for payment. Now I have two admirers—

The SPEAKER. The Chair accepts the gentleman's kind invitation.

Mr. PICHNEY. I am sorry, Mr. Speaker, I have two admirers in this House and one is our Majority Leader, Mr. Smith, and the other is our talented Minority Leader, Mr. Andrews. I would like to get their opinion whether this was a fair party.

COMMITTEE MEETINGS

Aeronautics, Mr. Greenwood, Chairman, Room 331, Wednesday, April 4, at 9:45 a. m.

Agriculture and Dairy Industries, Mr. Madigan, Chairman, Room 331, Wednesday, April 4, at 10:00 a. m.

Cities—Third Class, Mr. Dalrymple, Chairman, Room 521, Wednesday, April 4, at 11:00 a. m.

Fisheries, Mr. Gibson, Chairman, Room 331, Wednesday, April 4, at 11:30 a. m.

Game and Forestry, Mr. Goodling, Chairman, Room 331, Wednesday, April 4, at 11:00 a. m.

Motor Vehicles, Mr. Dennison, Chairman, Room 522, Wednesday, April 4, at 11:15 a. m.

Municipal Corporations, Mr. Boorse, Chairman, Room 521, Wednesday, April 4, at 10:30 a. m.

Townships, Mr. Reagan, Chairman, Room 522, Wednesday, April 4, at 10:30 a. m.

There will be a caucus of the Democratic Members of the House on Wednesday, April 4, one half hour before the session convenes, in the old House Caucus Room, Albert S. Readinger, Chairman.

ADJOURNMENT

Mr. WHITE. Mr. Speaker, I move that this House do now adjourn until Wednesday, April 4, 1951 at 12:00 noon.

The motion was agreed to, and (at 4:39 p. m.) the House adjourned.

Legislative Journal.

Session 1951.

139th of the General Assembly.

Vol. 32.

HARRISBURG, PA., WEDNESDAY, APRIL 4, 1951.

No. 32.

SENATE

WEDNESDAY, April 4, 1951.

The Senate met at 12:00 o'clock, Eastern Standard Time.
The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

PRAYER

The Chaplain, Rev. GILBERT L. BENNETT, Pastor of the First Methodist Church, Huntingdon, Pennsylvania, offered the following prayer:

O, Thou ruler of the Universe, we rejoice in the assurance that Thou art a God of law, and that we can depend on Thee today and tomorrow and forever.

Help us to give ourselves to Thee and use us in bringing a world of order out of chaos. Bless, we pray Thee, the people of this great Commonwealth and those to whom government has been entrusted. Lead us in the paths of righteousness all our days. In the name of Christ, our Lord. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. BERGER, further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. Hare asked and obtained leave of absence for Mr. PEELOR, because of business.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 4, 1951.

Mr. ROBINSON. Mr. President, I second the motion.
The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 4, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the dates shown:

To compute from date of confirmation

ALLEGHENY COUNTY

Nicholas M. Caspero, Pittsburgh, 631 Seagirt St.
Francis H. Jacob, Pittsburgh, 1807 Ardmore Blvd.
Peter J. Wiesen, Jr., Pittsburgh, 5907 Penn Av.

ARMSTRONG COUNTY

Miss Dorothy H. Steiner, Ford City.

BEAVER COUNTY

Mrs. Laura N. Scheeler, Beaver.

BUTLER COUNTY

Norman E. Berkebile, Mars.

CUMBERLAND COUNTY

Mrs. Clara I. Duttlinger, Lower Allen Twp., Camp Hill.

FAYETTE COUNTY

J. R. SMILEY, Uniontown.

HUNTINGDON COUNTY

C. W. Grove, Alexandria.

LACKAWANNA COUNTY

Henry Jacobson, Scranton.

LANCASTER COUNTY

John K. Borneman, Lancaster.

LEBANON COUNTY

Ernest Poorman, Lebanon.

MONTGOMERY COUNTY

Malcolm L. Jacobs, Cheltenham Twp., Glenside.
Mrs. Bertha Kiss, Pottstown.
Miss Rose M. McQuaid, Norristown.
Robert L. Townsend, Plymouth Twp., Norristown.

PHILADELPHIA COUNTY

Michael Grasso, Phila., 1811 S. 9th St.

YORK COUNTY

Miss Eva M. Small, Hanover.

To compute from the dates set opposite their names

ERIE COUNTY

Matthew F. McCarthy, Erie, April 14, 1951.

MIFFLIN COUNTY

Robert M. Himes, Union Twp., Belleville, April 15, 1951.

PHILADELPHIA COUNTY

Edgar H. Beaumont, Phila., 1346 E Rittenhouse St, April 15, 1951.

Mrs. Dorothy E. D'Allesandro, Phila., 5429 Whitby Ave., April 15, 1951.

MONTGOMERY COUNTY

Miss Marcy Campoli, Lower Moreland Twp., Bethayres, April 17, 1951.

PHILADELPHIA COUNTY

George Williams, Phila., 7967 Castor Ave., April 30, 1951.

ALLEGHENY COUNTY

Miss Margaret Kenny, Pittsburgh, 2150 W. Liberty Ave., May 1, 1951.

BEAVER COUNTY

Otto F. Franklin, New Brighton, May 1, 1951.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. ROBINSON, That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Freed	McGinnis,	Stevenson,
Barr,	Haluska,	McMenamin,	Stiefel,
Barrett,	Hare,	McPherson, Jr.,	Taylor,
Berger,	Holland,	Meade,	Toole,
Blass,	Kephart,	Neff,	Wade,
Byrne,	Kessler,	Pechan,	Wagner,
Chapman,	Lane,	Probert,	Walker,
Crowe,	Leader,	Robinson,	Watkins,
Dent,	Letzler,	Rosenfeld,	Watson,
Diehm,	Mahany,	Ruth,	Wolfe,
DiSilvestro,	Mallery,	Scarlett,	Wood,
Fleming,	McCreesh,	Silvert,	Yosko,

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

MEMBERS OF THE BUTLER COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, April 4, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Butler County Board of Assistance:

Clay C. Ruff, (Republican), Slippery Rock, from January 1, 1950, until December 31, 1952, and until his successor is duly appointed and qualified.

Robert A. Young (Republican), West Sunbury, from January 1, 1951, until December 31, 1953, and until his successor is duly appointed and qualified.

Mrs. Daisy Riddle (Republican), Butler, from January 1, 1951, until December 31, 1953, and until her successor is duly appointed and qualified.

JOHN S. FINE.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 80, entitled:

An Act to further amend section four thousand three hundred two of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "Third Class City Law," by prescribing a minimum period of continuous service and in certain cases a minimum age for police retirement.

Which was committed to the Committee on Local Government.

House Bill No. 120, entitled:

An Act to further amend the act approved the fifth day of August, one thousand nine hundred forty-one (P. L. 803) entitled as amended "An act providing for the creation, maintenance and operation of a county employees' retirement system in counties of the fifth, sixth, seventh and eighth class; imposing certain charges on counties, and prescribing penalties," by further defining county employ, substituting the chief clerk for the auditor as a member of and secretary to the board in certain cases and extending the period in which a certain option may be exercised.

Which was committed to the Committee on Local Government.

House Bill No. 129, entitled:

An Act to further amend section 7 of the act approved the twenty-sixth day of June, one thousand nine hundred thirty-one (P. L. 1379), entitled "Third Class County Board Assessment Law," by further providing for omitted assessments.

Which was committed to the Committee on Local Government.

House Bill No. 201, entitled:

An Act to further amend the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" by transferring the administration and enforcement of the provisions of the act from the Department of Welfare to the Department of Revenue

Which was committed to the Committee on State Government.

House Bill No. 202, entitled:

An Act to further amend Section 2445 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "First Class Township Law," by authorizing the issuance of non-debt revenue bonds for the alteration, addition to or enlargement of existing sewers, sewer systems and sewage treatment works and the pledging of revenue derived from the existing system in payment of such bonds.

Which was committed to the Committee on Local Government.

House Bill No. 224, entitled:

An Act to further amend section 7 of the act, approved the twenty-sixth day of June, one thousand nine hundred thirty-one (P. L. 1379), entitled "Third Class County Board Assessment Law," by further providing for the preparation of assessment rolls and lists.

Which was committed to the Committee on Local Government.

House Bill No. 329, entitled:

An Act to further amend subsection (a) of Section 1103 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by prescribing the installation of parking meters by local authorities at certain places.

Which was committed to the Committee on Highways.

House Bill No. 530, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by authorizing the operation or movement of ambulances and police vehicles with a red light displayed to the front thereof.

Which was committed to the Committee on Highways.

House Bill No. 696, entitled:

An Act to further amend clause XIII of Section 702 of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law" by authorizing supervisors to provide insurance for employes of the township and providing for payments to beneficiaries.

Which was committed to the Committee on Local Government.

House Bill No. 697, entitled:

An Act to amend Section 1137 of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "General Borough Act" by authorizing boroughs to purchase annuity or life insurance contracts for the purpose of paying pensions, annuities or disability or death benefits to policemen or their dependents.

Which was committed to the Committee on Local Government.

House Bill No. 698, entitled:

An Act to amend Section 1415 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "First Class Township Law" by authorizing townships to purchase annuity contracts or life insurance policies for payment of pensions, annuities, and disability and death benefits to policemen or their dependents.

Which was committed to the Committee on Local Government.

HOUSE CONCURS IN SENATE BILL NO. 12

He also returned to the Senate, Senate Bill No. 12, entitled:

An Act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures and repealing existing laws.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL NO. 243

He also returned to the Senate, Senate Bill No. 243, entitled:

An Act validating certain deeds bonds and mortgages and trust indentures executed and delivered by non-profit corporations unless the validity thereof is raised by legal proceedings within a prescribed period of time.

with the information that the House has passed the same without amendments.

GENERAL COMMUNICATION

The CHAIR cleared his table and laid before the Senate the following communication which was read by the Clerk:

CONCURRENT RESOLUTION NO. 1951

TO THE GENERAL ASSEMBLY OF PENNSYLVANIA
ASSORTED LOBBYISTS, LEGISLATIVE ENGINEERS
AND OTHERS

File of the Pennsylvania Legislative Correspondents' Association

SUBJECT:

"LOOKING AHEAD—OFF THE RECORD"

Whereas, The critical year of 1951 finds all of us at wit's end on the future course of events, and,

Whereas, Republicans and Democrats for a change are unanimous in their agreement on this point, and

Whereas, It's about time we got some authoritative information before Pennsylvania's ship of State founders on the sharp rocks of misdirection, and,

Whereas, It's about time we got the real inside information from someone other than the elevator operators, Therefore be it

Resolved, That all captains of the Ship of State, provided they possess ten dollars, be admitted to the 28th biennial dinner of the Pennsylvania Legislative Correspondents' Association at the Penn-Harris Hotel, Tuesday evening April 24, 1951 at 7:30 o'clock postmeridian time to hear the real inside info on what's ahead of us on wages, prices, credit controls, rent controls and home financing from Federal Economic Stabilization Director Eric John-

ston, erstwhile Czar of Hollywood who may in addition touch on the Red Menace in Hollywood, and be it further

Resolved, That Native, Naturalized and Alien, elective and self-appointed skippers of State who have the urge and the 10 dollars are hereby directed to obtain said tickets at the News Room in the State Capitol on a strictly first-come, first-served basis.

SENATOR LOUIS H. FARRELL PRESENTED TO
SENATE

The PRESIDENT. The Chair is pleased to note the presence of a distinguished former member of the Senate, the Honorable Louis H. Farrell, of Philadelphia, and the Chair would like to ask the Senator if he will please rise in place and take a bow.

REPORTS FROM COMMITTEES

Mr. ROBINSON, from the Committee on Local Government, reported as committed, Senate Bill No. 406, entitled:

An Act to further amend Section 305 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 1207), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts, and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," by requiring the approval of the court of quarter sessions for the erection and alteration of institutions and further prescribing the powers of the Department of Welfare.

Mr. FREED, from the Committee on Local Government, reported as committed, House Bill No. 187, entitled:

An Act to further amend Article XIV of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," by authorizing the appointment of special school police and defining their powers and duties.

He also, from the Committee on Local Government, reported as amended, Senate Bill No. 407, entitled:

An Act to further amend the title and section one of the act, approved the third day of May, one thousand nine hundred and nine (P. L. 424), entitled, "An act providing that in all counties of the first, second, third, fourth, fifth, and sixth class, advertisements and notices, required by law or rules of court to be published in newspapers of general circulation, unless dispensed with by special order of court, shall be published in the legal newspaper, issued at least weekly, of the proper county, designated by rules of court for the publication of court or other legal notices," as amended, extending the provisions of the said act to all counties, and further defining publications excepted from its operation.

Mr. FLEMING, from the Committee on Local Government, reported as committed, House Bill No. 96, entitled:

An Act to reenact sections one to nine inclusive, of the act approved the second day of July, one thousand nine hundred thirty-seven (P. L. 2803) entitled "An act providing a method of annexation of townships of the first class, and parts thereof, to cities and boroughs, and regulating the proceedings pertaining thereto," by making the same applicable in counties of the second class and repealing inconsistent laws excepting as to proceedings now pending.

Mr. FLEMING on behalf of Mr. WATKINS, from the Committee on Education, reported as committed, Senate Bill No. 191, entitled:

An Act to further amend Section 671 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by authorizing the change of the fiscal year by districts of the second class.

Mr. CROWE, from the Committee on Education, reported as committed, House Bill No. 42, entitled:

An Act to amend subsection (b) of Section 921 and Section 922 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing the tenure of members and officers of county boards of school directors.

Mr. PROPERT, from the Committee on Local Government, reported as committed, House Bill No. 59, entitled:

An Act to further amend section 15 of the act, approved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207), entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties lienied; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," changing the procedure in reviving municipal claims; and reinstating the lien of certain claims.

Mr. BERGER, from the Committee on Education, reported as committed, House Bill No. 30, entitled:

An Act to add clause (5) to section two thousand five hundred forty-one of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing for payments on account of pupil transportation where school buses are used for purposes of better graduation.

Mr. KESSLER, from the Committee on Education, reported as committed, Senate Bill No. 297, entitled:

An Act to further amend the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work

of the Commonwealth by the Executive Department thereof, and the administrative departments, boards, commissions and officers thereof; including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the organization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions, and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by creating the State Board of Barber Examiners as a departmental administrative board in the Department of Public Instruction.

Mr. RUTH, from the Committee on Education, reported as committed, Senate Bill No. 296, entitled:

An Act to further amend the act, approved the nineteenth day of June, one thousand nine hundred thirty-one (P. L. 589) entitled, as amended "An act to promote the public health and safety, by providing for the examination and licensure of those who desire to engage in the occupation of barbering; regulating barber shops and barber schools, and apprentices and students therein; regulating compensation for service rendered; conferring certain powers and duties on the Department of Public Instruction; and providing penalties," by changing the provisions as to fees charged apprentices and students, and as to the powers of municipalities, and transferring the administration of several provisions of this act to the State Board of Barber Examiners.

Mr. BANE, from the Committee on Education, reported as committed, House Bill No. 555, entitled:

An Act to amend Section 1704 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by clarifying the powers of joint school committees in managing the affairs of joint schools or departments.

Mr. HALUSKA, from the Committee on Education, reported as committed, House Bill No. 534, entitled:

An Act to further amend Section 1304 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing the provisions relating to admission of beginners.

Mr. LEADER, from the Committee on Education, reported as committed, House Bill No. 655, entitled:

An Act to amend Section 508 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring a record vote of school directors on the adoption of the annual budget.

Mr. NEFF, from the Committee on Local Government, reported as committed, House Bill No. 276, entitled:

An Act to further amend the act, approved the fifth

day of June, one thousand nine hundred forty-seven (P. L. 458), entitled as amended "An act creating as bodies corporate and politic "Parking Authorities" in cities of the first, second, second A and third classes; prescribing the rights, powers and duties of such authorities; authorizing such authorities to acquire, construct, improve, maintain and operate parking projects; to conduct research of the parking problem, and to establish a permanent coordinated system of parking facilities, and to borrow money and issue bonds therefor; providing for the payment of such bonds and prescribing the rights of the holders thereof; conferring the right of eminent domain on such authorities; empowering such authorities to enter into contracts with, and to accept grants from, the Federal Government, State, political subdivisions of the State or any agency thereof; exempting the property and securities of such parking authorities from taxation and conferring exclusive jurisdiction on certain courts over rates," by extending the provisions of the act to boroughs and townships of the first class.

BILL INTRODUCED AND REFERRED

Mr. KEPHART read in his place and presented to the Chair Senate Bill No. 471, entitled:

An Act making an appropriation to the University of Pennsylvania Graduate Hospital, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, ever since Senate Bill No. 424 was referred to the Committee on Public Health and Welfare, the honorable gentleman from Delaware County has been busy opening up so many letters that he cannot attend to his own senatorial duties. This is the reason why he designated me as his amanuensis in preparing this bill. Although this pertains to Delaware County, this is the reason why I am introducing it.

Mr. President, on behalf of Senator Watkins, Senator Chapman and myself, as the amanuensis, I read in place and present to the Chair this bill.

BILLS INTRODUCED AND REFERRED

Messrs. STIEFEL, WATKINS and CHAPMAN read in place and presented to the Chair Senate Bill No. 472, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the reconstruction of certain buildings of the capital of New Sweden and for other improvements at Governor Printz Park Delaware County.

Which was committed to the Committee on Appropriations.

Mr. McCREESH read in his place and presented to the Chair Senate Bill No. 473, entitled:

An Act making an appropriation to the Hospital of the University of Pennsylvania, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 474, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the purpose of erecting a building for the School of Education.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 475, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the School of Veterinary Medicine.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 476, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania.

Which was committed to the Committee on Appropriations.

BILLS SIGNED

The President (Lieutenant-Governor Lloyd H. Wood) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 459, entitled:

An Act to further amend Section 2561 of the act approved the tenth day of March, one thousand nine hundred forty-nine, (P. L. 30), entitled "Public School Code of 1949," by including additional items in "overhead cost per pupil" for purpose reimbursement between school districts.

House Bill No. 483, entitled:

An Act to amend section five hundred seventeen of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by providing for the payment of traveling expenses of certain employes.

Whereupon,

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the presence of the Senate signed the same.

STUDENTS FROM CAERNARVON HIGH SCHOOL PRESENTED TO SENATE

Mr. RUTH. Mr. President and Gentlemen of the Senate, I am happy to present to you a group of students from the Caernarvon High School, in Berks County, under the direction of their supervising principal, Mr. Elbert Eberts.

The PRESIDENT. Will the guests of Senator Ruth please rise in place and take a bow?

BILLS INTRODUCED AND REFERRED

Mr. FLEMING. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FLEMING read in place and presented to the Chair Senate Bill No. 477, entitled:

An Act to amend Article X of the act approved the

tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing for the appointment and removal of technical personnel, their qualifications, term of office, duties, salary and method of filling vacancies.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 478, entitled:

An Act to amend Article X of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled, "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools, amending, revising, consolidating and changing the laws relating thereto," by providing for the appointment of supervisors of public school nurses, their qualifications, duties, salary, expenses and making appropriations therefor to the Department of Public Instruction.

Which was committed to the Committee on Education.

REPORTS FROM COMMITTEE

Mr. MAHANY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY, from the Committee on Local Government, reported as committed, Senate Bill No. 380, entitled:

An Act to amend the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1368), entitled "An act amending, revising and consolidating the laws relating to delinquent county, city, except of the first and second class and second class A, borough, town, township, school district, except of the first class and school districts within cities of the second class A, and institution district taxes; providing when, how and upon what property, and to what extent liens shall be allowed for such taxes; the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the lien of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property, and the proceedings therefor; creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws," by giving municipal claims equal priority with taxes in the distribution of certain moneys recovered under the provisions of said act.

CALENDAR

BILLS CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 237, as follows:

An Act to amend Section 714 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and wild animals and amending revising consolidating and changing the law relating thereto" by further regulating the possession and transportation of big game. The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Section 714 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows:

Section 714 Transporting Big Game It is unlawful for any person or for any common carrier or his or its agents to ship or transport big game of any kind unless the carcass shall in all instances have attached thereto a card or marker bearing in English the name and address of the owner his license and county number if the license bears such number with the name of the county wherein the same was killed.

It is unlawful for any person to cut up big game and ship [transport carry or convoy] any part thereof or for any common carrier or his or its agent to transport any such part unless each division thereof shipped uncovered or each package container or baggage of every description containing any part of such game shall have attached a card or marker bearing in English the name of the owner of such game with his home address his license and county number if the license bears such number and the character of the contents of such package so that such contents may be determined by an outside inspection thereof.

Any individual may possess transport carry or convey an unmarked part of a big game carcass that has been cut up but such person shall upon request of any law enforcement officer furnish the name and address of the person killing the big game animal and any other information required to properly establish legal possession in such person.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 237

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 237.

Mr. MALLERY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Freed.	McGinnis,	Stevenson,
Barr,	Haluska,	McMenamin,	Stiefel,
Barrett,	Hare,	McPherson, Jr.,	Taylor,
Berger,	Holland,	Meade,	Toole,
Blass,	Kephart,	Neff,	Wade,
Byrne,	Kessler,	Pechan,	Wagner,
Chapman,	Lane,	Propert,	Walker,
Crowe,	Leader,	Robinson,	Watkins,
Dent,	Letzler,	Rosenfeld,	Watson,
Diehm,	Mahany,	Ruth,	Wolfe,
DiSilvestro,	Mallery,	Scarlett,	Wood,
Fleming,	McCreesh,	Silvert,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 339, on concurrence in House amendments, entitled:

An Act to amend section 1408 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers directors trustees shareholders attorneys and other employees of all such corporations employees' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by making further provision concerning the effect of merger or consolidation of banking institutions.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

THIRD READING CALENDAR

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 247, on third reading, entitled:

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by regulating the authority of school districts to purchase supplies and to perform and contract for construction, reconstruction, repairs and work of any nature.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 416, as follows:

An Act to amend Section 704 of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on

which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by changing and clarifying the provisions with respect to payment of dividends from paid-in surplus

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 704 of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" is hereby amended to read as follows

Section 704 Dividends Payable Out of Paid-in Surplus Dividends in shares of the corporation may be paid out of paid-in surplus Dividends in cash may be paid out of paid-in surplus only upon shares having a preferential right to receive dividends provided that in each such case the source of such dividends shall be disclosed to the shareholders entitled thereto prior to or concurrently with the payment of such dividends

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Freed,	McGinnis,	Stevenson,
Barr,	Haluska,	McMenamin,	Stiefel,
Barrett,	Hare,	McPherson, Jr.,	Taylor,
Berger,	Holland,	Meade,	Toole,
Blass,	Kephart,	Neff,	Wade,
Byrne,	Kessler,	Pachan,	Wagner,
Chapman,	Lane,	Propert,	Walker,
Crowe,	Leader,	Robinson,	Watkins,
Dent,	Letzler,	Rosenfeld,	Watson,
Diehm,	Mahany,	Ruth,	Wolfe,
DiSilvestro,	Mallery,	Scarlett,	Wood,
Fleming,	McCreesh,	Silver,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered,

That the Clerk present said bill to the House of Representatives for concurrence,

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 433, on third reading, entitled:

An Act to further amend sections thirty-one and thirty-two of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by reclassifying counties of the sixth and seventh classes, and providing for elections pursuant to changes of classification by counties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

SECOND READING CALENDAR

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, for the information of the gentlemen of the Senate, the bills appearing on page 4 of the Calendar are part of the report of the Joint State Government Commission Subcommittee on Decedents Estates, and we are going to ask that all three of those bills go over in order so that they can be studied and be in position for amendment in case there are any suggestions over the week end.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 6, on second reading, entitled:

An Act relating to the administration and distribution of incompetents' estates both as to real and personal property and the procedure relating thereto including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a guardian in certain cases the appointment bond removal and discharge of guardians of such estates their powers duties and liabilities the rights of persons dealing with such guardians and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees and containing provisions concerning the determination of incompetency and the powers duties and liabilities of foreign guardians and also generally dealing with the jurisdiction powers and procedure of the common pleas court relating to incompetents' estates.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 17, on second reading, entitled:

An Act relating to the jurisdiction powers and duties of registers of wills and regulating proceedings before them and the costs thereof the effects of their acts and appeals therefrom.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 25, on second reading, entitled:

An Act relating to the orphans' courts conferring exclusive jurisdiction on such courts over the administration and distribution of decedents' estates trust estates minors' estates and absentees' estates providing for the organization of orphans' courts the procedure therein the powers and duties of the judges thereof and appeals therefrom.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 126, entitled:

An Act to amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further regulating insurance companies associations and inter-insurance exchanges and their investments policy provisions joint policies premium tax returns the licensing of foreign companies and repealing existing law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 127, entitled:

An Act to further amend section 15 and to amend section 29 of the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing process providing penalties for any violations of the act the Insurance Commissioner as attorney for service of exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" by regulating the transfer of excess insurance funds to the expense and other funds and providing for the consolidation of any society's funds further regulating reports of valuation of death benefit fund obligations regulating reserves and contributions for benefits

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 128, entitled:

An Act to amend subsections (d) and (f) of section 211.1, and to further amend section 212 and subsection (a) of

section 301 of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled as amended, "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," by further regulating assessments made by the Insurance Commissioner against life insurance companies to defray certain expenses; providing for reciprocity with other states in assessing taxes and fees on insurance companies; permitting foreign companies to write workmen's compensation insurance in Pennsylvania; limiting the basis for valuation of reserve liability of life insurance companies organized in foreign countries.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 136, entitled:

An Act to amend Section 1 Clause (8) of Section six and Section nine of the act approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1210) entitled "An act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder limiting the amount of such insurance prescribing standard policy provisions and requiring notice of conversion privileges" by further defining policies of group life insurance limiting the amount of an individual policy issued to a person entitled thereto and changing the premium basis and rate of interest thereon.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 140, entitled:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further regulating investments of insurance companies

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 320, entitled:

An Act to further amend subsection (a) of Section 621.1 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and existing laws" by further defining and regulating group accident and health insurance

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 341, entitled:

An Act to further amend Section 2 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 685) entitled "An act designating certain life insurance companies as limited life insurance companies and further describing the powers thereof" further describing the powers of limited life insurance companies

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 365, on second reading, entitled:

An Act to further amend the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporation; conferring certain rights, powers, duties, and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by permitting the Department of State to copy and destroy or return certain documents; permitting directors to fill vacancies in the board of directors resulting from an increase in the number of directors; deleting certain requirements as to the appointment, compensation and duties of agents; providing that meetings of shareholders at which directors are to be elected may be adjourned for periods of fifteen days each; fixing the method of cumulative voting in cases where directors are elected separately by the holders of

different classes of shares; providing that courts having jurisdiction over trustees who are evenly divided as to how shares shall be voted may direct the voting of such shares; deleting requirements as to the voting of shares of foreign corporations owned by other corporations; providing that articles of incorporation may be amended to eliminate the preemptive rights of shareholders, and providing for the purchase of and payment for shares of any shareholders who dissent therefrom; specifying cases of merger or consolidation of which sixty days' notice to shareholders must be given; providing that shareholders of a parent corporation shall have no right to dissent from a merger or consolidation of such parent and one or more wholly-owned subsidiaries thereof, provided the state of incorporation and relative rights and preferences of the shareholders of the parent corporation are not changed thereby; providing that foreign corporations which shall have done business in Pennsylvania without procuring a certificate of authority to do so shall be conclusively presumed to have appointed the Secretary of the Commonwealth their agent to accept service of process in cases arising out of acts of omissions of such corporation in the Commonwealth, and specifying the duties of the Secretary upon receipt of such process.

go over in its order,

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 374, entitled:

An Act to amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further regulating health and accident insurance

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 717, entitled:

An Act making a deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-nine and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-nine

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate

do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. DENT. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 30, entitled:

An Act to add clause (5) to section two thousand five hundred forty-one of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for payments on account of pupil transportation where school buses are used for purposes of better gradation.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 42, entitled:

An Act to amend subsection (b) of Section 921 and Section 922 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing the tenure of members and officers of county boards of school directors.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 59, entitled:

An Act to further amend section 15 of the act, approved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207), entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties lienied; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," changing the procedure in reviving municipal claims; and reinstating the lien of certain claims.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 96, entitled:

An Act to reenact sections one to nine inclusive of the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2803) entitled "An act providing a method of annexation of townships of the first class and parts thereof to cities and boroughs and regulating the proceedings pertaining thereto" by making the same applicable in counties of the second class and repealing inconsistent laws excepting as to proceedings now pending.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 187, entitled:

An Act to further amend Article XIV of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by authorizing the appointment of special school police and defining their powers and duties

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 191, entitled:

An Act to further amend Section 671 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by authorizing the change of the fiscal year by districts of the second class.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 276, entitled:

An Act to further amend the act approved the fifth day of June one thousand nine hundred forty-seven (P. L. 458) entitled as amended "An act creating as bodies corporate and politic "Parking Authorities" in cities of the first second second A and third classes prescribing the rights powers and duties of such authorities authorizing such authorities to acquire construct improve maintain and operate parking projects to conduct research of the parking problem and to establish a permanent coordinated system of parking facilities and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such authorities empowering such authorities to enter into contracts with and to accept grants from the Federal Government State political subdivisions of the State or any agency thereof exempting the property and securities of such parking authorities from taxation and conferring exclusive jurisdiction on certain courts over rates" by extending the provisions of the act to boroughs and townships of the first class.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 296, entitled:

An Act to further amend the act, approved the nineteenth day of June, one thousand nine hundred thirty-one (P. L. 589) entitled, as amended "An act to promote the public health and safety, by providing for the examination and licensure of those who desire to engage in the occupation of barbering; regulating barber shops and barber schools, and apprentices and students therein; regulating compensation for service rendered; conferring certain powers and duties on the Department of Public Instruction; and providing penalties," by changing the provisions

as to fees charged apprentices and students, and as to the powers of municipalities, and transferring the administration of several provisions of this act to the State Board of Barber Examiners.

And said bill having been read at length the first time
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 297, entitled:

An Act to further amend the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof, and the administrative departments, boards, commissions and officers thereof; including the boards of trustees of State Normal Schools, or Teachers Colleges abolishing, creating, reorganizing or authorizing the organization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions, and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by creating the State Board of Barber Examiners as a departmental administrative board in the Department of Public Instruction.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 380, entitled:

An Act to amend the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1368), entitled "An act amending, revising and consolidating the laws relating to delinquent county, city, except of the first and second class and second class A, borough, town, township, school district, except of the first class and school districts within cities of the second class A, and institution district taxes; providing when, how and upon what property, and to what extent liens shall be allowed for such taxes; the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the lien of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divestiture by certain tax sales of estates in property and of mortgages and liens on such property, and the proceedings therefor; creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws," by giving municipal claims equal priority with taxes in the distribution of certain moneys recovered under the provisions of said act.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 406, entitled:

An Act to further amend Section 305 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing, and consolidating the law relating to the care of the poor; and repealing existing laws," by requiring the approval of the court of quarter sessions for the erection and alteration of institutions and further prescribing the powers of the Department of Welfare.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 407, entitled:

An Act to further amend the title and section one of the act approved the third day of May one thousand nine hundred and nine (P. L. 424) entitled as amended "An act providing that in all counties of the first second third fourth fifth and sixth class advertisements and notices required by law or rules of court to be published in newspapers of general circulation unless dispensed with by special order of court shall be published in the legal newspaper issued at least weekly of the proper county designated by rules of court for the publication of court or other legal notices" by extending the provisions of the said act to all counties and further defining publications excepted from its operation.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 534, entitled:

An Act to further amend Section 1304 of the act approve the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by changing the provisions relating to admission of beginners.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 555, entitled:

An Act to amend Section 1764 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school

system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by clarifying the powers of joint school committees in managing the affairs of joint schools or departments.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 655, entitled:

An Act to amend Section 508 of the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by requiring a record vote of school directors on the adoption of the annual budget.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

BILLS INTRODUCED AND REFERRED

Mr. RUTH. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. RUTH and BERGER read in place and presented to the Chair Senate Bill No. 479, entitled:

An Act to add subsection (e) to section 501 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by providing for an open season for hunting deer with bows and arrows, requiring a special permit therefor and fixing fees.

Which was committed to the Committee on Forests and Waters, Game and Fish.

Mr. STEVENSON. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STEVENSON read in place and presented to the Chair Senate Bill No. 480, entitled:

An Act relating to the discharge of joint, and several tortfeasors in certain cases.

Which was committed to the Committee on Judiciary General.

BILLS SIGNED

The President (Lieutenant-Governor Lloyd H. Wood) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 12, entitled:

An Act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in, and use of alcoholic liquors, alcohol and malt and brewed beverages, and the

persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores; for the payment of certain license fees to the respective municipalities and townships; for the abatement of certain nuisances; and in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures providing for local option and repealing existing laws.

Senate Bill No. 237, entitled:

An Act to amend Section 714 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by further regulating the possession and transportation of big game.

Senate Bill No. 243, entitled:

An Act validating certain deeds, bonds and mortgages and trust indentures executed and delivered by nonprofit corporations, unless the validity thereof is raised by legal proceedings within a prescribed period of time.

Whereupon,

The President (Lieutenant-Governor Lloyd H. Wood) in the presence of the Senate signed the same.

RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess until 3:00 o'clock, p. m., Eastern Standard Time.

Mr. FLEMING. Mr. President, I second the motion.
The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

GENERAL COMMUNICATION

REPORT OF THE DELAWARE RIVER JOINT COMMISSION OF PENNSYLVANIA AND NEW JERSEY DEALING WITH CONSTRUCTION OF A VEHICULAR BRIDGE

The Chair cleared his table and laid before the Senate the following communication which was read by the Clerk:

THE DELAWARE RIVER JOINT COMMISSION OF PENNSYLVANIA AND NEW JERSEY ADMINISTRATION BUILDING

Bridge Plaza, Camden 2, N. J.

The Honorable Lloyd H. Wood,
Lieutenant-Governor
President of the Senate
Commonwealth of Pennsylvania
Harrisburg, Pennsylvania
Dear Sir:

The Delaware River Joint Commission of Pennsylvania and New Jersey herewith submits a detailed report dealing with construction of an additional vehicular bridge over the Delaware River between South Philadelphia and South Camden and requesting authorization of the Legislature to proceed with the project.

It is the intention of the Commission to have legislation introduced in the present session granting the requi-

site authority as set forth in the agreement of 1931 creating the Commission.

Yours very truly,

JOSEPH K. COSTELLO, General Manager.

JKC:MGC

The PRESIDENT. The report will be noted in the Journal

HOUSE MESSAGE

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 842, entitled:

An Act to further amend section twenty-one of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," postponing the manufacturing exemption with regard to capital stock tax and the franchise tax on domestic and foreign corporations, joint-stock associations, limited partnerships and companies, for a further limited period of time.

Which was committed to the Committee on Finance.

House Bill No. 843, entitled:

An Act to further amend section twenty-three of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," by increasing the rate of tax imposed upon the gross receipts of certain companies, limited partnerships, associations, joint-stock associations, copartnerships and persons.

Which was committed to the Committee on Finance.

House Bill No. 844, entitled:

An Act to reenact and further amend the title and the act, approved the fourteenth day of June, one thousand nine hundred thirty-five (P. L. 341), entitled, as amended "Cigarette Tax Act" by providing that the provisions of said act shall continue in effect until repealed.

Which was committed to the Committee on Finance.

House Bill No. 845, entitled:

An Act to reenact and amend the title and the act, approved the ninth day of June, one thousand nine hundred thirty-six (Special Session of one thousand nine hundred thirty-six (P. L. 13), entitled "An act imposing an emergency State tax for a limited period of time on liquor, as herein defined, sold by the Pennsylvania Liquor Control Board; providing for the collection and payment of such tax; and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board," as previously reenacted and amended, by extending the provisions thereof, for a further limited period of time.

Which was committed to the Committee on Finance.

House Bill No. 846, entitled:

An Act to further amend section three of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 284), entitled, as amended, "Beverage Tax Law," increasing the rates of certain taxes for a further limited period of time.

Which was committed to the Committee on Finance.

SENATE BILL No. 339 CALLED UP

Mr. WALKER. Mr. President, on page 2 of the Second

Reading Calendar, Senate Bill No. 339, Printer's No. 110, went over in its order previously. This bill was amended in the House, and I have been advised that the amendment contains the replacement of a line that was dropped in the printing, and we would like to have the bill acted on at this time so that it will not hold up the work of the Banking Department.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 339, as follows:

An Act to amend section 1408 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers directors trustees shareholders attorneys and other employees of all such corporations employees' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by making further provision concerning the effect of merger or consolidation of banking institutions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1408 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers directors trustees shareholders attorneys and other employees of all such corporations employees' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" is hereby amended to read as follows

Section 1408 Effect of Merger or Consolidation Upon the merger or consolidation becoming effective the several corporations parties to the plan of merger or consolidation shall be a single incorporated institution which in the case of a merger shall be that incorporated institution designated in the plan of merger as the surviving incorporated institution and in the case of a consolidation shall be the new incorporated institution provided for in the plan of consolidation [The separate existence of all

corporations parties to the plan of merger or consolidation shall cease except in the case of a merger that of the surviving incorporated institution and their articles and certificates of incorporation shall be considered forfeited] In the case of a merger the surviving incorporated institution and in the case of a consolidation the new incorporated institution shall be considered the same business and corporate entity as the several corporations parties to the plan of merger or consolidation and the corporate existence of each of the several corporations parties to the plan of merger or consolidation shall be merged into and continued in the surviving incorporated institution in the case of a merger and in the new incorporated institution in the case of a consolidation [Such corporations shall be continued bodies corporate for a period of three years after the time of such forfeitures for the purpose of actions at law or in equity authorized by this section to be continued against them or for the purpose of winding up their affairs but they] [shall not continue the business for which they were incorporated in any manner whatsoever] The surviving or new institution as the case may be shall not thereby acquire authority to engage in any business or exercise any right which is forbidden to a bank a bank and trust company a trust company or a savings bank as the case may be when originally incorporated under this act The surviving or new incorporated institution shall be subject to all the restrictions limitations or duties imposed upon such incorporated institutions when originally incorporated under this act All the property real personal and mixed of each of the corporations parties to the plan of merger or consolidation and all debts or obligations due to any of them including subscriptions to share and other choses in action belonging to either or any of them shall be taken and deemed to be transferred to and vested in the surviving or new incorporated institution as the case may be without further act or deed The surviving or new incorporated institution shall thenceforth be responsible for all the liabilities and obligations of each of the corporations so merged or consolidated but the liabilities of the merging or consolidating corporations or of their shareholders directors trustees or officers shall not be affected nor shall the rights of the creditors thereof or of any persons dealing with such corporations or any liens upon the property of such corporations be impaired by such merger or consolidation and any claim existing or action or proceeding pending by or against any of such corporations may be prosecuted to judgment as if such merger or consolidation had not taken place or the surviving or new incorporated institution may be proceeded against or substituted in its place In the case of a merger the articles of incorporation of the surviving incorporated institution shall be deemed to be amended to the extent if any that changes in its articles are stated in the articles of merger and in the case of a consolidation the statements set forth in the articles of consolidation and which are required or permitted to be set forth in the articles of incorporated institutions formed under this act shall be deemed to be the articles of incorporation of the new incorporated institution The aggregate amount of the net assets of merging or consolidating banks bank and trust companies trust companies or national banking associations which was available for the payment of dividends immediately prior to such merger or consolidation shall continue to be available for the payment of dividends by such surviving or new incorporated institution except for any portion thereof of which has been transferred to capital by the issuance of shares or otherwise or to surplus or reserve

The aggregate amount of the net assets of merging or consolidating savings banks which was available for the payment of interest or dividends immediately prior to such merger or consolidation shall continue to be available for the payment of interest or dividends by the surviving or new savings bank except for any portion thereof of which has been transferred to surplus reserve or the expense fund

Section 2 This act shall become effective immediately upon its final enactment

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 339

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 339.

Mr. HALUSKA. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Freed,	McGinnis,	Stevenson,
Barr,	Haluska,	McMenamin,	Stiefel,
Barrett,	Hare,	McPherson, Jr.,	Taylor,
Berger,	Holland,	Meade,	Toole,
Blass,	Kephart,	Neff,	Wade,
Byrne,	Kessler,	Pechan,	Wagner,
Chapman,	Lane,	Probert,	Walker,
Crowe,	Leader,	Robinson,	Watkins,
Dent,	Letzler,	Rosenfeld,	Watson,
Diehm,	Mahany,	Ruth,	Wolfe,
DiSilvestro,	Mallery,	Scarlett,	Wood,
Fleming,	McCreesh,	Silvert,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE BILL No. 175 CALLED UP FROM THIRD READING POSTPONED CALENDAR

Mr. WALKER. Mr. President, I move that the Senate do now resume the consideration of House Bill No. 175, on third reading postponed, entitled:

An Act authorizing and directing the Joint State Government Commission to make a comprehensive study of the migratory habits of fish, particularly shad, and the stocking and tagging of shad below and above the Safe Harbor Dam, the Holtwood Dam and the Conewingo Dam, and to cooperate with the federal government in connection therewith; prescribing powers and duties and making an appropriation.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WALKER. Mr. President, for the information of the gentlemen of the Senate I would like to say it is my desire to return this bill to the Second Reading Calendar, insert some amendments and then put it over in order on second reading as amended, so that the Senate can see it on Monday for action.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

RECONSIDERATION OF HOUSE BILL No. 175

Mr. WALKER. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 175 passed second reading.

The PRESIDENT. How did the Senator vote?

Mr. WALKER. Mr. President, I voted with the majority.

Mr. HARE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. HARE. Mr. President, I voted with the majority. The motion was agreed to.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 175, entitled:

An Act authorizing and directing the Joint State Government Commission to make a comprehensive study of the migratory habits of fish, particularly shad, and the stocking and tagging of shad below and above the Safe Harbor Dam, the Holtwood Dam and the Conowingo Dam, and to cooperate with the federal government in connection therewith; prescribing powers and duties and making an appropriation.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendment:

Amend Section 1, page 2, line 1, by striking out after the word "The" and before the word "Commission" the following: "Joint State Government"; and inserting in lieu thereof the following: "Pennsylvania Fish."

It was agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendment:

Amend Section 2, page 3, line 2, by inserting after the figure "1" at the end of the line, the following: "and to cooperate with the Joint State Government Commission in connection therewith."

It was agreed to.

The section was agreed to as amended.

The third section was read and agreed to.

The fourth section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendment:

Amend Section 4, page 3, by striking out lines 6 to 8 inclusive.

It was agreed to.

The section was agreed to as amended.

The fifth section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendment:

Amend Section 5, page 3, line 9, by striking out after the word "SECTION" and before the word "EFFECTIVE," the following: "5"; and inserting in lieu thereof the following: "4."

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. WALKER offered the following amendment:

Amend page 1, line 1 of the title by striking out after the word "the" and before the word "Commission" the following: "Joint State Government"; and inserting in lieu thereof the following: "Pennsylvania Fish."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 175, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL SIGNED

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

Senate Bill No. 339, entitled:

An Act to amend section 1408 of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled, as amended, "An act relating to the business of banking and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers and employees' mutual banking associations; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers and employees' mutual banking associations, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations, employees' mutual banking associations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by making further provision concerning the effect of merger or consolidation of banking institutions.

Whereupon,

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the presence of the Senate signed the same.

ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Mondy, April 9, 1951, at 3:00 o'clock, p. m., Eastern Standard Time.

Mr. CROWE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:07 o'clock, p. m., Eastern Standard Time, until Monday, April 9, 1951, at 3:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, April 4, 1951

The House met at 12:00 noon.

The SPEAKER (Herbert P. Sorg) in the Chair.

PRAYER

The Reverend Harry Zechman, guest Chaplain, pastor of the Derry Street Evangelical United Brethren Church Harrisburg, and pastor and guest of the gentleman from Dauphin, Mr. Zeigler, offered the following prayer:

Our Heavenly Father, we would bow in reverent silence and listen for Thy voice above the noise and confusion of our daily toil, for now, as always, we need Thy all wise council and blessing. Keep us from vain thoughts of self sufficiency and give us courage to choose the right be it ever so hard and avoid the wrong though ever so strong.

Give us keen vision as we perform our duties, for we need to see more accurately the results of what we do here, that Thy eternal purpose may not be hindered through any wilful negligence or ignorance due to carelessness on our part. As we see Thy will make us more ready to bend our efforts in that direction so that divine approval and blessing can be upon our honest efforts.

Teach us the way of brotherhood and peace and grant that we may put principle before party, personality and personal pride to the end that right and truth may prevail for the good of all in our Commonwealth of Pennsylvania, in America, and in the vast world in which Thy creative powers are at work.

Keep alive in our souls that faith in human freedom and equal opportunity that in our founding fathers gave birth to our beloved nation, and guide us in the preservation of this noble ideal. Forbid that we should lose our heritage through vain attempts to save it by wordly methods. Teach us rather the secret of inner purity and unity that come through faith in God as revealed by Jesus Christ our divine pattern. So may it be. Amen.

JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Tuesday, April 3, 1951? If not, and without objection, the Journal is approved.

BILLS INTRODUCED AND REFERRED

By Mr. LEISEY.

HOUSE BILL No. 884.

An Act to further amend Section 719 and subsection (a) of Section 905 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles, and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are

admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by providing for annual fees for special hauling permits and the issuance of such permits for vehicles or combinations of vehicles exceeding in size or weight, the maximum fixed by law.

Referred to the Committee on Motor Vehicles.

By Messrs. KAMYK and LOUIS LEONARD.

HOUSE BILL No. 885.

An Act to add Section 438 to the act, approved the second day of June, one thousand nine hundred fifteen (P. L. 736), entitled, as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," by permitting claimant to appear before the board or any referee either with or without an attorney at law.

Referred to the Committee on Judiciary.

By Messrs. KAMYK and LOUIS LEONARD.

HOUSE BILL No. 886.

An Act to further amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their renrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commission, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by requiring registrars to provide for registration of voters before each general election and providing for cancellation of registration upon failure to vote during four calendar years.

Referred to the Committee on Elections and Apportionment.

By Messrs. LOUIS LEONARD and KAMYK.

HOUSE BILL No. 887.

An Act imposing a county tax on the gross receipts of public utilities; providing for the collection and payment of such tax; requiring certain reports and penalties, if they are not made; providing for payment of part of tax to cities, boroughs, towns, townships and school districts in certain proportions.

Referred to the Committee on Counties.

By Mr. THOMAS H. W. JONES. HOUSE BILL No. 888.

An Act imposing regulations and restrictions on the use of certain areas adjacent to roadside rests and State Parks, prescribing the rights, obligations, and liabilities

of owners and users of property within such areas, providing for enforcement thereof, imposing duties on the Department of Highways, and prescribing penalties.

Referred to the Committee on Highways.

By Mr. THOMAS H. W. JONES. HOUSE BILL No. 889.

An Act imposing regulations and restrictions on the use of certain areas extending along roads and streets hereafter established as State highways, prescribing the rights, obligations, and liabilities of owners and users of property within such areas, providing for enforcement thereof, imposing duties on the Department of Highways, and prescribing penalties.

Referred to the Committee on Highways.

By Mr. THOMAS H. W. JONES. HOUSE BILL No. 890.

An Act imposing regulations and restrictions on the use of certain areas adjacent to a part of the "Blue Star Drive"; prescribing the rights, obligations, and liabilities of owners and users of property within such areas, providing for enforcement thereof, imposing duties on the Department of Highways, and prescribing penalties.

Referred to the Committee on Highways.

By Mr. KRATZ. HOUSE BILL No. 891.

An Act to further amend Section 402 of the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by making ineligible for compensation persons entitled to retirement benefits upon their retirement.

Referred to the Committee on Workmen's Compensation.

By Messrs. LOUIS LEONARD and KAMYK.

HOUSE BILL No. 892.

An Act to further amend the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender, or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual

relations between public utilities and affiliated interests, and supervision and regulations of accounts and securities or obligations issued, assumed or kept by persons, associations, companies, corporations, or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by defining the fair value of the property of a public utility and providing that just and reasonable rates shall be such as provided a fair return upon the fair value of the property as so defined.

Referred to the Committee on Public Utilities.

By Messrs. PETROSKY and LOVETT.

HOUSE BILL No. 893.

An Act to further amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors or registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards or school directors; imposing penalties; and repealing existing legislation," by providing for cancellation of registration upon failure to vote during four calendar years.

Referred to the Committee on Elections and Apportionment.

By Messrs. LOUIS LEONARD and KAMYK.

HOUSE BILL No. 894.

An Act relating to the provision of child welfare services by institution districts providing for Commonwealth reimbursements to institution district electing to accept and complying with the provisions of this act for the administration of child welfare services by institution districts through child welfare boards or advisory committees designated or appointed by them and by persons employes by them under a merit system imposing powers

and duties on such institution districts and their child welfare boards and advisory committees the Department of Welfare and the Civil Service Commission and making an appropriation.

Referred to the Committee on Welfare.

By Messrs. MILLS and MAXWELL.

HOUSE BILL No. 895.

An Act to further amend Section 4 of the approved the second day of June, one thousand nine hundred thirty-seven (P. L. 1198) entitled "An act relating to employees and organizations thereof; defining labor disputes; prescribing the procedure by which and the conditions under which injunctions may be granted in such disputes, and the scope thereof; declaring certain undertakings and promises between employers and employees contrary to public policy and void; prescribing the nature of proof necessary in actions arising out of labor disputes against persons or associations; prescribing the terms and conditions for bonds to be furnished prior to the issuance of injunctions; prescribing the procedure in case of appeal from granting injunctions; limiting the duration of temporary and permanent injunctions in case of labor disputes; and providing for the payment of costs; and repealing all acts or parts of acts inconsistent herewith" by extending the provisions thereof to certain additional cases.

Referred to the Committee on Labor Relations.

By Mr. TAHL.

HOUSE BILL No. 896.

An Act to further amend the act approved the thirtieth day of March one thousand nine hundred and thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by further changing the provisions of said act as to the registration of electors before certain elections the correction of registers and the preparation of street lists.

Referred to the Committee on Elections and Apportionment.

By Mr. KENT.

HOUSE BILL No. 897.

An Act to further amend Section 7 of the act, approved the twenty-ninth day of May, one thousand nine hundred thirty-one (P. L. 280), entitled "An act relating to delinquent taxes on seated lands, and prescribing interest charges on nonpayment thereof; requiring the receivers and collectors of county, city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances," by further prescribing the effect of a sale where written notice thereof is not given as required by the act.

Referred to the Committee on Judiciary.

By Messrs. WILLIAMS and POLEN.

HOUSE BILL No. 898.

An Act to amend the act, approved the twenty-second day of May, one thousand nine hundred forty-five (P. L. 849), entitled "An act providing for vocational rehabilitation for disabled individuals by the State Board of Vocational Education; authorizing cooperation with other departments and agencies and reciprocal agreements with other states; requiring cooperation with the Federal government; making the State Treasurer custodian and disbursement agent of Federal vocational rehabilitation funds; prohibiting misuse of vocational rehabilitation lists and records; limiting political activity by persons engaged in the administration of vocational rehabilitation and prescribing penalties," by extending vocational rehabilitation.

Referred to the Committee on Education.

By Messrs. WILLIAMS and POLEN.

HOUSE BILL No. 899.

An Act authorizing the Joint State Government Commission to make a thorough investigation and study of the safety measures and methods employed in the bituminous coal mining industry for the protection of the coal miners; providing for the appointment of the members of a committee of advisors; prescribing the committee's duties and making an appropriation.

Referred to the Committee on Appropriations.

By Messrs. HELM and GUTHRIE.

HOUSE BILL No. 900.

An Act to further amend section one thousand and twenty-seven of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon the owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by changing the requirements that certain vehicles stop at railway grade crossings.

Referred to the Committee on Motor Vehicles.

By Messrs. WILLIAMS and HEADLEE.

HOUSE BILL No. 901.

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensa-

tion; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by extending the provisions thereof to include employes of the State and political subdivisions.

Referred to the Committee on State Government.

By Mr. REIDENBACH. HOUSE BILL No. 902.

An Act to further amend the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1132), entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by requiring registrars to provide for registration of voters before each general election, and providing for cancellation of registration upon failure to vote during four calendar years.

Referred to the Committee on Elections and Apportionment.

By Messrs. REIDENBACH and WARGO.
HOUSE BILL No. 903.

An Act authorizing cities, boroughs, incorporated towns and townships to abate certain interest charges and penalties added to municipal claims, imposed or assessed for certain improvements; prohibiting the sale of real property for the nonpayment of such claims for a certain period; preserving the liens of such claims and providing for the extension thereof.

Referred to the Committee on Municipal Corporations.

By Messrs. ROVANSEK and WESTRICK.
HOUSE BILL No. 904.

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by providing allowance for dependents.

Referred to the Committee on Workmen's Compensation.

By Messrs. ROVANSEK and YETZER.
HOUSE BILL No. 905.

An Act to further amend the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs,

towns, and townships, as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by requiring registrars to provide for registration of voters before each general election and providing for cancellation of registration upon failure to vote during four calendar years.

Referred to the Committee on Elections and Apportionment.

By Mr. ROVANSEK. HOUSE BILL No. 906.

An Act to further amend the first paragraph and clause (b) of Section 9 of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-seven, (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Board of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by further defining aged persons.

Refererd to the Committee on Welfare.

By Mr. FLACK. HOUSE BILL No. 907.

An Act to further amend section nine hundred fifteen of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations, or municipal corporation subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts;

conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies, and corporation (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by permitting motor carriers, not qualified to be self-insurers, to furnish surety bonds or public liability insurance.

Referred to the Committee on Public Utilities.

By Messrs. ROVANSEK and McDERMIT.

HOUSE BILL No. 908.

An Act to amend Section 215 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," by providing for the payment of additional compensation to employees obliged to work overtime.

Referred to the Committee on State Government.

By Messrs. HARRY W. PRICE, JR. and BOLTON.

HOUSE BILL No. 909.

An Act to further amend section 889 of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by prohibiting the unauthorized wearing of the insignia, badge, shield or button of the Air Force Association.

Referred to the Committee on Judiciary.

By Messrs. PETROSKY and LOVETT.

HOUSE BILL No. 910.

An Act creating a board to be known as the Pennsylvania Fair Rate Board; defining in part the powers and duties of such board; abolishing the Pennsylvania Public Utility Commission of the Commonwealth of Pennsylvania; terminating the terms of the members thereof,

and transferring to the Pennsylvania Fair Rate Board the records, employees, property, and equipment of the Pennsylvania Public Utility Commission of the Commonwealth of Pennsylvania; authorizing the Pennsylvania Fair Rate Board to appear in and complete all pending proceedings, legal or otherwise, instituted before, by, or against the Pennsylvania Public Utility Commission of the Commonwealth of Pennsylvania; providing that all certificates of public convenience, contracts, orders and rules and regulations of the latter commission shall remain effective until repealed, changed or modified by the Pennsylvania Fair Rate Board, and transferring and appropriating to the Pennsylvania Fair Rate Board any unexpended balance of any existing appropriation to the Pennsylvania Public Utility Commission of the Commonwealth of Pennsylvania.

Referred to the Committee on State Government.

By Messrs. PETROSKY and LOVETT.

HOUSE BILL No. 911.

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for the reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers, providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," by creating the Pennsylvania Fair Rate Board to supersede the Pennsylvania Public Utility Commission.

Referred to the Committee on State Government.

By Messrs. MUSTO and FILIP. HOUSE BILL No. 912.

An Act providing for the conservation and improvement of lands worked for anthracite coal by the strip mining method; requiring the filling by surface owners of trenches, holes, cuts and pits resulting from such workings, and upon their failure or refusal, by the Department of Mines at the owners' expense; defining the powers and duties of such owners and the department; providing for Commonwealth liens and public sales of property involved under certain circumstances; and prescribing penalties.

Referred to the Committee on Mines and Mining.

By Messrs. WEIDNER and READINGER.

HOUSE BILL No. 913.

An Act to amend the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation, in counties of the fourth, fifth, sixth, seventh and eighth classes; designating the subjects, property and persons subject to and exempt from taxation for county, borough, town, township, school, except in cities and county institution district purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each such county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities regulating the office of ward, borough, town

and township assessors; abolishing the office of assistant triennial in townships of the first class; providing for the appointment of a chief assessor, assistant assessors and other employees; providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deeds; and eliminating the triennial assessment," by making certain vehicles known as trailers subjects of real estate taxes; requiring persons permitting their lands to be occupied by such vehicles to keep records and furnish reports to the board; and providing penalties.

Referred to the Committee on Municipal Corporations.

By Mr. ROBERT A. PRICE. HOUSE BILL No. 914.

An Act to further amend Subsection (f) of Section 902 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, alderman, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," further regulating the transportation of loads in excess of seating capacity of motor vehicles for the carriage of passengers for hire.

Referred to the Committee on Motor Vehicles.

By Messrs. ROBERT A. PRICE and REIDENBACH.
HOUSE BILL No. 915.

An Act to further amend Sections 6, 8, and 9, and to add Section 17.1 to the act, approved the twenty-seventh day of June, one thousand nine hundred forty-seven (P. L. 1095), entitled "An act providing for the regulation of mining of anthracite coal by the open pit or strip mining method and for the conservation and improvement of lands affected directly or indirectly by such mining; requiring operators to register, pay a license fee and secure a permit to engage in strip mining and file a bond conditioned for compliance with this act; requiring backfilling of stripping pits and leveling and planting lands affected to prevent erosion and the pollution of waters and to protect public health, safety and welfare; conferring powers and imposing duties upon the Department of Mines and the Department of Forests and Waters; providing for appeals, and imposing penalties, and making appropriations," by increasing the amount of the bond to be furnished by an operator and requiring the Department of Mines to complete backfilling within one year after forfeiture of bond.

Referred to the Committee on Mines and Mining.

By Messrs. ROBERT A. PRICE and REIDENBACH.
HOUSE BILL No. 916.

An Act to add Section 607.1 to the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the pub-

lic safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth, providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon the counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by requiring applicants for renewal of operator's license on and after reaching age sixty-five to take a re-examination every fifth year for the renewal thereof.

Referred to the Committee on Motor Vehicles.

By Messrs. WEIDNER and READINGER.
HOUSE BILL No. 917.

An Act to amend the act approved the twenty-second day of May, one thousand nine hundred thirty-three (P. L. 853), entitled "An act relating to taxation; designating the subjects; property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes, and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amending, revising and consolidating the law relating thereto, and repealing existing laws," by making certain vehicles known as trailers subjects of real estate taxes; requiring persons permitting their lands to be occupied by such vehicles to keep records and furnish reports to the revision authorities; and providing penalties.

Referred to the Committee on Municipal Corporations.

By Messrs. ROBERT A. PRICE and REIDENBACH.
HOUSE BILL No. 918.

An Act to further amend the definition of the term "Final salary" in Section 1 of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employees, denying the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employees; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by giving contributor right to designate any consecutive five year period as the final salary for such contributor.

Referred to the Committee on Education.

By Messrs. ROBERT A. PRICE and REIDENBACH.
HOUSE BILL No. 919.

An Act to add Section 11.1 to the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employees' retirement system, and creating

a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employees; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by giving credit in retirement system for years of suspension due to decrease in pupil enrollment.

Referred to the Committee on State Government.

By Mrs. VARALLO and Mr. TAYLOR.

HOUSE BILL No. 920.

An Act to repeal Section 1142, and to amend Section 1143, subsection (a) of Section 1154, to add Section 1156 and to amend Sections 1168 and 1169, to add Section 1319, to amend clauses (4) and (5) of Section 2501 and Section 2502 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by increasing minimum salaries and amount and number of increments; providing the same salary to persons having a master's degree or its equivalent; entitling persons on sick leave, not in excess of one year to one-half of salary and to unimpaired retirement rights if employe retires during sabbatical leave or within one year of the expiration of such leave, and raising the minimum salary paid to employes on such leave; limiting the size of classes and increasing school subsidies.

Referred to the Committee on Education.

By Messrs. HERSCH and DUFFY. HOUSE BILL No. 921.

An Act to further amend the first paragraph of subsection (a) of Section 1214 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims, registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by directing the Department of Motor Vehicles to enter on the title of the motor vehicle damaged the date and amount of damages, where such damages exceed one hundred dollars.

Referred to the Committee on Motor Vehicles.

By Mr. DUFFY.

HOUSE BILL No. 922.

An Act to amend clause (d) of Section 315 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concern-

ing game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by making the carrying of intoxicating liquor on the person while carrying a gun or using firearms or a bow and arrow a ground for revocation of hunting license.

Referred to the Committee on Games and Forestry.

By Messrs. DUFFEY and HERSCH.

HOUSE BILL No. 923.

An Act requiring colleges receiving state aid to have their home football games televised.

Referred to the Committee on Education.

By Messrs. DUFFEY and HERSCH.

HOUSE BILL No. 924.

An Act to further amend Section 2 and the first paragraph of Section 5 of the act approved the thirteenth day of May, one thousand nine hundred fifteen (P. L. 286) entitled "An act to provide for the health safety and welfare of miners: By forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment; by requiring employment certificates for certain minors, and prescribing the kinds thereof, and the rules for the issuance, reissuance, filing, return, and recording of the same; by providing that the Industrial Board shall, under certain conditions, determine and declare whether certain occupations are within the prohibitions of this act; requiring that certain minors shall, during the period of their employment, attend certain schools, to be established as therein provided, and to be approved by the State Superintendent of Public Instruction, and regulating the conditions of such attendance, authorizing the State Board of Education, in certain cases, to appoint attendance officers to aid in enforcing the provisions of this act, and creating the salary and expenses of such officers a charge against the school district wherein they are employed; requiring certain abstartes and notices to be posted; providing for the enforcement of this act by the Commissioner of Labor and Industry, the attendance officers of school district, and police officers; and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto; providing penalties for the violation of the provisions thereof; and repealing all acts or parts of acts inconsistent therewith," by further regulating work by minors.

Referred to the Committee on Labor Relations.

By Messrs. DUFFEY and HERSCH.

HOUSE BILL No. 925.

An Act to further amend clause (a) of section 320 of the act, approved the second day of June, one thousand nine hundred fifteen (P. L. 736), entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," by increasing the compensation paid to illegally employed minors.

Referred to the Committee on Workmen's Compensation.

By Messrs. DUFFY and HERSCH.

HOUSE BILL No. 926.

An Act to further amend the act, approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "An act to provide for the permanent

personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms, and corporations operating vehicles for moving furniture and household goods, and boards of school directors; and imposing penalties," by requiring registrars to provide for registration of voters before each general election and providing for cancellation of registration upon failure to vote during four calendar years.

Referred to the Committee on Elections and Apportionment.

By Messrs. DuBOIS and BRETH. HOUSE BILL No. 927.

A Supplement to the act, approved the second day of June, one thousand nine hundred fifteen (P. L. 726), entitled, as amended, "An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," to grant a temporary extension of time in which appeals from judgments of the courts of common pleas and the county court of Allegheny County may be filed.

Referred to the Committee on Judiciary.

By Messrs. TOMPKINS and GIBSON.

HOUSE BILL No. 928.

An Act authorizing and directing the borrowing of monies from the State Sinking Fund to defend the State or part thereof in war; providing for the issuance of bonds and for the repayment of such loans; from monies in the General Fund, and making the necessary appropriations.

Referred to the Committee on State Government.

By Messrs. TOMPKINS and GIBSON.

HOUSE BILL No. 929.

An Act to amend the act, approved the eleventh day of July, one thousand nine hundred seventeen (P. L. 775), entitled "An act authorizing the borrowing money by the State for the purpose of repelling invasions, suppressing insurrections, and defending the State in war; designating the persons authorized to expend the money so borrowed; prescribing the manner in which such money may be drawn from the State Treasury; and making certain appropriations," by prescribing the amount that may be borrowed to defend the State in war; clarifying the time when such money may be spent; and making certain provisions thereof conform to existing law.

Referred to the Committee on State Government.

By Mr. FLACK.

HOUSE BILL No. 930.

An Act establishing an Anthracite Mining Drainage Commission; providing for the appointment of the members thereof, defining its powers and duties; and making an appropriation.

Referred to the Committee on Appropriations.

By Mr. TOMPKINS.

HOUSE BILL No. 931.

An Act to further amend Section 719 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by changing the dog training period.

Referred to the Committee on Game and Forestry.

By Mr. LOFTUS.

HOUSE BILL No. 932.

An Act making an appropriation to the Board of Finance and Revenue for the refund of monies and fees heretofore dealers and importers to county treasurers and transmitted erroneously and inadvertently paid by wholesale drug to the State Treasury as license fees as wholesale dealers in vinous, spirituous malt, or brewed liquors or any admixture thereof.

Referred to the Committee on Appropriations.

By Messrs. SARRAF and KAMYK.

HOUSE BILL No. 933.

An Act requiring employers employing one hundred or more persons in any shop or factory, to employ one or more licensed physicians and one or more registered nurses to render medical aid; requiring that medical and first aid equipment be made available by such employers; providing penalties.

Referred to the Committee on Labor Relations.

By Messrs. READINGER and WEIDNER.

HOUSE BILL No. 934.

An Act to further amend Sections 201, 202 and 204 of the act, approved the twenty-second day of May, one thousand nine hundred thirty-three, (P. L. 853), entitled, "An act relating to taxation; designating the subjects, property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes, and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amending, revising and consolidating the law relating thereto; and repealing existing laws," making the levying of a tax on trades, occupations, professions and persons who follow no occupation or calling optional in counties of the third class.

Referred to the Committee on Municipal Corporations.

By Messrs. ZIEGLER and DOWLING.

HOUSE BILL No. 935.

An Act to amend Section 4 and clause (e) of Section 5 of the act, approved the twenty-third day of May, one thousand eight hundred and eighty-seven (P. L. 158), entitled "An act relating to the competency of witnesses, and to the rules of evidence in civil and criminal cases, revising, declaring and consolidating some of the existing acts and rules of law upon these subjects, and also extending merely as the husband or wife of a surviving or remaining party to a thing or contract shall not disqualify said husband or wife as a witness.

Referred to the Committee on Judiciary.

By Mrs. COYLE and Mr. BYRNE.

HOUSE BILL No. 936.

An Act to further amend clause (b) of Sec. 4 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated

and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by fixing the minimum costs for the burial of indigent deceased persons.

Referred to the Committee on Welfare.

By Mr. DOWLING (By request). HOUSE BILL No. 937.

An Act to amend Section 3 of the act, approved the twenty-sixth day of March, one thousand nine hundred twenty-five (P. L. 83), entitled "An act for the protection of public health by regulating the serving of milk for drinking purposes to patrons of hotels, restaurants, lunch rooms, fountains, and dining cars; and providing penalties," by permitting the purchase and sale of milk in bulk for use in certain automatic milk dispensing machines.

Referred to the Committee on Public Health and Sanitation.

By Messrs. LEVEN, TOLL and LEDERER.

HOUSE BILL No. 938.

An Act relating to the regulation and control of rents, rental agreements and certain other landlord-tenant relationships with respect to lands and buildings used for commercial purposes; establishing a maximum rent ceiling for such buildings and lands; providing for appeals to the county commissioners in certain cases and imposing penalties.

Referred to the Committee on Judiciary.

By Mr. MULDOWNEY.

HOUSE BILL No. 939.

An Act to amend subsection (b) of Section 1605 and Section 1843 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," removing prohibition against unincorporated associations making political contributions.

Referred to the Committee on Elections and Apportionment.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, February 6, 1951.

Whereas, The AMVETS are sponsoring and promoting a program for blood typing, designed to exercise a salutary part in the recovery and the rehabilitation of those who are wounded or sick; therefore be it

Resolved (if the House of Representatives concurs), That the Senate commend and applaud said project of

the AMVETS for its humane and sympathetic motive, and be it further

Resolved, That the Department of Health and other departments of the State Government be urged to encourage and to cooperate with the AMVETS in a successful prosecution of their worthy program of blood typing.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Referred to the Committee on Rules.

REPORT OF DELAWARE RIVER JOINT COMMISSION

The SPEAKER laid before the House the report of the Delaware River Joint Commission of Pennsylvania and New Jersey, to the Legislatures of the Commonwealth of Pennsylvania and the State of New Jersey on an additional vehicular crossing of the Delaware River south of the present Philadelphia-Camden Bridge, March 14, 1951.

(For report see Appendix).

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 459.

An Act to further amend Section 2561 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by including additional items in "overhead cost per pupil" for purpose of reimbursement between school districts

HOUSE BILL No. 483.

An Act to amend section five hundred seventeen of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the payment of traveling expenses of certain employees

With information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same been correct, the titles were publicly read as follows:

HOUSE BILL No. 459.

An Act to further amend Section 2561 of the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by including additional items in "overhead cost per pupil" for purpose of reimbursement between school districts.

HOUSE BILL No. 483.

An Act to amend section five hundred seventeen of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto" by providing for the payment of traveling expenses of certain employees.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. EDWIN F. THOMPSON for himself after today for the remainder of the week.

Mr. Petrosky for Mr. LOVETT for the remainder of the week.

REPORTS FROM COMMITTEES

Mr. MINTESS from the Committee on Municipal Corporations, reported as committed, House Bill No. 213, entitled:

An Act to further amend section one of the act, approved the twenty-eighth day of June, one thousand nine hundred thirty-five (P. L. 477), entitled, as amended "An act providing for the payment of the salary, medical and hospital expenses of policemen and firemen by cities, boroughs, towns, and townships who are injured in the performance of their duty; and providing that absence during such injury shall not reduce any usual sick leave period," by adding a presumption of relationship to employment of diseases of the heart and tuberculosis of the respiratory system and providing disability benefits for such conditions.

Mr. HARNEY from the Committee on Agriculture and Dairy Industries, reported as committed, House Bill No. 218, entitled:

An Act to further amend section 30 of the act, approved the eleventh day of May, one thousand nine hundred twenty-one (P. L. 522), entitled as amended "An act relating to dogs, and the protection of live stock, poultry, and game birds, raised in captivity from damage by dogs, providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock, poultry, and game birds by dogs, and for live stock killed by, or dying from rabies, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employees; directing the payment of all moneys collected into the State Treasury; and providing penalties," by increasing the maximum amounts of payments by the State and requiring additional proof of claims in certain cases.

Mr. ROBERT A. PRICE from the Committee on Municipal Corporations, reported as committed, House Bill No. 249, entitled:

An Act to further amend Section 504 of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by providing that plans for public improvements in townships of the first class need not be submitted to the county planning commission.

Mr. COCHRAN from the Committee on Motor Vehicles, reported as committed, House Bill No. 375, entitled:

An Act to further amend subsection (b) of Section 1103 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing and operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that the records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by authorizing townships of the first class to remove and impound vehicles.

Mr. MIKULA from the Committee on Municipal Corporations, reported as committed, House Bill No. 554, entitled:

An Act authorizing political subdivisions other than cities of the first and second classes, and school districts of the first class and first class A, to appoint and pay the compensation of employees to make an assessment list of all inhabitants or residents thereof, over twenty-one years of age, for taxation purposes.

Mr. LOUIS LEONARD from the Committee on Municipal Corporations, reported as committed, House Bill No. 681, entitled:

An Act to further amend the title and Section 1 of the act, approved the twenty-eighth day of June, one thousand nine hundred thirty-five (P. L. 477), entitled as amended "An act providing for the payment of the salary, medical and hospital expenses of policemen and firemen by cities, boroughs, towns, and townships who are injured in the performance of their duty; and providing that absence during such injury shall not reduce any usual sick leave period," by extending the provisions thereof to park guards.

Mr. DALRYMPLE from the Committee on Municipal Corporations, reported as committed, House Bill No. 839, entitled:

An Act to further amend sections one and two of the act approved the twenty-fifth day of June, one thousand eight hundred ninety-five (P. L. 275), entitled "An act dividing the cities of this State into three classes with respect to their population, and designating the mode of ascertaining and changing the classification thereof in accordance therewith," by classifying cities into five classes and providing for the government of cities of the third class A.

Mr. METZ from the Committee on Fisheries, reported as committed, House Bill No. 721, entitled:

An Act to further amend clause (c) of Section 285 of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by authorizing the Board of Fish Commissioners to make certain expenditures with or without bids.

Mr. KORNICK from the Committee on Townships, reported as committed, House Bill No. 811, entitled:

An Act to add section 1501.1 to the act approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class, and amending, revising, consolidating, and changing the law relating thereto," by empowering township supervisors to compel connection with and use of sewer systems constructed by municipal authorities to impose penalties, to enforce regulations and orders, and to connect properties of owners failing or neglecting to make connection.

Mr. JUMP from the Committee on Municipal Corporations, reported as committed, House Bill No. 821, entitled:

An Act requiring the employment by any political subdivision of unemployed owners of real estate situate within the political subdivision for the purpose of payment of the amount of unpaid taxes assessed against such real estate.

Mr. HARNEY from the Committee on Fisheries, reported as committed, Senate Bill No. 366, entitled:

An Act to further amend subsection A of Section 221 and to amend Section 241 of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by extending non-resident fishing privileges to Canadians and redefining resident.

Mr. ROBERTSON from the Committee on Townships, reported as amended, Senate Bill No. 201, entitled:

An Act to amend Section 1705 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by authorizing investment of sinking fund moneys in deposits insured by the Federal Deposit Insurance Corporation and in shares of building and loan or Federal savings and loan associations insured by the Federal Savings and Loan Insurance Corporation.

Mr. HALL from the Committee on Ways and Means returned House Bill No. 624 with the request that it be recommitted to the Committee on Judiciary.

Referred to the Committee on Judiciary.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 73, entitled:

An Act to amend Article V of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising

consolidating and changing the laws relating thereto" by permitting school directors to attend meetings of educational or financial interest to districts and providing for the payment of their expenses.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 204, entitled:

An Act to amend Section 1512 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by requiring water utility companies to furnish to townships lists of water meter readings flat-rate bills and other data for the purpose of determining sewer charges

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 206, entitled

An Act to further amend Section 2401 of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by requiring water utility companies to furnish to the township lists of water meter readings flat-rate water bills and other data for the purpose of determining sewer and drainage rates.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 268, entitled

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1046) entitled as amended "An act appropriating the moneys in the Motor License Fund" by providing for appropriations to the Department of Public Instruction for its expenses and payments to school districts in carrying out a driver-training program.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 270, entitled:

An Act to add Section 2511.2 to the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for payments to school districts and vocational school districts on account of employment of highway safety education instructors.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 295, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by increasing the maximum per capita tax rate.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 466, entitled:

An Act requiring cities of the first class to make annual appropriations to Firemen's Pension Funds.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 492, entitled:

An Act to further amend Section 1311 of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicles and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by providing for sentences of imprisonment in default of fines imposed

under that section for first and second offenses by motor carriers common carriers by airplane or brokers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 513, entitled:

An Act to amend section 2 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by providing that certain appeals may be taken to the court of common pleas of the county in which the aggrieved person resides.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 629, entitled:

An Act to establish a separate orphans' court in and for the county of Beaver.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 708, entitled:

An Act requiring certain non-profit and cooperative associations and corporations to obtain the approval of the Pennsylvania Public Utility Commission before beginning to furnish telephone service on a cooperative or non-profit basis or to furnish such service in areas not theretofore served; providing for regulation of such service after approval; and conferring powers and imposing duties upon the Pennsylvania Utility Commission.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 755, entitled:

An Act to further amend Section 1208 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns town-

ships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by regulating jurisdiction of magistrates aldermen and justices of the peace in civil actions arising from use of vehicles.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 757, entitled:

An Act to add Article XVII.I to the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" by providing for the establishment of a traffic court in cities of the second class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 16, entitled:

An Act to further amend clauses six seven twenty and twenty-three of section two of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engagng in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the

provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by exempting from the provisions thereof transportation of pulpwood or chemical wood from woodlots

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 318, entitled:

An Act authorizing counties of the second class to establish fire training schools for the paid and volunteer firemen of municipalities within the county.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 256, entitled

An Act to further amend section 14 of the act, approved the twenty-second day of May, one thousand nine hundred thirty-five (P. L. 233), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired and disabled employees of the Bureau of Police in cities of the second class; providing a pension fund for said employees; and providing for the payment of certain dues, fees, assessments, fines, and appropriations thereto; regulating membership therein; creating a board for the management thereof, providing the amount, mode, and manner of payment to beneficiaries thereof, and for the care and disposition of said fund; providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds, organizations, corporations, or associations having the same or similar purposes, and of such additional monies as may be necessary to carry out the provisions of this act," by changing the amount of pension payments to beneficiaries.

The first section was read.

On the question,

Will the House agree to the section?

Mr. RIGBY offered the following amendments:

Amend Sec. 1, page 2, line 1, by striking out the words and figure "Sections 10 and" and inserting in lieu thereof "Section."

Amend Sec. 1, (Sec. 14), page 4, line 7, by striking out the figures "\$160.00" and inserting in lieu thereof "\$165.00."

Amend Sec. 1, (Sec. 14), page 4, line 8, by striking out the figures "\$145.00" and inserting in lieu thereof "\$155.00."

Amend Sec. 1, (Sec. 14), page 4, line 9, by striking out the figures "\$145.00" and inserting in lieu thereof "\$155.00."

Amend Sec. 1 (Sec. 14), page 4, line 10, by striking out the figures "\$145.00" and inserting in lieu thereof "\$155.00."

Amend Sec. 1, (Sec. 14), page 4, line 11, by striking out the figures "\$145.00" and inserting in lieu thereof "\$155.00."

Amend Sec. 1 (Sec. 14), page 4, line 12, by striking out the figures "\$140.00" and inserting in lieu thereof "\$150.00."

Amend Sec. 1 (Sec. 14), page 4 line 13, by striking out the figures "\$140.00" and inserting in lieu thereof "\$150.00."

Amend Sec 1 (Sec. 14), page 4, line 14, by striking out the figures "\$140.00" and insterting in lieu thereof \$145.00."

Amend Sec. 1 (Sec 14), page 4, line 15, by striking out the figures "\$135.00" and inserting in lieu thereof \$145.00."

Amend Sec. 1 (Sec. 14), page 4, line 16, by striking out the figures "\$135.00" and inserting in lieu thereof "\$145.00".

Amend Sec. 1 (Sec. 14), page 4, line 17, by striking out the figures "\$135.00" and inserting in lieu thereof "\$145.00".

Amend Sec. 1 (Sec. 14), page 4, line 18, by striking out the figures "\$135.00" and inserting in lieu thereof "\$145.00".

Amend Sec. 1 (Sec. 14), page 4, line 19, by striking out the figures "\$130.00" and inserting in lieu thereof "\$140.00".

Amend Sec. 1 (Sec. 14), page 5, line 1, by striking out the figures "\$130.00" and inserting in lieu thereof "\$135.00".

Amend Sec. 1 (Sec. 14), page 5, line 2, by striking out the figures "\$130.00" and inserting in lieu thereof "\$135.00".

Amend Sec. 1 (Sec. 14), page 5, line 3, by striking out the figures "\$125.00" by inserting in lieu thereof "\$135.00".

Amend Sec. 1 (Sec. 14), page 5, line 4, by striking out the figures "\$125.00" by inserting in lieu thereof "\$135.00".

Amend Sec. 1 (Sec. 14), page 5, line 5, by striking out the figures "\$125.00" by inserting in lieu thereof "\$135.00".

Amend Sec. 1 (Sec. 14), page 5, line 6, by striking out the figures "\$125.00" by inserting in lieu thereof "\$135.00".

Amend Sec. 1 (Sec. 14), page 5, line 7, by striking out the figures "\$125.00" by inserting in lieu thereof "\$135.00".

Amend Sec. 1 (Sec. 14), page 5, line 8, by striking out the figures "\$125.00" by inserting in lieu thereof "\$135.00".

Amend Sec. 1 (Sec. 14), page 5 line 9, by striking out the figures "\$125.00" by inserting in lieu thereof "\$135.00".

Amend Sec. 1 (Sec. 14), page 5, line 10, by striking out the figures "\$125.00" by inserting in lieu thereof "\$135.00".

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 269, entitled

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the establishment by the Department of Public Instruction of a standardized driver-training program in the public schools and providing for assistance to school districts in certain cases

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 368, entitled

An Act relating to the practice of professional nursing; providing for the licensing of nurses and for the revocation and suspension of such licenses subject to appeal and

for their reinstatement; providing for the annual renewal of such licenses; regulating nursing in general; prescribing penalties and repealing certain laws.

The first, second and third sections were separately read and agreed to.

The fourth section was read.

On the question,

Will the House agree to the section?

Mr. SCOTT offered the following amendments:

Amend Sec. 4, page 3, line 1, by striking out the word "Usual" and inserting in lieu thereof: "And."

Amend Sec. 4, page 3, line 1, by inserting after the word "nurses" the following: "or graduate nurses so long as such persons do not represent or hold themselves out to be licensed nurses, licensed registered nurses, or registered nurses or use in connection with their names any designation tending to imply that they are licensed to practice under the provisions of this act."

Amend Sec. 4, page 3, lines 5 and 6, by striking out the words "who do not practice" in line 5 and all of line 6.

Amend Sec. 4, page 3, line 8, by inserting after the word "services" the following: "by anyone."

Amend Sec. 4, page 3, lines 16 to 18, by striking out the words "as long as such care does not in-" in line 16, and by striking out all of lines 17 and 18.

Amend Sec. 4, page 4, line 2, by striking out the word "directions" and inserting in lieu thereof: "direction".

Amend Sec. 4, page 4, line 7, by inserting after the word "school" the following: "of nursing".

Amend Sec. 4, page 4, line 9, by striking out the word "publication" and inserting in lieu thereof: "notification".

Amend Sec. 4, page 4, line 17, by striking out the word and figure "six (6)" and inserting in lieu thereof: "one (1)".

Amend Sec. 4, page 4, line 18, by striking out the word "months" and inserting in lieu thereof: "year".

They were agreed to.

The section was agreed to as amended.

The fifth section was read.

On the question,

Will the House agree to the section?

Mr. SCOTT offered the following amendment:

Amend Sec. 5, page 5, line 12, by inserting after the word "Board" the following: "of".

It was agreed to.

The section was agreed to as amended.

The sixth section was read and agreed to.

The seventh section was read.

On the question,

Will the House agree to the section?

Mr. SCOTT offered the following amendments:

Amend Sec. 7, page 7, line 19, by striking out the word "June" and inserting in lieu thereof: "September".

Amend Sec. 7, page 7, line 20, by striking out "fifty-four" and inserting in lieu thereof: "fifty-two".

Amend Sec. 7, page 7, line 20, by striking out the words "by special" and inserting in lieu thereof: "without".

Amend Sec. 7, page 8, line 4, by inserting after the word "school" the following: "or course".

Amend Sec. 7, page 8, lines 8 to 17, by striking out the words "provided such persons have been engaged in Pennsylvania" in line 8, and by striking out all of lines 9 to 17, inclusive.

They were agreed to.

The section was agreed to as amended.

The eighth section was read.

On the question,

Will the House agree to the section?

Mr. SCOTT offered the following amendments:

Amend Sec. 8, page 9, line 4, by inserting after the word "and" where it appears the first time in said line, the following: "may obtain a license automatically".

Amend Sec. 8, page 9, lines 4 and 5, by striking out the words "obtaining a license and renewing the same" in line 4, and striking out all of line 5, and inserting in lieu thereof: "making application and paying the fee as herein provided for the renewal of licenses. Every holder of a valid license issued pursuant to the provisions of this act shall be entitled to use the title "registered nurse" or "licensed registered nurse" and the letters "RN".

They were agreed to.

The section was agreed to as amended.

The ninth and tenth sections were separately read and agreed to.

The eleventh section was read.

On the question,

Will the House agree to the section?

Mr. SCOTT offered the following amendments:

Amend Sec. 11, page 10, line 3, by striking out the letter "(a)".

Amend Sec. 11, page 10, line 12, by inserting after the figure "\$1)", the following: "Upon approval of each application, the applicant shall receive a renewal of license".

Amend Sec. 11, page 10, lines 13 to 18, by striking out lines 13 to 17, inclusive and the words "renewal of licenses" in line 18.

They were agreed to.

The section was agreed to as amended.

The twelfth section was read.

On the question,

Will the House agree to the section?

Mr. SCOTT offered the following amendments:

Amend Sec. 12, page 11, line 15, by striking out the word "used" and inserting in lieu thereof: "use".

Amend Sec. 12, page 11, line 15, by inserting after the word "words" the following: "licensed nurse,"

Amend Sec. 12, page 11, line 16, by inserting after the word "nurse" the following: "registered nurse"

The thirteenth to seventeenth sections inclusive and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

STUDENTS OF CAERNARVON TOWNSHIP HIGH SCHOOL WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House ten senior students from the Caernarvon Township High School, Berks County, under the supervision of their Supervising Principal, Mr. Elbert Eberts. They are the guests of the gentleman from Berks, Mr. Weidner.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 369, entitled

An Act to further amend sections two hundred two, four hundred eighteen and one thousand three hundred ten of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct for the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof,

including the boards of trustees of state normal schools, or teachers colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain department, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," by changing the name of the State Board of Examiners for Registration of Nurses.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 398, entitled

An Act to further amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1050), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired and disabled employees of the bureau of fire in cities of the second class; creating a board for the management thereof; providing the mode and manner of payment to beneficiaries, and for the care and disposition of its funds; and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created" by changing the compensation of the Secretary-Treasurer of the Board and changing the amounts of contributions by members to the fund, and changing the amounts of payments to beneficiaries.

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. RIGBY offered the following amendments:

Amend Sec. 2 (Sec. 12), page 8, lines 7 and 8, by striking out "receiving benefits from pensions granted on or before December 31, 1940"

Amend Sec. 2 (Sec. 12), page 8, line 15, by striking out "\$155.00" and inserting in lieu thereof: "\$165.00".

Amend Sec. 2 (Sec. 12), page 9, line 1, by striking out "\$135.00" and inserting in lieu thereof: "\$155.00".

Amend Sec. 2 (Sec. 12), page 9, line 7, by striking out "\$125.00" and inserting in lieu thereof: "\$150.00".

Amend Sec. 2 (Sec. 12), page 9, line 9, by striking out "\$125.00" and inserting in lieu thereof: "\$150.00".

Amend Sec. 2 (Sec. 12), page 9, line 14, by striking out "\$125.00" and inserting in lieu thereof: "\$145.00".

Amend Sec. 2 (Sec. 12), page 9, line 15, by inserting after the word "Fire" the following: "\$135.00".

Amend Sec. 2 (Sec. 12), page 9, line 16, by inserting after the word "Fire" the following: "\$135.00".

Amend Sec. 2 (Sec. 12), page 9, line 17, by striking out "\$125.00" and inserting in lieu thereof: "\$135.00".

Amend Sec. 2 (Sec. 12), page 10, line 1, by striking out "\$125.00" and inserting in lieu thereof: "\$135.00".

Amend Sec. 2 (Section 12), page 10, line 4, by striking out "\$125.00" and inserting in lieu thereof: "\$135.00".

Amend Sec. 2 (Sec. 12), page 10, lines 14 to 20, both inclusive, by striking out all of said lines.

Amend Sec. 2 (Sec. 12), page 11, lines 1 to 19, both inclusive, by striking out all of said lines.

Amend Sec. 2 (Sec. 12), page 12, lines 1 to 18, both inclusive, by striking out all of said lines.

They were agreed to.

The section was agreed to as amended.

Mr. RIGBY offered the following amendment:

Amend Bill, page 13, by inserting between lines 15 and 16, the following

Section 3. The increases in pension payments provided by this amending act shall be deemed cost-of-living increases and shall not be construed as a permanent and binding obligation of the pension fund, which will in perpetuity entitle present and future pensioners to secure pensions predicated upon such increases. Such increased pension schedule shall be subject to revision by the General Assembly in the event of a decline or a rise in the cost of living: Provided, That in no event shall any decrease in living costs result in decreasing the schedule of pension payments in effect prior to the passage of this amending act.

It was agreed to.

The bill was agreed to as amended.

The third section was read.

On the question,

Will the House agree to the section?

Mr. RIGBY offered the following amendment:

Amend Sec. 3, page 13, line 16, by striking out the figure "3" and inserting in lieu thereof "4".

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 7, 68, 81, 405 and 416.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. BUCCHIN asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

SPECIAL ORDERS

The SPEAKER. The hour of 1:30 p. m. having arrived, the Chair lays before the House the special orders of business on third reading and final passage fixed for this hour, House Bills 840, 841, 842, 843, 844, 845 and 846.

Mr. WOOD IN THE CHAIR.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 840, as follows:

An Act imposing an income tax on residents of Pennsylvania as herein defined including trusts and estates and on income of non-residents derived from property business or other sources in Pennsylvania defining taxable income and requiring filing of returns thereof providing for the assessment collection and lien of said tax providing for administration and enforcement of the act by the Department of Revenue conferring powers and imposing duties on certain persons fiduciaries partnerships associations corporations political subdivisions State officers employees and departments saving certain local taxes and imposing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Article I

Short Title and Definitions

Section 1 Short Title This act shall be known and may be cited as the "Personal Income Tax Act"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning

"Association" A partnership limited partnership or any other form of unincorporated enterprise owned by two or more persons

"Business" An enterprise activity profession vocation joint adventure or undertaking of any nature conducted for profit or ordinarily conducted for profit whether by an individual copartnership association or any other unincorporated entity The ownership of property held for the production of rent or royalties shall for the purposes of this act be deemed a "business"

"Corporation" A corporation or joint stock association organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency

"Department" The Department of Revenue of this Commonwealth

"Dividend" Any distribution made by a corporation or association out of its net earnings or profits to its stockholders or members whether in cash or in other property or in stock other than stock dividends as hereinafter defined

"Employer" An individual association corporation the Commonwealth of Pennsylvania or any political subdivision or agency thereof or any other entity who or which employs one or more persons on a salary wage commission or other compensation basis

"Fiduciary" A guardian committee trustee executor administrator receiver conservator or any person whether individual or corporate acting in any fiduciary capacity for any person estate or trust

"Individual" A natural person

"Net Profits" The net gain from the operation of a business profession or enterprise after provision for all costs and expenses including reasonable allowances for depreciation and depletion incurred in the conduct thereof either paid or accrued in accordance with the accounting system used and without deduction of taxes based on income

"Capital Assets" Property held by the taxpayer (whether or not connected with his trade or business) but does not include stock in trade of the taxpayer or other property of a kind which would properly be included in the inventory of the taxpayer if on hand at the close of the tax year or property held by the taxpayer primarily for sale to customers in the ordinary course of his trade or business or land used in the trade or business or property used in the trade or business of a character which is subject to an allowance for depreciation or provided in this act

"Capital Gain" Gain or profit from the sale or exchange of capital assets

"Capital Loss" Loss resulting from the sale or exchange of capital assets

"Net Capital Gain" The excess of capital gains over capital losses

"Paid" For the purpose of this act means "paid or accrued" or "paid or incurred" and the word "paid or accrued" "paid or incurred" and "incurred" shall be construed according to the method of accounting upon the basis of which the net income is computed under this act.

"Person" Every natural person fiduciary association or corporation Wherever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof

"Received" For the purpose of the computation of taxable income under this act means "received or accrued" and the words "received or accrued" shall be construed according to the method of accounting upon the basis of which income is computed under this act

"Resident" A natural person domiciled in the Commonwealth of Pennsylvania and every other natural person who maintains a permanent place of abode within this Commonwealth or spends in the aggregate more than seven months of the tax year within the Commonwealth shall be deemed to be residing within this Commonwealth for the purpose of determining liability for the tax under this act

"Stock Dividends" New stock for surplus or profits capitalized issued to stockholders or shareholders in proportion to their previous holdings

"Taxpayer" Any individual trust or estate required to pay a tax under the provisions of this act

"Tax Year" The period for which the taxes levied by this act are imposed It shall be a calendar year a fiscal year or in cases where returns for a fractional part of a year are permitted or required the period for which such return is made

Article II

Imposition of Tax

Section 201 Residents and Nonresidents A A State tax is hereby imposed upon every resident of this Commonwealth which tax shall be levied collected and paid annually at the rate of one-half per centum with respect to his entire taxable income (as hereinafter defined) whether derived from sources within or outside this Commonwealth

B A like tax is hereby imposed and shall be levied collected and paid annually at the rate of one-half per centum with respect to the entire taxable income (as hereinafter defined) from all property owned and from every business employment trade occupation service carried on or performed in this Commonwealth by natural persons not residents of this Commonwealth

Section 202 Associations Individuals carrying on business as an association shall be liable for income tax only in their individual capacity There shall be included in computing the taxable income of each partner or member of such association his distributive share whether distributed or not of the association's taxable income for the tax year or if his taxable income for such tax year is computed upon the basis of a period different from that upon the basis of which the taxable income of the association is computed then his distributive share of the taxable income of the association for any tax year of the association ending within the tax year upon the basis of which the partner's or member's taxable income is computed Taxpayers who are partners or members of associations may be required by the department to make a return stating the gross receipts and net gains or profits of the association for any tax year The taxable income of the association shall be computed in the same manner and on the same basis as provided in computing the taxable income of individuals

Section 203 Estates and Trusts A The tax imposed by this act shall apply to estates and trusts which tax shall be levied collected and paid annually with respect to the income of estates or of any kind of property held in trust including

(1) Income received by estates of deceased persons during the period of administration or settlement of the estate

(2) Income accumulated in trust for the benefit of unborn and unascertained persons or persons with contingent interests

(3) Income held for future distribution under the terms of the will or trust

(4) Income which is to be distributed to the beneficiaries periodically whether or not at regular intervals and the income collected by a guardian of an infant to be held or distributed as the court may direct and

(5) Income of an estate during the period of administration or settlement permitted by subsection C of this section to be deducted from the income upon which the tax is to be paid by the fiduciary

B The fiduciary shall be responsible for making the return of income for the estate or trust for which he acts whether such income be taxable to the estate or trust or to the beneficiaries thereof The taxable income of an estate or trust shall be computed in the same manner and on the same basis as provided for individual taxpayers and in

cases under paragraphs (4) and (5) of subsection A of this section the fiduciary shall include in the return a statement of each beneficiary's distributive share of such taxable income whether or not distributed before the close of the tax year for which the return is made

C In cases under paragraphs (1) (2) and (3) of subsection A of this section the tax shall be imposed upon the estate or trust with respect to the taxable income of the estate or trust and shall be paid by the fiduciary except that in determining the taxable income of the estate of any deceased person during the period of administration or settlement there may be deducted the amount of any income properly paid or credited to any legatee heir or other beneficiary In such cases an estate or trust created by or consisting of property of a person not a resident and an estate of a deceased person who at the time of his death was not a resident shall be subject to tax only to the extent to which individuals other than residents are liable as provided in subsection B of section two hundred one of this act

D In cases under paragraphs (4) and (5) of subsection A of this section if the distribution of income is in the discretion of the fiduciary either as to the beneficiaries to whom payable or as to the amounts to which any beneficiary is entitled the tax shall be imposed upon the estate or trust and paid by the fiduciary in the manner provided in subsection C of this section but without the deduction of any amounts of income paid or credited to any such beneficiary In all other cases under paragraphs (4) and (5) of subsection A of this section the tax shall not be paid by the fiduciary but there shall be included in computing the tributed or not of the net income of the estate or trust for the tax taxable income of each beneficiary his distributive share whether dis year In such cases the net income of a beneficiary not a resident derived through such estate or trust shall be subject to tax only to the extent to which individuals other than residents are liable as provided in subsection B of section two hundred one of this act

E Notwithstanding any other provisions of this section the tax on net capital gains realized by an estate or trust shall be imposed upon the estate or trust whether or not distributable to beneficiaries or paid or credited to any legatee heir or other beneficiary

F Income of an estate or trust with respect to which the tax is imposed upon the estate or trust and paid by the fiduciary shall not be included in the taxable income of a beneficiary when distributed

Section 204 Initial Tax The tax imposed by this act shall first be imposed with respect to taxable income for the calendar year one thousand nine hundred fifty-one except where the taxpayer reports to the Federal government on the basis of a fiscal year and has certified such fact to the department as hereafter required in this act in which case such tax shall first be imposed with respect to that portion of the taxable income for the fiscal year ending in the calendar year one thousand nine hundred fifty-one which the number of months in such fiscal year after the thirty-first day of December one thousand nine hundred fifty bears to the total number of months in such fiscal year Such tax shall be reported withheld and paid in the manner hereafter provided

Article III

Computation of Tax

Section 301 Taxable Income A Subject to the provisions of this act the term "taxable income" means income of very kind whatsoever including but not limited to

(1) Salaries wages fees or other compensation for personal service of whatever kind and in whatever form paid including personal service as an officer or employee of the United States of America or any agency or instrumentality territory possession or dependency thereof the Commonwealth of Pennsylvania or any other state or any political subdivision agency or instrumentality thereof

(2) Net profits from any business

(3) Interest and dividends less reasonable expenses if any paid for the collection thereof

(4) Net capital gains derived from the sale or exchange

of capital assets whether situated within or without the Commonwealth

(5) Income and profits other than capital gains derived from sales or dealings in property whether real or personal and whether situated within or without the Commonwealth growing out of the ownership or use of or interest in such property

(6) Income derived from estates or trusts subject to the provisions of section two hundred three

(7) All other gains profits and income derived from any source whatever

It is hereby intended to include all the foregoing items without regard to the source thereof location of the property involved or any other factor except only a case where the inclusion thereof would be violative of constitutional restrictions. The amount of all such items shall be included in the taxable income for the tax year in which received by the taxpayer unless otherwise provided by this act

B The term "taxable income" shall not include the following items

(1) Amounts received under a life insurance contract paid by reason of the death of the insured whether in a single sum or in installments but if such amounts are held by the insurer under an agreement to pay interest thereon the interest payments shall be included in taxable income

(2) Amounts received (other than amounts paid by reason of the death of the insured and interest payments on such amounts and other than amounts received as annuities) under a life insurance or endowment contract but if such amounts (when added to amounts received before the taxable year under such contract) exceed the aggregate premiums or consideration paid (whether or not paid during the taxable year) then the excess shall be included in taxable income amounts received as an annuity under an annuity or endowment contract shall be included in taxable income except that there shall be excluded from taxable income the excess of the amount received in the taxable year over an amount equal to three per centum of the aggregate premiums or consideration paid for such annuity (whether or not paid during such year) until the aggregate amount excluded from taxable income under this act in respect of such annuity equals the aggregate premiums or consideration paid for such annuity

(3) The value of property acquired by gift bequest devise or descent but the income from such property shall be included in taxable income

(4) Interest upon the obligations of the United States or its possessions or the obligations of the Commonwealth of Pennsylvania or any political subdivision thereof or any authority commission or instrumentality thereof (including those created by compact or agreement to which the Commonwealth of Pennsylvania is a party)

(5) Any amount received through accident or health insurance or under workmen's compensation acts as compensation for personal injuries or sickness plus the amount of any damages received whether by suit or agreement on account of such injuries or sickness or through the war risk insurance act or any law for the benefit or relief of injured or disabled members of the military or naval forces of the United States

(6) Income received by a church or by any other organization operated for purely public charity and used or held for use of such purposes

(7) Stock dividends when received by a shareholder shall not be subject to tax but if before or after the distribution of any such dividend the corporation proceeds to cancel or redeem its stock at such time and in such manner as to make the distribution and cancellation or redemption in whole or in part essentially equivalent to the distribution of a taxable dividend the amount so distributed in redemption or cancellation of the stock shall be treated as a taxable dividend and included in taxable income

(8) Any amount received by any person whatever under any law of this Commonwealth the United States or any other state providing for any pension or bonus or in respect to services in the military or naval forces of the

United States in any war in which the United States has been engaged and compensation received by any person for active service as a member of the armed forces of the United States for any month during any part of which such person served in a "combat zone" as designated from time to time by the President of the United States by Executive Order

(9) Amounts received by any person as unemployment compensation under the provisions of the Unemployment Compensation Law of this Commonwealth as assistance under the provisions of the Public Assistance Law of this Commonwealth or as social security benefits under the Federal Social Security Act

Section 302 Manner of Computing Taxable Income A The taxable income shall be computed upon the basis of the taxpayer's annual accounting period (fiscal year or calendar year as the case may be) but if the taxpayer's annual accounting period is other than a fiscal year as defined in this act or if the taxpayer has no annual accounting period or does not keep books the taxable income shall be computed on the basis of the calendar year. Such taxable income shall be computed in accordance with the method of accounting regularly employed in keeping the books of such taxpayer but if no such method of accounting has been so employed or if the method employed does not clearly reflect the taxable income the computation shall be made upon such basis and in such manner as in the opinion of the department does clearly reflect such income

B In the case of the death of a taxpayer there shall be included in computing taxable income for the tax year in which falls the date of his death only amounts received up to the date of his death

C If the taxpayer changes his accounting period from fiscal year to calendar year from calendar year to fiscal year or from one fiscal year to another taxable income shall with the approval of the department be computed on the basis of such new accounting period subject to the provisions of section four hundred five of this act

Section 303 Installment Basis A A taxpayer who regularly sells or otherwise disposes of personal property on the installment plan may return as taxable income in any tax year that proportion of the installment payments actually received in that year which the total profit realized or to be realized when the payment is completed bears to the total contract price

B If an installment obligation is satisfied at other than its face value or distributed transmitted sold or otherwise disposed of profit or loss shall result to the extent of the difference between the basis of the obligation and (1) in the case of satisfaction at other than face value or a sale or exchange the amount realized or (2) in case of a distribution transmission or disposition otherwise than by sale or exchange the fair market value of the obligation at the time of such distribution transmission or disposition. Any profit or loss so resulting shall be considered as resulting from the sale or exchange of the property in respect of which the installment obligation was received. The basis of the obligation shall be the excess of the face value of the obligation over an amount equal to the taxable income which would be returnable were the obligation satisfied in full

Section 304 Inventories Whenever in the opinion of the department the use of inventories is necessary in order clearly to determine the income of any taxpayer inventories shall be taken by such taxpayer upon such basis as the department may prescribe conforming as nearly as may be to the best accounting practice in trade or business of such taxpayer and most clearly reflecting the taxable income

Section 305 Ascertainment of Gain and Loss A Gain or profit derived from the sale or exchange of property including capital assets shall be the excess of the gross amount realized from such sale or exchange over the basis of the property plus the expenses incurred in the sale or exchange. Loss sustained upon the sale or exchange of property including capital assets shall be the excess of the basis plus expenses of the sale or exchange over the gross amount realized

B The basis of property shall be in case of property acquired on or after the first day of January one thousand nine hundred fifty-one the cost thereof or the inventory value if the inventory is made in accordance with this act

C In case of property acquired prior to the first day of January one thousand nine hundred fifty-one and disposed of thereafter

(1) No profit shall be deemed to have been derived if either the cost or the fair market price or value on the first day of January one thousand nine hundred fifty-one exceeds the amount realized

(2) No loss shall be deemed to have been sustained if either the cost or the fair market price or value on the first day of January one thousand nine hundred fifty-one is less than the amount realized

(3) Where both the cost and the fair market price or value on the first day of January one thousand nine hundred fifty-one are less than the amount realized the basis for computing profit shall be the cost or the fair market price or value on the first day of January one higher

(4) Where both the cost and the fair market price or value on the first day of January one thousand nine hundred fifty-one are in excess of the amount realized the basis for computing loss shall be the cost or the fair market price or value on the first day of January one thousand nine hundred fifty-one whichever is lower

D In the case of property acquired by gift after the thirty-first day of December one thousand nine hundred fifty the basis shall be the same as it would be in the hands of the donor or the last preceding owner by whom it was not acquired by gift except that for the purpose of determining loss the basis shall be the basis so determined or the fair market value of the property at the time of the gift whichever is lower If the facts necessary to determine the basis in the hands of the donor or the last preceding owner are unknown to the donee the department shall if possible obtain such facts from such donor or last preceding owner or any other person cognizant thereof If the department finds it impossible to obtain such facts the basis in the hands of such donor or last preceding owner shall be the fair market value of such property as found by the department as of the date or approximate date at which according to the best information that the tax commission is able to obtain such property was acquired by such donor or last preceding owner

E In the case of property acquired by transfer in trust (other than by a transfer in trust by a bequest or devise) after the thirty-first day of December one thousand nine hundred fifty the basis shall be the same as it would be in the hands of the grantor increased in the amount of gain or decreased in the amount of loss recognized to the grantor upon such transfer under the law applicable to the year in which the transfer was made

F In the case of property acquired by gift or transfer in trust before the first day of January one thousand nine hundred fifty-one the basis for gain or loss shall be determined as provided in subsection C(1) or C(2) of this section except that the word "cost" as used in said subsections shall be deemed to mean the fair market price or value of such property at the time of such acquisition

G If the property was acquired by bequest devise or inheritance or by the decedent's estate from the decedent the basis for gain or loss shall be determined as provided in subsection B or C of this section except that the word "cost" as used in said subsections shall mean the fair market value of such property at the time of such acquisition In the case of property transferred in trust to pay the income for life to or upon the order or direction of the grantor with the right reserved to the grantor at all times prior to his death to revoke the trust the basis in the hands of the persons entitled under the terms of the trust instrument to the property after the grantor's death shall after such death be the same as if the trust instrument had been a will executed on the day of the

grantor's death For the purpose of this subsection property passing without full and adequate consideration under a general power of appointment exercised by will shall be deemed to be property passing from the individual exercising such power by bequest or devise In case such property has been appraised (a) for the purpose of Pennsylvania transfer inheritance tax or (b) for death tax purposes by the state of domicile of the transferor or (c) for the purpose of the United States estate tax the appraised value shall be presumed to be the fair market value at the date as of which the appraisal was made but if appraised as of the same date for more than one of such purposes the appraisal for the purpose first specified shall be presumed to be the fair market value

H In the case of property acquired by a partnership if the basis is not otherwise determined under any of the subsections B to G inclusive of this section the basis shall be the same as it would be in the hands of the transferor If property so acquired by a partnership was distributed in kind to any partner the basis in the hands of such partner shall be such part of the basis in his hands of his partnership interest as is properly allocable to such property

I In the case of depreciable property used in a trade or business or held for the production of income a gain otherwise computed under this section shall be increased and a loss otherwise computed shall be decreased by the depreciation previously allowed to the taxpayer in determining his taxable income under this act

Section 306 Exchange of Property Upon the sale or exchange of property the entire amount of the gain or loss determined under section three hundred five of this act shall be recognized except as hereinafter provided in this section

A No gain or loss shall be recognized if properly held for productive use in trade or business or for investment (not including stock in trade or other property held primarily for sale nor stocks bonds notes choses in action certificates of trust or beneficial interest or other securities or evidences of indebtedness or interest) is exchanged solely for property of a like kind to be held either for productive use in trade or business or for investment or if common stock in a corporation is exchanged solely for common stock in the same corporation or if preferred stock in a corporation is exchanged solely for preferred stock in the same corporation

B No gain or loss shall be recognized if stock or securities in a corporation a party to reorganization are in pursuance of the plan of reorganization exchanged solely for stock or securities in such corporation or in another corporation a party to the reorganization

C No gain or loss shall be recognized if property is transferred to a corporation by one or more persons solely in exchange for stock or securities in such corporation and immediately after the exchange such person or persons are in control of the corporation but if the property thus transferred (other than stock in trade) is sold or otherwise disposed of by the corporation within the six months subsequent to such transfer gain or loss to such person or persons shall be recognized as of the date of the exchange the stock or securities received by such person or persons from the corporation being presumed in the absence of proof to the contrary in such case to be of the same value as the amount of the consideration received by the corporation on the subsequent sale or other disposition of such property and it is further provided that in the case of an exchange by two or more persons this subsection shall apply only if the amount of the stock of the stock or securities received by each is substantially in proportion to his interest in the property prior to the exchange

D If property (as a result of its destruction in whole or in part theft or seizure or an exercise of the power or requisition or condemnation or the threat or imminence thereof) is compulsory or involuntarily converted into property similar or related in service or use to the property so converted or into money which is forthwith in good faith under regulations prescribed by the department expended in the acquisition of other property similar or

related in service or use to the property so converted or in the acquisition of control of a corporation owning such other property or in the establishment of a replacement fund no gain or loss shall be recognized. If any part of the money is not so expended the gain if any shall be recognized but in an amount not in excess of the money which is not so expended.

E If an exchange would be within the provisions of subsections A B or C of this section if it were not for the fact that the property received in exchange consists not only of property permitted by such subsection to be received without the recognition of gain but also of other property or money then the gain if any to the recipient shall be recognized but in an amount not in excess of the sum of such money and the fair market value of such other property.

F If an exchange would be within the provisions of subsections A B or C of this section if it were not for the fact that the property received in exchange consists not only of property permitted by such subsection to be received without the recognition of gain or loss but also of other property or money then no loss from the exchange shall be recognized.

G As used in this section the term "reorganization" means (1) a statutory merger or consolidation or (2) the acquisition by one corporation in exchange solely for all or a part of its voting stock of at least eighty per centum of the voting stock and at least eighty per centum of the total number of shares of all other classes of stock of another corporation or of substantially all the properties of another corporation or (3) a transfer by a corporation of all or a part of its assets to another corporation if immediately after the transfer the transferor or its stockholders or both are in control of the corporation to which the assets are transferred or (4) a recapitalization or (5) a mere change in identity form or place of organization however effected.

The term "a party to a reorganization" includes a corporation resulting from a reorganization and includes both corporations in the case of a reorganization resulting from the acquisition by one corporation of stock or properties of another corporation.

As used in this section "control" means the ownership of stock possessing at least eighty per centum of the total combined voting power of all classes of stock entitled to vote and at least eighty per centum of the total number of shares of all other classes of stock of the corporation.

H When property is exchanged for other property and no gain or loss is realized under the provisions of this section the property received shall be treated as taking the place of the property exchanged therefor.

Article IV

Returns and Payments of Tax

Section 401 Collection at Source For each calendar year every employer shall deduct and withhold from all taxable income of which he shall have control disposal or payment the tax imposed by this act on residents and nonresidents and shall on or before the thirtieth day of January April July and October of each year beginning with October one thousand nine hundred fifty-one make a return and pay to the department the amount of the tax so deducted for the three-month period ending on the last day of the month preceding. The tax shall be withheld on the basis of each payroll period i e weekly bi-weekly semi-monthly or monthly but if there is no specified payroll period such tax shall be withheld on a per diem basis provided however the first deductions under this act shall be made thirty days after this act becomes effective and shall be accounted for and paid to the department in the return due the thirtieth day of October one thousand nine hundred fifty-one.

Section 402 Returns of Taxpayers A Every taxpayer who has received taxable income during the tax year shall make a return on forms to be prescribed and furnished by the department. If the taxpayer is unable to make his own return the return shall be made by a duly authorized agent or by the fiduciary charged with the care of the person or property of such taxpayer. The fact that a tax-

payer's name is signed to a filed return shall be prima facie evidence for all purposes that the return was actually signed by him.

B If the taxable income for any year of any taxpayer as returned to the United States Treasury Department is changed or corrected by the Commissioner of Internal Revenue or other officer of the United States or other competent authority or where a renegotiation of a contract or subsequent with the United States results in a change in such income such taxpayer shall report such change or corrected income or the results of such renegotiation within thirty days after the final determination of such change or correction or renegotiation and shall concede the accuracy of such determination or state wherein it is erroneous. Any taxpayer filing an amended Federal income tax return shall also file within thirty days thereafter an amended return with the department which shall contain such information as it shall require.

C If a taxpayer during the tax year changes his status from that of resident to that of nonresident or from that of nonresident to that of resident he shall file two returns one as a resident covering the fraction of the year during which he was a resident and one as a person other than a resident covering the fraction of the year during which he was a nonresident.

Section 403 Partnership Returns Every partnership shall make a return for each tax year stating specifically the items of its gross income capital gains capital losses and expenses and shall include in the return the names and addresses of the individuals who would be entitled to share in the taxable income if distributed and the amount of the distributive share of each individual. The return shall be executed by any one of the partners.

Section 404 Fiduciary Returns Every fiduciary (except receivers appointed by authority of law in possession of part only of the property of a taxpayer) shall make a return for the individual or estate or trust for which he acts as follows:

A If he acts for an individual whose entire income from whatever source derived in his charge.

B If he acts (1) for an estate of a deceased person during the period of administration or settlement whether or not the income of such estate during such period of administration or settlement is properly paid or credited to any legatee heir or other beneficiary (2) or an estate or trust the income of which is accumulated in trust for the benefit of unborn or unascertained persons or persons with contingent interests or (3) for an estate or trust the income of which is held for future distribution or is distributable in the discretion of the fiduciary under the terms of the will or trust.

C If he acts (1) for an estate or trust the income of which is to be distributed to the beneficiaries periodically or (2) as the guardian of an infant whose income is to be held or distributed as the court may direct. The return made by a fiduciary shall state specifically the items of the gross income capital gains capital losses and expenses. Under such regulations as the department may prescribe a return made by one or two or more joint beneficiaries shall be sufficient compliance with the above requirement. The fiduciary shall certify that he has sufficient knowledge of the affairs of the individual estate or trust for whom or which he acts to enable him to make the return and that the same is to the best of his knowledge and belief true and correct. Fiduciaries required to make returns under this article shall be subject to all the provisions of this article which apply to taxpayers.

Section 405 Returns When Accounting Period Changes If a taxpayer with the approval of the department changes the basis of computing taxable income from fiscal year to calendar year a separate return shall be made for the period between the close of the last fiscal year for which return was made and the following thirty-first day of December. If the change is made from calendar year to fiscal year a separate return shall be made for the period between the close of the last calendar year for which return was made and the date designated as the close of the fiscal year. If the change is made for the period between the close of the former fiscal year and the

date designated as the close of the new fiscal year If a taxpayer making his first return for income tax keeps his accounts on the basis of a fiscal year he shall make a separate return for the period between the beginning of a calendar year in which such fiscal year ends and the end of such fiscal year

Section 406 Time and Place of Filing Returns A Returns shall be made to the department on or before the fifteenth day of April in each year in the case of taxpayers reporting on the basis of a calendar year and in the case of taxpayers reporting on the basis of a fiscal year returns shall be made on or before the fifteenth day of the fourth month following the close of such fiscal years or the fifteenth day of the fourth month following the month in which his act becomes effective whichever is later Returns shall be in such form shall contain the taxpayer's name residence address items of taxable income received and such other information as the department may from time to time prescribe and shall be filed with the department at its main office or at any branch office which it may establish Each return shall contain the certificate of the person making the return to the effect that the statements contained therein are true Blank forms of return shall be furnished by the department upon application but failure to secure the form shall not relieve any taxpayer from the obligation of making any return herein required

B The department may upon application made to it in such form as it shall prescribe or prior to the last day for filing any return and upon proper cause shown grant to the taxpayer required to file return an extension of not more than sixty days within which such return may be filed and in case the Commissioner of Internal Revenue at any time grants a taxpayer a longer extension of time for filing his Federal income tax return the department may grant an additional extension of time for filing the return under this act of not more than thirty days after the termination of the Federal extension

C Notwithstanding any other provisions of this act taxpayers on active duty with the armed forces of the United States who are serving outside the continental limits of the United States at the time a return would otherwise be due under his act shall not be required to file such return until the fifteenth day of the fourth month following the month in which such taxpayer returns to the United States

Section 407 Assessment and Payment of Tax Each taxpayer shall or in cases where an agent or fiduciary makes then the agent or fiduciary shall at the time of filing a return for the taxpayer on whose behalf he is acting the return compute and pay to the department the amount of tax shown by such return to be payable In making such computation the taxpayer shall take credit for any tax withheld on his behalf by any employer

A Whenever the tax imposed by this act is not paid upon the due date of the return provided for in subsection A of section four hundred six interest shall be charged thereon at the rate of six per centum per annum until paid whether or not the time for filing the return shall have been extended except that no interest shall accrue during the period of extension granted under subsection C of section four hundred six of this act to taxpayers on active duty with the armed forces of the United States

Article V

Administration and Enforcement

Section 501 Department to Administer The Department of Revenue shall administer and enforce the provisions of this act

Section 502 Assessments by the Department Notice If any taxpayer shall fail to file a return or fail to include in any return all of his taxable income or shall fail to compute and pay the tax due the Commonwealth as required in this act the department shall make an estimated assessment or additional assessment or both of tax for which the taxpayer is liable or for which he is

believed by the department to be liable together with the penalty of ten per centum of such tax

Section 503 Assessments Made At Any Time Within Five Years An additional assessment or estimated assessment as heretofore provided shall be made by the department at any time within five years after any taxable income of any taxpayer should have returned by him for taxation any such additional assessment or estimated assessment may be made at any time during said period notwithstanding he shall have paid a tax assessed on the basis of returns previously made or filed and notwithstanding the department shall have made previous additional or estimated assessments against such taxpayer In any such case no credit shall be given for any penalty formerly assessed and paid

Section 504 Procedure for Reassessment Review Appeal A Promptly after the date of an assessment by the department the department shall send by mail a copy thereof to the person against whom it was made Within ninety days after the date upon which the copy of any such assessment was mailed such person may file with the department a petition for reassessment of such tax Every petition for reassessment shall state specifically the reasons which the petitioner believes entitled him to such reassessment and it shall be supported by affidavit that it is not made for the purpose of delay and that the facts set forth therein are true I shall be the duty of the department within six months after the date of any assessment to dispose of any petition for reassessment Notice of the action taken upon any petition for reassessment shall be given to the petitioner promptly after the date of reassessment by the department

B Within sixty days after the date of mailing of notice by the department of the action taken on any petition for reassessment filed with it the person against whom such assessment was made may petition request the Board of Finance and Revenue to review such action Every petition for review filed hereunder shall state specifically the reason upon which the petitioner relies or shall incorporate by reference the petition for reassessment in which such reasons shall have been stated The petition shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true The Board of Finance and Revenue shall act finally in disposition of such petitions filed with it within six months after they have been received and in the event of the failure of said board to dispose of any such petition within six months the action by the department upon the petition for reassessment shall be deemed sustained The Board of Finance and Revenue may sustain the action taken on the petition for reassessment or it may reassess the tax due upon such basis as it shall deem according to law and equity Notice of the action of the Board of Finance and Revenue shall be given by mail to the department and to the petitioner

C Any person or the Commonwealth of Pennsylvania aggrieved by the decision of the Board of Finance and Revenue or by the board's failure to act upon his petition for review within six months may within sixty days appeal to the Court of Common Pleas of Dauphin County from the decision of the Board of Finance and Revenue or from the decision of the department as the case may be in the manner now or hereafter provided by law for appeals in the case of tax settlements

D In all cases of petitions for reassessment review or appeal the burden of proof shall be upon the petitioner or appellant as the case may be

E Whenever any assessment of additional tax is not paid within ninety days after the date thereof if no petition for reassessment has been filed or within sixty days from the date of reassessment if no petition for review has been filed or within sixty days from the date of the decision of the Board of Finance and Revenue upon a petition for review of the expiration of the board's time for acting upon such petition if no appeal has been made and in all cases of judicial sales receiverships assignments or bankruptcies the department may call upon the Department of Justice to collect such assessment In such

event in a proceeding for the collection of such taxes the person against whom they were assessed shall not be permitted to set up any ground of defense that might have been determined by the department th Board of Finance and Revenue or the courts as aforesaid

Section 505 Enforcement Rules and Regulations Inquisitorial Powers of the Department A The department is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations relating to any matter or thing pertaining to the administration and enforcement of the provision of this act and the collection of taxes penalties and interest imposed by this act

B The department or any agent authorized in writing by it is hereby authorized to examine the books papers and records of any taxpayer or supposed taxpayer in order to verify the accuracy of any return made or if no return was made to ascertain and assess the tax imposed by this act Every such taxpayer or supposed taxpayer is hereby directed and required to give to the department or its duly authorized agent the means facilities and opportunity for such examinations and investigations as are hereby provided and authorized The department is hereby authorized to examine any person under oath concerning any taxable income which was or should have been returned for taxation and to this end may compel the production of books papers and records and the attendance of all persons whether as parties or witnesses whom it believes have knowledge of such taxable income The procedure for such hearing or examination shall be the same as that provided by The Fiscal Code relating to inquisitorial powers of fiscal officers

C Any information gained by the department as a result of any returns investigations hearings or verifications required or authorized by this act shall be confidential except for official purposes and except in accordance with proper judicial order or as otherwise provided by law and any person or agent divulging such information shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not in excess of five hundred dollars and costs of prosecution or to undergo imprisonment for not more than three years or both in the discretion of the court

Notwithstanding the provisions of subsection C of this section the department may permit the Commissioner of Internal Revenue of the United States or the proper officer of any state imposing an income tax upon the incomes of individuals or the authorized representative of either such officer to inspect the income tax returns of any individuals or may furnish to such officer or his authorized representative an abstract of the return of income of any individual or supply him with information concerning any item of income contained in any return or disclosed by the report of any investigation of the income or return of income of any individual but such officer or his representative only if the statutes of the United States or of such other state as he case may be gran substantially similar privileges to the proper officer of this State charged with the administration of the personal income tax law thereof

Section 506 Lien of Taxes A All taxes imposed by this act together with all penalties and interest shall be considered a public account after being assessed in the manner prescribed in this act and as such shall be a lien upon the franchises and property both real and personal of the taxpayer against whom the same are assessed after the same has been entered and docketed of record by the prothonotary of the county where the resident's franchises or property are situated

B The department may at any time transmit to the prothonotaries of the respective counties of the Commonwealth to be by them entered of record certified copies of all liens for taxes imposed by this act and penalties and interest upon which record it shall be lawful for writs of scire facias to issue and be prosecuted to judgment and execution in the same manner as such writs are ordinarily employed

Section 507 Violations Penalties Any person who shall fail neglect or refuse to make any return required by this

act or any taxpayer who shall refuse to pay the tax penalties and interest imposed by this act or any person who shall refuse to permit the department or any agent appointed by it in writing to examine his or her books records and papers or who shall knowingly make any incomplete false or fraudulent report or who shall attempt to do anything whatever to avoid the full disclosure of the amount of taxable income to avoid the payment of the whole or any part of the tax shall be guilty of a misdemeanor and shall be sentenced to pay a fine not exceeding one thousand dollars and costs of prosecution or undergo imprisonment not exceeding three years or both in the discretion of the court

Such fine shall be in addition to any penalty imposed by any other section or subsection of this act

Article VI

Miscellaneous

Section 601 Saving Clause The tax imposed by this act shall be in addition to any local tax imposed or authorized by any law of this Commonwealth or by any ordinance or resolution of any political subdivision in force and effect on the effective date of this act and relating to the imposition levy or collection of any taxes on the same persons or subjects covered by this act it being the intention of the General Assembly that any such law ordinance or resolution shall not be vacated effected or impaired by anything contained in this act notwithstanding any law to the contrary

Section 602 Constitutional Construction If any section sentence clause or part of this act is for any reason held to be unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act it is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional sentence section clause or part thereof not been included herein

Section 3 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, it is my hope that the Majority and Minority Leaders be permitted to close the discussion. It is also desirable that there be opportunity for a wide range of debate, and therefore, if there is any Member of the Majority group that desires to discuss this bill pro or con, I yield.

The SPEAKER. Is it the understanding of the Chair that the Minority Leader requests also that, in the order of debate, the Minority and Majority Leaders be last recognized?

Mr. ANDREWS. Mr. Speaker, that is the suggestion.

The SPEAKER. The Chair thanks the gentleman.

Mr. SWARTZ. Mr. Speaker, I regret that in my original attempt to speak on the floor of this House it should be to enter into such a controversial issue. I arise here today as a Republican still. But first of all, I arise as an American and a Pennsylvanian. I do not have any prepared speech and I do not have anything to tell you except what I feel in my own heart, and that has been the pattern I have followed in asking the people of the second Dauphin district to send me here. I made them certain promises as to what I would do, and I intend to uphold the promises I made to them. Now speaking of being a good Republican. I first of all would like to say that our family has been loyal to the Republican party not only for a couple

of years or a couple of months, but for generation after generation. We have stuck to the Republican party at times possibly, even when we did not think we were right by doing so.

I have had the pleasure of having a great-uncle who served a term in the Congress of these United States. I have the pleasure today of having an uncle who is at the present time the Treasurer of Dauphin County. My brother, since the time he became of age, has been loyal to the Republican party and worked hard for the advancement of the party. I can cite many other cases whereby our family on both sides, my mother's and father's, have been loyal Republicans; but there comes a time in a man's life that he has to decide whether by first of all being a member of a party, he is a better American or a better Pennsylvania. At this grave time in the history of the state of Pennsylvania, when we stand on the verge of making a great decision that will affect millions and millions of people, I have come to the point where I must say "No" to the leadership of the Republican party. Now maybe I will be wrong.

I know that possibly from the Governor's Office on down I will be made to look the fool and ridiculed in the eyes of certain groups which I intend to bring out a little bit later. But I have to live, first of all, with my conscience, and that is what I intend to do.

If you will recall there is a saying that says:

"It ain't so very far from right to wrong, and the way ain't hard to lose;

I'd give most anything myself to know which way to choose.

There is no signs or guideposts up to keep you on the track.

Wrong sometimes looks awful white and white looks awful black."

So I am making my decision today. I don't know whether I have made it correctly or not. That is for the people of Dauphin County, the people of Pennsylvania to decide, as I set forth my reasons for standing before you here today. Now personally, while our family has been loyal to the Republican party, I never bothered with politics, except to criticise the administration in Washington and criticise the administration in Harrisburg, when I thought it was proper to do so. I finally did tire of going to the polls and putting an X back of a group of names of hand picked candidates, and finally it devolved upon me several years ago to say: "This has gone far enough." And I supported a group of independent Republicans. I was lambasted, I was told that my small business would go on the rocks; I was told many things, but I had a conviction in my heart that I was not going to give up.

Last Spring when the group was reorganized and they came to me and asked me if I would be a candidate, I said: "No, I do not want in politics. My heart dictates to me too finely and too closely to get into politics." I do not know why in the goodness of the Lord I ever allowed my name to go on the ticket. But I did and the people in the second Dauphin County district who do not know me, a lot of them sent me here to talk on what I believed was right.

As a new Member, I certainly was hoping and praying that the leadership of our party would come forward with a program that was a little bit different. As the

Honorable Mr. Andrews has said many times,—several times—I correct myself on the—that he went along against his own convictions with the Democratic caucus in the same manner did I go along, time after time here since I have been a Member, with the will of the Republican Caucus. But I felt that there was something that should be done; that the people of Pennsylvania should be heard; that we should not have a railroad program that affected the lives of millions of people. The Republican party knows how I felt on this matter, and in spite of what His Excellency the Governor said in the closing portion of his speech here to us sometime ago, our party did not heed my small voice in any way. They continued to push and push and push and in three days' time they got a tax bill through this House that is going to put a raw hide noose around the necks of millions of Pennsylvanians. Time, like the sun, is going to shrivel that noose, and the noose is going to grow tighter and tighter and tighter as it always does with any tax. And the people are going to get that in the time of three days.

Now I say the Republican party did not heed my small voice and I am not here to scuttle any of the advancements which I will mention in a little bit. Here is what the Governor said:

"I have recommended the measures which I consider best for all of our taxpayers, consonant with good fiscal practices. However, if you should arrive at a better solution of this problem with sufficient additional revenue, you would have my cooperation."

Those are the words of Governor Fine, a man whom I have come to have admiration and respect for, even though I was not in agreement with him at the Primary, but for whom I have come to have a little bit of opposite feeling as time passes. We are coming to the point in the history of this nation, when we have to make a decision. It is coming to the point where a lot of our workers, and they are the people that make this nation tick, the people who draw pay checks; we are coming to the point in the life of this nation when a man is going to go for his pay check and he is going to find attached to it six sheets or more of ordinary tablet paper to list all the deductions before he ever sees his pay. He is going to look over them. Maybe he earned \$150 and he is going to see that his check calls for, say \$100 and he goes out and tries to buy something with \$100 and it will buy \$10 worth of goods and services. That is the point to which we have come and that is where you are putting the people of Pennsylvania who draw pay checks.

I will at this point say to the leadership of the Republican party, as far as they are concerned, I do not want to stand up here and fight against the principle of half of one percent income tax; it is more than that.

If the leadership is big enough and broad enough to give more time and proper consideration, there will be no more debates unless they fail to grant proper procedure in going over a billion dollars and some odd millions,—the millions they do not count much they say—for the tax program here in three days. Now I have not heard much in the way of other tax sources. We have not heard about corporate net income. Possibly the addition of a couple percent on the corporate net income would bankrupt the industry of Pennsylvania. I have no comment to make either way on any tax at this time.

Then we come to the sales tax and that is politically

unpopular. So, for the expediency of the moment, we want to jam down the income tax, saying, "Here, little fellow, draw your pay check. This is the best that we have to offer; this is the best we can do for you, we are not going to take much. Why half of one percent of today's prices, you cannot even figure it, unless you get Einstein to know how much it is worth. So it will not hurt you much." I say to the people of Pennsylvania who draw pay checks, and this can be said of any other tax, of course, that you are putting a little of the big toe in the door right now; but you are going to have the whole foot in there in the next couple of years—ten years or so. If I were to advise the people of Pennsylvania who draw pay checks, I would say, swamp this capitol with letters and telegrams and smash off the toe before it gets the door open. But as I have said, I may be wrong, I am merely setting forth my own opinion.

So far as my playing for headlines or politics is concerned, I did not want to come here and I do not care if I ever come back; but while I am here I am going to say what I think from my own heart and then I am going back to the people in my county and tell them that is what I did, that is what I felt was right. And that is what I am going to stand for.

I tell my people and I can show you if I have the opportunity to get my little articles that I write for our home paper; that for years before I ever got into the halls of this magnificent building, Do not be fools. Do not be fooled by any tax. If it is income tax, you pay the tax directly off your check, most of you; but there is a class that can chisel and cheat and lie and steal and more crooks have been made by the Federal Income Tax law than any other thing, with the possible exception of one amendment to the Constitution of these United States. But now the little fellow with the pay check, you are going to get his before he has a chance to say how he wants to spend it. So I tell them when you have an income tax to pay, you pay it but they grab it.

Now we come next to a sales tax. Naturally I would say you have to pay it. You go and you buy an article and you pay it. But in my mind it is fairer to the average person than an income tax because the fellow who can spend more money, and has it to spend than the little fellow, he is going to pay the tax; he cannot chisel on his returns so easily.

There are other arguments that I could go into, but I shall not. He pays his income tax and he pays his sales tax and then we come to the corporate net income tax and he pays that tax, too. I tell them that they pay that tax, too, by increasing the prices of the articles they buy. You pay the tax, it does not matter from what source the tax collector takes it, the people pay it. I do not have any hesitancy about telling my people that. But right there is a fine line of demarcation that we must draw. In a sales tax a man goes out and he buys an article and he pays his tax and he goes home and he says: "I am done with my government. I have paid my liability to my government for services that I want." If it is a corporate net income tax, practically the same can apply to that. But in an income tax the withholding feature is doing something that I consider to be un-American, and that is you have no right to take part of man's pay that he earns. The only reason they want to take it on a with-

holding basis is because they feel they could not collect the money.

You are putting a rope around the man's neck in an un-American manner, and that is not Americanism and I do not care how much you shout or holler, when you grab a man's pay, that is not Americanism. Let us be frank with the people and quit this darn lying. If you could have sat in my seat in the last two and a half days I think you would have been more jittery than I am. My nerves get in that state from the pressure of contemptible charges. I went home the other night and walked in the window, did not even know the door was there. Well maybe it is good if I can laugh a little bit, I might be getting too serious.

I do not want to go through many roll calls like those yesterday—there were two of them. I got a long distance call, and I went back and I called the operator and told her to get the number. And I waited, and I waited, and she said,

"Well, the gentleman who wants to talk to you is on another line."

I said, "I did not put in this call. He wants to talk to me, and I have to get back to the House of Representatives. If he wants to talk, tell him to get on this line. I have business to attend to."

Well he came over on the line, I will not mention his name, but if I did some of you would faint; I darn near did myself. I never knew I could talk to such high authority from my humble beginnings. He stated the views of the group that he represented and I acknowledged that.

I said "my mind is open. I am willing to sit down and discuss all tax programs and proposals if I know what the budget is about, whether it can be cut, or whether it cannot. My mind is open from your side of the fence but I will oppose to the last ditch the passage of the income tax bill."

Well, you know, he talked a little bit around the bush, and he said, "Well, I took the opportunity of calling Florida to talk to John C. Kunkel."

Now that made me smile a little bit because I knew what John C. Kunkel would tell that gentleman as big as he was; because John C. Kunkel is one of the outstanding men of Central Pennsylvania and the State of Pennsylvania. So I said to this man, "And tell me please, what did John C. Kunkel tell you?"

He said, "That Ed Swartz is an independent Republican; he has a mind of his own and he does his own thinking."

When I go to our crowd to ask for advice they will not give me any advice. I tried to get some moral support from them yesterday. I was getting pretty jittery here as the roll-calls came, you know, and I was told you go in there and fight for what you think is right and we are right back of you one hundred per cent.

I came a long way around to get to the point of how I think I am going to be lambasted by those who want this income tax. They are going to say that I am the one who by fighting against it, am the enemy of the teachers, of the health program, and all other welfare services which we need so much. I want to say to the teachers and the people in the health institutions and

the senior citizens that if I had any voice or any authority in the Republican party we would have a far more liberal program on health, education and senior citizens than we now have.

By my vote here I am not against the teachers, the health service, and so forth. I want to know, and want these men on the other side to know, even though I am a young fellow here, I am not in a matter of years, but in experience in the Halls of this House. I do not mean to be facetious when I say this, I have a lot of notes and when you may try to get me in a corner you had better be sure you know what you are doing. You are not going to get me in a corner that way. I am not opposed in any way, and as I said, I want to see this party of mine when there is a crying need for leadership in this nation such as we never have had before, I want to see the leadership go out and show the public the figures, the facts, what they are going to do and say, that is it, that is what we have for you, this is what we are going to do. Instead of this dog-gone back in the rooms, yes, yes, yes.

If the Republican party would do that they would not have to ask for votes, but like they have been doing for the last twenty years, they are going to let the Democrats take the ball away from them. If those from the Governor's office on down think they might have me in a corner about opposing the teachers and all of that, you had better have your thinking caps on before you start.

We now get to the budget. I told you about walking home the other night and did not know which way to go in. I will confess I do not know much about this budget. From my small experience, when I get to a thousand dollars I think I have a big balance in the bank. When I count up to five hundred thousand that is getting me up there in a pretty tight squeeze, when you get up to a million, of course I am in a dither, and when you get up to the billion mark I am lost, I do not know where I am at. I do not think anybody in this House knows anything about the budget. I do not think you have taken the time to study it. Well, by Golly! I do not care how many years you have been here, if you know what is in all these bills we put through, you must be a magician. I do not know, and frankly, I am going to warn you here too, that if any member of my party wants to go into this budget further and interrogate me on it, I am going to insist that I be allowed to interrogate every member of the Republican party. If you can answer the questions I ask about this budget, put it on the record, that is okeh with me. I do not know much about the budget, but that is what I want to find out.

It seems to me there are things in there that maybe we could trim, and say to teachers, now we have enough money here in non-recurring items and so forth; we have enough money to take care of that portion in the program without increasing the taxes, without going back and saying that Swartz gambles with the bill because the teachers certainly have been hot on my collar this morning, and I do not know where they got their orders to do it.

If we want to be sensible about this whole thing we will say to the people of Pennsylvania that for this biennium we are going to need certain taxes. We say we want to try to get through this biennium with as little taxation as possible, but without passing any broad tax or tax on

a broad base. We could set up a commission of non-political members, if it is possible for that to be done, we could make a study for the next two years of every Department of the Commonwealth to find out whether they can save money, whether their people are overpaid or underpaid—I do not think that any of them are overpaid unless the big shots are I would go into every angle and then I would go to every surrounding State and study the surrounding States' tax structure. Then I would come back here with recommendations to this General Assembly in two years,—have that commission come back here, and report. Not for a day or two days but set aside thirty to sixty days to study the reports. Publish everything in the newspapers in the state of Pennsylvania so the people themselves know what is going on. I am not trying to hide some of former Governor Duff's mistakes. Then I would present a program to the people of Pennsylvania and say now in order to modernize our way of taxation and advance our welfare or education and social and health services, this is what we must do. This is what we want to do. This is what both parties agree upon, it is there for the people of Pennsylvania. Instead of being Democrats on that side, Republicans on this side, let us get together on the tax issues, through fiscal policies, and work for the benefit of the people of Pennsylvania.

And when that commission completes its report before this august body and lets the people know the facts, go out and tell your people here is what we have, and that is the way we want it, and that is what we are going to do for you.

I have made a few campaign promises but I told the people when I talked to them, and my good friend sitting down there, John Bear, bounced me what I took my oath of office.

He said, "Ed what about dictation from the top—this is the first day."

I said "John, you can quote me as saying, I don't take dictation from any group, not even the Fighting Five."

I am about finished, I am about worn out, so I better quit. Now there is a sensible way we can go about these things and there is a nonsensible way. I criticised the actions of this House and of the former Governor, for the steamrolling of things through this House two years ago and I have not changed my opinion. I will not be a part of any steamrolling of any bill through this House that deals with the lives of millions of Pennsylvanians. I am going to fight for what I believe is right and I will be willing at any time to go out with any of my colleagues who vote for this bill in their own districts and debate it before their own people, and I will pay my own expenses if they want me to go there. And their people do not know me. I will guarantee them that we will come back with a fairly good record. Because I think I know what the people want; they want the same things that I want. The people of Pennsylvania are intelligent people, they are getting sick and tired of politicians and you can find that in the bills of the Fish and Game Commission, where they did not want politicians. I called Sportmen's Clubs and said, "What do you want?"

They said, "We do not want politicians on the Fish and Game Commissions."

That is the lowest state of politicians—we must not have many statesmen left.

In closing I want to say this, you men on either side are standing at the bar of public opinion. It is not a matter of the tax not being made, or the amount of it. To me it is a fine line of whether you are going to put another noose around the necks of the people without them saying, their pay checks can be confiscated by a third or maybe a second level of government. Some of them have so many they forget to count them. That is the fine dividing line we have to decide today. You are going to have to face the voters on that issue.

Again, as I close, I appeal as a Republican still for this side of the House to get awake. To make a motion to put this off on another reading, or take it off the calendar, or whatever. That is for them to decide.

I have said my say, I thank all of you folks for the wonderful attention you gave me here, and if I am wrong in the future, and I hope to God that I am not wrong, I will come and tell you, honestly, that I have been wrong. I will not be ashamed to do it. Nor will I be ashamed to say that I fought for what I thought was right. Now, it is for the Members of this House to decide, in the matter of one roll call, you are going to have to decide with your own conscience each one of you, whether you are going to say "NO." You had better let that conscience talk to you a little bit. You had better let your conscience do that. Thanks a whole lot for being so good.

THE SPEAKER (Herbert P. Sorg) IN THE CHAIR

Mr. ANDREWS. Mr. Speaker, as far as I am personally concerned I would be willing to go to a vote right now. I made an initial mistake. I should have stipulated that instead of reserving the right to close the discussion—trying to, I should have stipulated that the gentleman from Dauphin, Mr. Swartz be permitted to close the discussion. But if there is any member on the Majority group that desires to discuss this bill, pro or con, I again yield.

The SPEAKER. Does the gentleman from Philadelphia, Mr. Toll desire to be recognized?

Mr. TOLL. Mr. Speaker, I do.

Mr. ANDREWS. Mr. Speaker, I will yield to Mr. Toll in the event that no member of the majority group desires at this time to discuss this bill.

Mr. JOHN C. MILLER. Mr. Speaker, I rise to ask whether the Republican made a motion to postpone this bill for a vote next Monday? That was my impression. Is that correct?

The SPEAKER. The Chair does not have that understanding. There is no motion before the House at this time.

Mr. ANDREWS. Mr. Speaker, if the gentleman desires to discuss the bill, I will yield to him.

Mr. JOHN C. MILLER. Mr. Speaker, I would just like to make a few brief remarks.

Being a new man, the new fellows are supposed to sit down and listen to the older ones. There is a lot of wise judgment in that. By doing so you can learn quite a bit.

The Republican that spoke mentioned that for the last few days he has been wrestling with his soul. Unfortunately I have had the same situation.

I thought today that I would vote for this tax measure. In the last few days I have received many requests from

our friends at home and I have given this matter, what I have believed to be very careful consideration.

Last night I was in the Capitol here rather late. I was trying to do some work for our constituents at home. However, I could not keep my mind on what I was doing. I went out and took a walk. I walked until 2:00 o'clock this morning. I went back to the hotel. I thought I would get a little sleep for this ordeal today and I had a little trouble sleeping.

This morning, after speaking with different leaders here, I thought I would vote for this bill. But, at the last minute, I regret to say to the party leaders I will not be able to vote for the bill. I apologize to them as a member of their party for not being able to go along. I know they would like the additional support. I am afraid my conscience will not permit it.

Mr. ANDREWS. Mr. Speaker, if there is any member of the majority group, other than the Majority Leader who desires to discuss this bill, pro or con, I yield.

Mr. GLEASON. Mr. Speaker, I am also one of the new members of the majority group here. I happen to be a little handicapped today because I was chewing over this bill and bit my cigar too hard and took one of the uppers out of my denture so you will have to excuse any lisping.

I have been very dubious about this tax bill. I have never been in politics before in my life. I came out in Lycoming county and ran on an independent—well more or less on an independent ticket. I did not promise a soul one single thing and I won the primary election with my colleague, Mr. Riley and I also happened to be the highest man in Lycoming county outside of Bill Livengood. He was the only man to top me in the vote.

I do not have anybody back home to worry about. I am not going to worry down here about it. I am going to vote to the best of my ability. I do not lose any sleep at night, only through this doggone traffic down here. I have a back bedroom on a farm and I do not hear anything but a couple cows mooing once in awhile. That is the only reason I do not sleep.

I do not let anything bother me because when you are in politics, you have people after you on one side, saying you did this wrong and on the other side you did it right, so you have got to let your conscience be your guide.

I have, as I said, thought this over. I have heard a lot of comments in this House and especially one by our Minority Leader, Mr. Andrews who one day made the statement here that he had estimated the cost of this State Government would be \$160 million.

Now our people who have figured out this tax, figure we need \$163 million. Well, he missed it by \$3 million. So, after the discussions I have heard in this House, with due respect for the people of my county who have written to me, and I have not had too many write me—it is not as great an issue as Gun Bill 306—we were certainly flooded on that from our county and other counties—I have only had a few letters against this income tax—I have had more against the sales tax, yet I think this will cost the people more in this Commonwealth than any other tax.

There has not been anybody to offer me any other solution to raise this money. On my farm if I was spending more than I should right at the time I would need money, maybe that is what has happened in the past

here. As a new member, I for one cannot help what happened in the past. I do not know a whole lot about what did happen down here in the past, but I am going to know what happens in the future. I am going to try to help economize in this state which I think we need to do, and certainly in the federal government too. Any future legislation for spending money, I am going to be here to vote on. But what has happened in the past, the people themselves back home had a chance to vote and they put up some of this tax. So I do not see any other way and I have not had any other offer for a better solution to this. It is like the fellow said day in the barber shop. "Fellow," he said, "what do you think of Prohibition?"

"Why," he says, "it is better than no liquor at all." That is the truth. We have not had any other program. I am a new man and there are plenty of men down here that have been here before me; Senators and Representatives, and they have not come up with a better solution so I am going to vote for this bill.

Mr. ANDREWS. Mr. Speaker, I yield to the gentleman from Philadelphia, Mr. Toll, five minutes.

Mr. TOLL. Mr. Speaker, one feature of the income tax bill, it seems to me, received only casual mention in yesterday's remarks on the motion to recommit the bill to the Committee for public hearing.

This feature concerns the position of the taxpayer in those communities where income taxes, or wage taxes were imposed pursuant to the authority granted by the laws passed in the General Assembly in prior years.

The City of Philadelphia was granted permission under the Sterling Act passed in 1932 without limitations. About 200 communities acted under the authority of the "Tax Anything Law" which is Act 481 of 1947. This includes first class townships, boroughs, and the smaller school districts, but does not include counties, second class townships, or county institution districts.

The action taken under the 1947 law was subsequently limited by the 1949 act as to the rate of any income tax or wage tax. In Philadelphia the income tax receipts are a very material factor in the city income. Its citizens have grown to accept the burden of the local income tax and the federal income tax. Section 601 of House Bill 840 is a saving clause which reads as follows:

"The tax imposed by this act shall be in addition to any local tax imposed or authorized by any law of this Commonwealth, or by any ordinance or resolution of any political subdivision in force and effect on the effective date of this act and relating to the imposition levy or collection of any taxes on the same persons or subjects covered by this act it being the intention of the General Assembly that any such law ordinance or resolution shall not be vacated effected or impaired by anything contained in this act notwithstanding any law to the contrary."

This is the solution offered for Philadelphia and the 200 communities which now receive income from income and wage taxes. Permission to continue such taxes—this means that those communities which did not tax their citizens under prior statutory authority will have only two income taxes to pay, while those 200 communities and the City of Philadelphia which did act pursuant to the statutory authority, will have three income taxes to pay.

I wish to present this thought, in addition to the argu-

ment, that House Bill No. 840 places an additional burden on the man who must toil with his hands and a burden on those veterans whose income tax is not deferred as permitted under the federal income tax law, but also creates an intolerable and unbearable situation for a citizen and a taxpayer to be subject to three income taxes which will be the case in those 200 communities and in the City of Philadelphia.

Mr. BEECH. Mr. Speaker, I heard a lot about not being able to sleep on account of your conscience and so forth. I am not too far ahead of these other fellows. I am down here for the second time. I am a fellow that was not supposed to come back. I had about 21,000 against me in registration, but I am back here.

I did learn one thing in the 1947 session of the Legislature. As I voted on various bills here—incidentally my district is probably the heaviest industrial district in the state—so-called Labor laws, and what they do for the working man. The fact is that the Hall was lined with these so-called labor leaders, saying if you do this, if you do that, you will never come back. Now I lose a lot of sleep down here, and it is not all from my conscience, I will tell you. It is probably more the company I keep.

I want to tell these fellows who are down here for their first term, there is nothing the matter with this tax bill. You fellows have been here a few weeks, you do not know the answers, I do not know the answers. But I do know this: That I served on the Welfare Committee in the 1947 session of Legislature and it was the duty of that Committee to go to these various institutions. The Governor at that time appropriated some \$82 million for the betterment of the people in the mental institutions. I said at that time, and I was not the only one on that Committee, that if they taxed everybody in the state of Pennsylvania five dollars a day, these people needed it. That can happen to anybody.

Sometimes I question as I sit here if it has not happened to some of us. But nevertheless, this is a good tax bill. It is the easiest tax program that could be gotten up. You break it down, a fellow who makes \$5,000 a year, he pays \$25 income tax, less than fifty cents a week. The school teachers and the mental hospitals are getting most of it—the educational program. I can see nothing the matter with it. If you are afraid to go home and face the people, ask them what they would have done. There is nothing the matter with this program. Do not be afraid of pressure groups.

Incidentally, I employ some 35 to 40 people. During the time that I should have been here and somebody else was here in my place, I had a little labor trouble. A few bums got in and they wanted to organize my people. I fought them. I took it to the Pennsylvania Labor Relations Board and fought them. Today the leader of that group is being indicted by the Federal Government for using the mails to defraud.

But the labor people at that time says: "Ah, when that Beech runs agains, blah, blah, blah." Well, I went through that before. If it is a matter of a few cents a week, if you are afraid of what the people back home are going to say for a few cents a week, when it is going to do so much good, those people are wrong and you fellows will be right by voting for this measure.

Mr. ANDREWS. Mr. Speaker, I yield to the gentleman from Allegheny, Mr. Moran, for five minutes.

Mr. MORAN. Mr Speaker, I going to be very brief in my statements. I believe I should call your attention to the fact, if you do not already know it, that this bill, if passed, no exceptions can be granted to anybody. Nobody can be exempted on this tax setup under this bill as drawn.

Under the Constitution of Pennsylvania, they cannot be exempted on any income tax at the present time since the Constitution plainly states that all taxes shall be equal on the same class of subjects.

This bill will actually tax the GI's who are in the hospitals. This bill will tax the blind people who are on pension in Pennsylvania. This bill will also tax the pensioners who are drawing a very small income at the present time. In fact, this bill taxes everybody regardless of the size of their income.

They are trying to make the excuse that it does not hurt anybody; it is going to hurt the people who are least able to pay. The people who are able to pay—up in the \$5,000 class has been mentioned on the floor—I am not worried about anybody earning 4, 5, 10, 15, 20, or \$30,000; I am worried about the woman who has to go out to scrub floors. I am worried about that GI who is lying on his back in the hospital. I am worried about these orphans whose incomes are very small. I am worried about the forgotten man, who is drawing a small pension, in some cases even less than \$75 a month. Those are the people I am concerned about, and I believe that this bill should have been sent back to Committee. I think we should have had a public hearing. I believe we are making a mistake by yielding to pressure groups, and I do believe that one of the pressure groups behind this bill is the NAM, which we know as the Manufacturers Association. I believe they had a lot to do with this bill being put through.

I believe this bill, if we had had a public hearing, that quite a few Members in this House who are favorable to this bill at the present time, would vote against it. And I know, too, if this bill passes, that quite a few people who are in this House today will be taken to the wood shed in the next election.

I am only allowed five minutes. I have a lot more to say, but I guess I better stop so somebody else may have a little time on it.

Mr. SMITH. Mr. Speaker, I would just like to make a very brief statement to Mr. Moran, if the Minority Leader would not mind, if he would yield to me. I will only take a minute.

Mr. ANDREWS. Mr. Speaker, I want to make a statement first. The Gentleman from Allegheny is slightly in error concerning the exceptions under the bill. Exceptions are possible if everybody in that classification is exempted, and so, under the bill provisions are made for exempting certain pension groups, public assistance groups, and other groups.

I am entirely in agreement with the spirit of what the Gentleman from Allegheny says, but his interpretation of the bill is not exactly in line with the bill as it has been drawn.

And now I yield to the Majority Leader.

Mr. SMITH. Mr. Speaker, I thank the gentleman, Mr. Andrews, for correcting that point. It is the point I wanted to bring to Mr. Moran's attention.

Mr. ANDREWS. Mr. Speaker, we have no desire to

monopolize this discussion. And I will again yield to anyone except the Majority Leader on the other side who desires to discuss this bill at this time, either pro or con.

I yield to the gentleman from Westmoreland, Mr. Perosky, for five minutes; and then if there are no other Members, other than the Majority Leader who desire to speak, I would pray for the privilege of closing the discussion as far as the Members on this side are concerned.

Mr. PETROSKY. Mr. Speaker, I regret very much that I must rise on the floor at this particular time to tax the patience of the House for an additional few minutes. But I would feel derelict in my duty if I were not to register my protest against the measure that is before us at this time.

I feel that when we vote upon House Bill 840, and the fact that we are voting for it, we are putting our hands into the pockets of every wage earner in this Commonwealth. With due respect to the Majority Leader, in his discussion yesterday he stated this was not a wage tax, but by whatever name you may call it, it is, without question, a deliberate tax on the wage earners, taxing the pay envelopes of the wage earners in the Commonwealth of Pennsylvania.

There are several questions, in event he would want to answer them during his discussion of the bill, to which I would appreciate answers.

I would like to know how much tax can be derived from this measure on all wages, all annual wages of the wage earners, earning \$4,000 annually and downward.

By the same token, I would like to know how much cash will be derived from this measure on all wages of \$4,000 and upwards.

I believe that that answer will show that we are, in passing this measure, placing the burden upon the one that is least able to pay it. I realize that it is impossible to give to the people under this tax bill a deduction for dependents. We are placing a burden of taxation upon the persons who are least able to pay it.

At this particular time, I would like to state that I believe the budget can be pruned sufficiently so that it will not necessitate any additional new taxes for this biennium. Further, I would like to say that this particular measure is broadening the basic taxation of the Commonwealth of Pennsylvania, not only to the extent that they are taxing one-half of one percent of the person's wages, but it is opening the door to the possibility of one percent, five percent, or even as much as ten percent in future sessions of the Legislature.

Ever since the 1941 session, which was my first service in this legislative body, I have noted that there has been a tendency by the majority party of the Commonwealth of Pennsylvania to force upon the mass of small wage earners the heaviest share of the burden of taxation. This, I believe, could be shown without question in a public hearing, and since the majority body has not seen fit to grant a public hearing—and may I interject at this time if they did not want to hear the labor organizations in the state who opposed them in the past election—certainly they should have heeded the cry of the editorial writers in the various papers throughout the Commonwealth asking for such a public hearing, because there are other peoples besides us on the minority side who feel there is no necessity for new taxes, that

we do not need the wage tax and certainly that feeling is prevalent. It is not too late, and certainly it should be up to the majority party to make the move right now. It is not too late to recommit this bill for a public hearing. The people want that in the state of Pennsylvania and I feel the majority party should give it to them.

Mr. ANDREWS. Mr. Speaker, I yield to the gentleman from Cambria, Mr. Lopresti, who desires to propound three questions for the consideration of the Majority Leader.

Mr. LOPRESTI. Mr. Speaker, I desire to have answered by any individual on the other side of the House in a position to do so, about three questions.

First, I would like to know if there is any provision in this bill anywhere, whereby an employee, because of perhaps the distance he lives from his work, or perhaps because of the tools that he needs in the carrying on of his trade, can deduct those expenses before the tax is collected.

The SPEAKER. Will the Majority Leader permit himself to be interrogated?

Mr. SMITH. Mr. Speaker, I will. Would the gentleman like to repeat that question, please.

Mr. LOPRESTI. Mr. Speaker, the question is as follows: In the event an employee has unusual expenses in connection with his work, it may be possible he would have to drive forty or fifty miles to get to his work each day. It may be possible again that he is required to buy, we will say, dynamite caps or special tools in connection with his work. Is there any provision in here at all where he can file an expense account and have that expense deducted from his pay before the tax is deducted?

Mr. SMITH. Mr. Speaker, I would answer the gentleman by saying no. That is not possible, any more than it is possible to deduct the riding fare back and forth to a man's work under the Federal income tax.

Mr. LOPRESTI. Mr. Speaker, the second question: Under this bill, is it possible for a self-employed business man to deduct all of his expense before paying the tax?

Mr. SMITH. Mr. Speaker, a self employed business man has the same prerogatives under this bill that he does under the Federal act. He may deduct the deductible expenses charged to his business.

Mr. LOPRESTI. Mr. Speaker, is not it a fact that he may deduct all of the expenses in connection with his business.

Mr. SMITH. Mr. Speaker, I would like to ask the gentleman if he has ever had a Federal man come in and check his books as far as traveling is concerned and what limitations they allowed?

Mr. LOPRESTI. Mr. Speaker, no I have never had anybody come in and examine my books. Of course, I always am ready and willing to allow them to do that.

Mr. SMITH. Mr. Speaker, there are certain limitations allowable in the Federal act but it is not set up on a basis so that all of it can be deducted. There are limitations in the amount of earnings on that.

Mr. LOPRESTI. Mr. Speaker, but you will agree, will you not, that any expense incurred in his business is deductible?

Mr. SMITH. Mr. Speaker, I agree with that when I say it is similar to the Federal act.

Mr. LOPRESTI. Mr. Speaker, however an employee is

not permitted to deduct expenses in connection with the employment where he works.

Mr. SMITH. Mr. Speaker, not as far as traveling is concerned, and that is exactly the same as the Federal act.

Mr. LOPRESTI. Mr. Speaker, well now we will eliminate the traveling. Is he permitted to deduct the cost of his tools, the cost perhaps of dynamite caps and of dynamites and special uniforms that may be required.

Mr. SMITH. Mr. Speaker, as far as his tools, no, he is not if he is not self employed.

Mr. LOPRESTI. Mr. Speaker, and the uniforms?

Mr. SMITH. Mr. Speaker, if he is not self-employed, no.

Mr. LOPRESTI. Mr. Speaker, in other words he is not entitled to receive deductions from those particular items which are necessary and essential to his employment.

Mr. SMITH. Mr. Speaker, no. I may answer the gentleman, by saying that it is similar to the Federal act; neither is he under the Federal act unless he is self employed.

Mr. LOPRESTI. Mr. Speaker, now under the Federal act, however, the man is entitled to file a claim, file a form and ask for deductions in connection with his employment if he can show that they are justified, is that right.

Mr. SMITH. Mr. Speaker, not as far as travel is concerned.

Mr. LOPRESTI. Mr. Speaker, I am not speaking of travel. I have left that out.

Mr. SMITH. Mr. Speaker, the gentleman was speaking of travel a minute ago.

Mr. LOPRESTI. Mr. Speaker, suppose we leave out travel. Under the Federal income tax a man can file a form and claim deductions for expenses incurred in connection with his occupation, can he not.

Mr. SMITH. Mr. Speaker, if the gentleman will let me confer for one minute, I will give him an answer on that. I understand, Mr. Speaker, that is a technical question and under the Federal act he does have the privilege of deducting his tools, but he does not in this act.

Mr. LOPRESTI. Mr. Speaker, so that this act does differ from the Federal act in that respect, at least.

Mr. SMITH. Mr. Speaker, there is a difference, yes, sir.

Mr. LOPRESTI. Mr. Speaker, now then the third question resolves itself around the question which Mr. Toll raised a few minutes ago. It is a matter of interpretation. I am not sure myself. From the interpretation of the act is it the opinion of the Majority leader that districts, who have not yet or will not have on the effective date of this act an income tax, will they be permitted to pass such a tax after this tax becomes effective.

Mr. SMITH. Mr. Speaker, I would say that under the 481 Act that is now in effect, they can, yes. That might be doubtful as the gentleman says, but in my opinion, yes.

Mr. LOPRESTI. Mr. Speaker, and under this particular bill you leave the door open do you not?

Mr. SMITH. Mr. Speaker, I believe it leaves the door open, yes.

Mr. ANDREWS. Mr. Speaker, the real criminal in this proceeding is not whoever it was that formulated the program. The real criminal in the proceeding is whoever it was that decreed that this program should not be submitted to public scrutiny by means of a public hearing.

I am not at this time personally arguing whether this bill or some other bill should be written on the statute books as the means of our financial salvation. I am protesting, as the gentleman from Dauphin protested, against the means used to prevent the public and also the Members of this House from surveying first, the essential needs of the Commonwealth, and then surveying the means that should be employed in order to finance those essential needs.

The place for this bill at the present time is not on the floor for final passage. The place for this bill is on the postponed calendar until arrangements have been made to hold a public hearing.

Now as far as my talk today is concerned, I have been particularly fortunate. Part of it is authored by Tom Kennedy who can speak, I believe, for those who are popularly termed members of the Labor group. The other part of my talk is authorized by the Pittsburgh Press, which should be in a position to speak for that other part of our constituency, the general public.

Here is what Tom Kennedy has to say:

"The International Union of the United Mine Workers of America with 7 districts in Pennsylvania representing approximately 200,000 members emphatically protest the enactment of the income tax bill, which we consider detrimental to the interest of mine workers and other wage earners—salary workers in Pennsylvania and to their families. We consider this income tax bill a major piece of legislation and a vote for it is a vote against the laboring people of our Commonwealth. We believe there are some untaxed resources in Pennsylvania that can very easily bear the burden necessary to secure sufficient revenue to meet budgetary requirements without punishing those who work for a living. The amount mentioned in the bill appears to be small. But it is only an indication of the tremendous tax load that will be placed upon the workers of Pennsylvania if the precedent is once established. It really means placing continuously increasing taxes on the shoulders of the individual citizen of Pennsylvania so that others in a corporate and industrial sense can escape their proper tax obligations. We reiterate our strong protest and hope that other means can be found to raise needed revenue."

Now the organization that Mr. Kennedy represents, and Mr. Kennedy himself, should have been given the opportunity to present an alternate tax program, if such a program he had. He was entitled to speak and other members of his organization were entitled to speak. There was no reason why the AFL and the CIO which are organizations that employ financial advisers that are just as reliable in their figures as the budget office should not be heard.

The other part authored by the Pittsburgh Press runs after this fashion:

"Pennsylvania taxpayers are entitled to a public explanation of Governor Fine's \$1,200,000,000 budget and the new State income tax he recommends to help finance it."

All the explanation at the present time is that it is a good tax and it is a good bill and it is going to be used for good purposes and that the orders are out to roll it and pass it.

I agree with the Pittsburgh Press. For a while, it looked as though we would get such an explanation; through public hearings in the Legislature, with state officials

called upon to justify their budget estimates. Have the state officials as yet been called upon to justify their budget estimates before either the House Appropriations Committee or the Senate Appropriations Committee? They have not.

We are proposing to enact a tax program today without having a scintilla of evidence as to how much money the Commonwealth actually needs.

I have said before, I am not certain on the evidence so far produced, that the Governor is giving the teachers enough. I have received some twenty telegrams from teachers in Cambria county to vote for this income tax bill. If I were to summon the whole twenty, there would not be a single one that had read the tax program or that had studied the budget. I am mighty sure that if they knew that under the terms of the Governor's budget he is sabotaging the program on which the state of Pennsylvania Education Association nailed its standard, they might not be so enthusiastic.

Sure, there is to be an increase, if this General Assembly so decrees, in appropriations for schools but it is not the amount asked for.

I do not know and you do not know whether the Governor in reducing the program of the state association is right or whether the state association is right. We have a right to find out.

I continue this very excellent editorial—good thinker this fellow, whoever wrote it, I do not know whether it is a member of the present Press Gallery or not, but it is good thinking.

"Governor Fine objected to that procedure on the ground that the budget he proposed was okay, as is, and that no public hearings or special scrutiny were needed."

Gentlemen, if that is not regimentation and compulsion I do not know it. The Governor says the budget is okay. Swallow it.

You know Bill Jones was a bit of a toper. He was going down the street one day and they said,

"Bill, where are you going?"

He said, "I am going down to get drunk and my God how I hate it."

As I survey many an anxious face in this group, I can say, "why are you here?"

"I am here to vote for that gosh darned tax bill and my God how I hate it."

"Now, according to Harrisburg reports, Republican legislative leaders have agreed with the Governor, that 'no good purpose could be served' by public hearings."

If no good purpose can be served by a public hearing concerning this bill, where would it be possible to serve a good public purpose by any other public hearing? It is perfectly ridiculous to schedule public hearings on matters of minor moment, except the principle that the public has arrived to express its opinion and then on the very key, the very heart, the very soul of the program that we are about to enact here in this General Assembly to say that in this very important thing we do not want the public to speak.

"The Legislative leaders plan to rush through the income tax without public hearings."

"This reported agreement reflects no credit on either Governor Fine or the Republican leaders in the Legis-

lature. It sounds like a pretty complete job of 'rail-roading' a bill that should be studied from all angles.

"On the part of the legislators, it is a craven abandonment of their duty."

I am glad he said that. I might not have had the courage to use the words.

"They should study the budget and the income tax, they should hold public hearings and they should assert and exercise the Legislature's independence of the Governor."

If you did not have the push from the Executive Office, if you did not have the rod of patronage, you could not get any votes for this bill in its present form for this tax program.

We are surrendering completely at the beginning of the session our legislative independence and once we get the Governor his money, and once we get the Departments their money, they can say "Go home boys, we are through, you are through. We do not need you around anymore."

You are giving away the only weapon you have to deal on equal terms with the Governor. That is evidenced by the fact that he will resort to political compulsion in order to secure the enactment of legislation that he desires.

The distinguished editor in Pittsburgh continues:

"The Legislature should have been doing this for many years past."

And heavens knows many a Member on the other side, in terms of social conversation, has assured me that that is so. We have for years been surrendering our responsibilities to the executive.

"There always should be public hearings on the State's budget, for the protection of the taxpayers."

Public hearings are the only protection the taxpayer has. The groups entrenched here on Capitol Hill with all the means of disseminating information that they may have, cannot carry their story to the public except by means of a public hearing. And it is only as the newspapers hand out news stories can they tell the people what is going on.

There are some ten million people in Pennsylvania and at the present time I do not suppose that five hundred thousand of them really know the sort of murder that we are planning here in Harrisburg.

"But a fine-combing of the budget is especially urgent at a time when the Governor proposes to invade a whole new field of taxation—personal income taxes—already burdened with any Federal taxes plus many local taxes.

"The rate of the tax is only one-half of one percent. But do not let that fool you."

So says the editor. I am not interpolating that, it is right here in print. Don't let that fool you.

"Let the camel of taxation get his nose under this tent, and what's to stop him from coming all the way in? If Governor Fine can establish the income tax at one-half of one per cent, what's to prevent some future Governor (by using the same means) from taking five, ten or fifteen percent."

Now I have been informed, and I have not checked it, that the New York income tax started out very modestly. It was one-half of one percent. I am told that it is up somewhere around five or six percent at the present time. It is a good easy source to tax.

The editor continues:

"Maybe, as Governor Fine contends, it isn't possible to cut out of the budget that \$119 million it would take to avoid a personal income tax—though we doubt that."

I will doubt it, but I could not defend the doubt of any figures that any sensible man terms reliable.

"Maybe we ought to pay such a tax."

Perhaps if we held public hearings there would be such a complete case made out for the income tax that we could all shout, "Glory, Glory, Hallelujah, at last we have found the means of financial salivation." That is what might happen.

"But if that State income tax is absolutely necessary, we've got a right to be assured of it, before it's taken out of our paychecks.

"The legislators are there for our representation in matters like these. Let them do their job and dig into this budget-and-tax issue."

You know the power to tax is likewise the power to reconsider. This bill ought to be defeated today and mature thought given to the idea of trying to reconsider it perhaps for public hearing. We would not be making this battle here if there had been a disposition to acquaint the public with the fact or a disposition to acquaint the Members of this House with the facts.

Personally I am opposed to the principle of broadening the tax base simply by attacking the average guy that our former Governor talks so much about. You know there are an awful lot of the average guys and when you begin to soak him progressively, a little at a time, it does not hurt so much, a little the next time it does not hurt so much, and a little next time and it does not hurt so much. You are getting an awful lot of money from the average guy.

I agree with Tom Kennedy. I agree with the editor of the Pittsburgh Press. I agree with the editor of the Philadelphia Inquirer. I agree with the editorial correspondent of the Philadelphia Inquirer. I agree with the papers throughout the state that this matter is one that should have been referred to a public hearing but in view of the situation that has developed we are left no choice. Good conscience suggests a protest not only against the terms of a tax program that we do not understand, but a protest against executive usurpation of legislative powers.

I say if we surrender today we might as well send a committee of three over to his Excellency the Governor and say, "Governor what do you want? Write it out. We will do it. We will do it in six days and go home."

We might as well pass the Governor's entire program in six days as pass his tax program in six days. I say to you in all seriousness that this is the day and the hour of decision as far as the prestige, the dignity and the standing of this legislative body is concerned.

Mr. SMITH. Mr. Speaker, the gentleman seems to be dwelling on the fact that when we pass an income tax that tax is the only tax that is being susceptible of being increased. I am sure he knows and I know and everyone in this House knows that any tax that we impose, no matter what it may be, can certainly be increased, decreased, taken off the books, added to, doubled or anything else done to it by future Legislatures. So that is no argument.

He reads a paper clipping that a tax can be increased

from one half of one percent to ten percent, we know that. We also know that if there is no need for the tax it can be taken off the books as has been done in the past.

Everyone seems to think today, from the arguments, that an income tax is a new tax. Well that is not the truth. An income tax is not a new tax. We have had a Federal income tax in this country since 1915, and at the present time, as of today, there are thirty-three states using this type of tax for general revenue purposes and they are paying their bills by this type of tax.

I would like to say that there are only seven states left in this great Union of ours that does not have an income tax or a sales tax. So Pennsylvania should be different I suppose, and grap our money out of the air. We have debts; we have promises and we have to keep those promises by getting money to pay them.

Everyone knows that a broad base tax has been recommended by all tax experts. The gentleman himself, the Minority Leader recognizes that, he has just stated that. Every tax study group has recommended broad base taxation. So we in Pennsylvania come down to two choices. Either a sales tax or an income tax, and there is no man in this House today that will agree that a sales tax is a fairer tax than an income tax.

We all know that an income tax is fair. It hits all types of income. It hits the doctor, it hits the lawyer, it hits every professional man, it hits the small business man and it is fair. It is fair because the larger the income the larger the tax. The smaller the income the smaller the tax. God knows we cannot say that about a sales tax.

We also cannot say that about hidden taxes that some people would like us to keep on increasing. They do not have the courage to stand here and tell the people what they are going to do. They would like to do it by deception to pay our debts.

A man making \$25,000 a year is taxed directly on that amount. And another man who makes \$2,500 a year is taxed on that amount. Certainly no one can say that about a sales tax, and no one can possibly say that that is unfair. That is fair taxation. That is the type of taxation that I want, and I think it is the type of taxation that every Member of this House should want.

There is no doubt but that of all the broad base taxes, an income tax is the fairest and the most just to the working man. Of all the broad base taxes that we know of, it is the easiest to collect. The cost of collection is the lowest because of the withholding features. Certainly that is to be considered in any tax basis, the actual cost of collecting the taxation.

I also think this should be brought out: Every cent of taxation that you pay right to the very penny, is deductible from the Federal Income Tax, penny for penny. You do not lose a cent of it.

As Republicans, Mr. Speaker, and the majority party, we must have courage. We as Republicans are going to pay our bills. We intend to keep our past promises. We promised to the teachers that we would take care of them, that we would make them one of the best paid groups of teachers in our country. We are going to keep that promise.

We are going to keep our promise when we said our mental, health, and welfare institutions would be the

best in this country. We are going to keep that promise.

We are going to keep our promise to the citizens of our state. We have already given them a civil defense act and we have asked an appropriation of \$20 million to protect our citizens. That is another promise we are going to keep it.

None of us is foolish enough to think that the people do not want better government. They do want better government and they are going to get better government; but you do not pull money out of the air. Keep that in mind. We need money. We have to get money by taxation. I do not want to tax anybody, and neither does anyone else in this House, but we all want to vote for appropriation bills to give the people everything they want. When there are appropriation bills on the floor of this House, it is easy to give the money, but it is not always easy to get it. There is only one way to get it, and that is the fair way. I have a conscience and so does every man in this House. My conscience says one thing—I am going to be honest, I am going to give the citizens of this State good government. If they want good government, if they want the Veterans' bonus, if they want better teachers, if they want better health institutions, they are going to get them. But I also have the courage to say we are going to have to pay for them.

I say to every man in this House that this is an honest tax; it is a fair tax, and it deserves the consideration of every man in this House. It is fair to every individual, whether he be rich or whether he be poor.

I want to come back to the point that we intend to give good government. We are going to keep our promises and we have to have money to do it, and we do not get money out of the air.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

A verification of the roll was requested by Messrs. Andrews, Rose and Wheeler.

The roll was verified and was as follows:

YEAS—98

Banker,	Gleason,	Mazza,	Rubin,
Barkdoll,	Goodling,	McConnell,	Sax,
Baumunk,	Graybill,	McCormack,	Scott,
Bear,	Greenwood,	McCullough,	Sollenberger,
Beech,	Greer,	McInroy,	Spencer,
Blair,	Gutendorf,	McKinney,	Stimmel,
Bomberger,	Guthrie,	McMillen,	Stoner,
Bower,	Hall,	Metz,	Tahl,
Brown,	Hamilton, W. H.,	Mikula,	Thompson, E. F.,
Cella,	Harney,	Miller, H. G.,	Thompson, R. L.,
Clapper,	Haudenshield,	Mintess,	Tompkins,
Cooper,	Helm,	Moore, C. E.,	Toomey,
Costa,	Hewitt,	Moore, H. A.,	VanSant,
Dalrymple,	Hocker,	Murray,	Waterhouse,
Davis,	Jump,	Najaka,	Weldner,
Dennison,	Keller,	Naugle,	Wescott,
Dowling,	Kent,	Pichney,	Whalley,
DuBois,	Kohl,	Pitzer,	White,
Erb,	Lelsey,	Price, H. W. Jr.,	Wilt,
Ferster,	Light,	Reagan,	Wood,
Firmstone,	Loftus,	Reilly, J. M.,	Yeakel,
Flack,	Lyons,	Rigby,	Young,
Frost,	Madden,	Riley, R. L.,	Ziegler,
Geer,	Madigan,	Royer,	Sorg,
Gibson,	Markley,		Speaker

NAYS—108

Amarando,	Hagerty,	McDermitt,	Rovansek,
Andrews,	Hamilton, R. K.,	McGee,	Sarraff,
Beaver,	Headlee,	McNally,	Scanlon,

Berkstresser,	Hersch,	Mihm,	Schmidt,
Bloom,	Hoggard,	Miller, J. C.,	Schuster,
Boles,	Hunter,	Mills,	Seyler,
Bolton,	Jenkins,	Monroe,	Shoemaker,
Boorse,	Johnson,	Moran,	Shotwell,
Breisch,	Jones, G. E.,	Muldowney,	Smith,
Breth,	Jones, J. M.,	Munley,	Snider,
Bucchin,	Jones, P. F.,	Musto,	Stank,
Byrne,	Jones, T. H. W.,	Needham,	Swartz,
Clendening,	Kamyk,	Olsen,	Swope,
Cochran,	Kline,	Penglase,	Taylor,
Conway,	Kolankiewica,	Peta,	Toll,
Corr,	Kornick,	Petrosky,	Varallo,
Coyle,	Kratz,	Pettigrew,	Varner,
Dougherty,	Kubacki,	Pfaff,	Verona,
Duffy,	Lafore,	Polaski,	Wachhaus,
Dunn,	Lederer,	Polen,	Wargo,
Ewing,	Leonard, L.,	Price, R. A.,	Watkins,
Fenrich,	Leonard, W. C.,	Readinger,	Welsh,
Fillip,	Leven,	Reese,	Westrick,
Filo,	Limper,	Reidenbach,	Wheeler,
Gaffney,	Lopresti,	Robertson,	Williams,
Good,	Lutty,	Rose,	Yester,
Guarnieri,	Maxwell,	Rosen,	Yetzer,

NOT VOTING—1

Lovett,

The majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

REASON FOR VOTE

Mr. READINGER filed the following reason for his vote: I am voting "no" on House Bill 840 for the reason that the majority party has been unwilling to afford the public a hearing on this most important tax measure, or ample opportunity for the Members of this House to become sufficiently informed concerning the financial requirements of the Commonwealth for the next biennium.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 841, as follows:

An Act to reenact and further amend the title and the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (P. L. 208), entitled, as amended, "An act to provide revenue for State purposes by imposing an excise tax, for a limited period of time, on the net incomes of certain corporations, joint-stock associations, and limited partnerships; providing for the assessment, collection, settlement and resettlement of taxes, and reviews and appeal therefrom; conferring powers, and imposing duties on certain persons, corporations, joint-stock associations, limited partnerships, State and county officers, boards, and departments; making an appropriation; and providing penalties," by increasing the rate of tax, and extending the provisions of the act for a further limited period of time.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. ANDREWS. Mr. Speaker, I would suggest and more, although I will not ask a record vote, we could take a voice vote, that until the financial situation is clarified somewhat that House Bill 841 be placed upon the postponed calendar, instead of acting on it today.

The situation is a bit obscure at the present time. House Bill 840 may or may not reappear upon the Calendar, and it would seem to me to be the part of wisdom to put 841 on the postponed calendar. As I say I will not require a record vote. I am willing to take a voice vote on it.

On the question,

Will the House agree to the motion?

Mr. SMITH. Mr. Speaker, as long as House Bill 840 and 841 are complimentary bills, I would agree to the gentleman's suggestion.

PARLIAMENTARY INQUIRY

Mr. FILO. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FILO. According to the House Calendar, the title above the bills reads "Special Order on Third Reading and Final Passage—Wednesday, April 4, 1:30 p. m." Now would that not be contrary to the motion made the previous day? I think the motion should be reconsidered. The Special Order of the day is the bills.

The SPEAKER. For the information of the gentleman, House Bill 841, Printer's No. 145, is now before the House under the special order. A motion to postpone is in order.

A motion to postpone takes priority over the main questions, under Rule 15 of the House.

Mr. PETROSKY. Mr. Speaker, I rise to object to the motion to postpone, on the same premise that I stated a little earlier this afternoon on the floor of the House. I believe that no additional taxes are necessary at the present time other than the ones that appear before us for consideration on the calendar, namely, House Bills 841 to House Bill 846 inclusive.

I might say that the defeat of House Bill 840 has not obscured the financial situation that is before the House and I register my protest to this motion to postpone. I believe we should continue to pass on the tax measures that are on the calendar at the present time, for I firmly and honestly believe that they give to the Commonwealth a sufficient amount of revenue to carry out the needs of the Commonwealth.

Mr. ANDREWS. Mr. Speaker, I am, of course, duly impressed by what the gentleman from Westmoreland believes; but what he believes and what may be the facts might be two different things.

I do not know whether or not new taxes are needed; but I want to find out, and again I say that I think it the part of wisdom until we do find out, to put this particular bill on the postponed calendar. I hope that the House agrees, although it is no particular skin off of my nose if they proceed today. I simply think it is the wiser policy.

Mr. SMITH. Mr. Speaker, I find myself in complete agreement with the Minority Leader, and I ask that the House vote for this motion of postponement.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 842, as follows:

An Act to further amend section twenty-one of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by postponing the manufacturing exemption with regard to capital stock tax and the franchise tax on domestic and foreign corporations joint-stock associations

limited partnership and companies for a further limited period of time

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty-one of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "An act to provide revenue by taxation" approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" as last amended by the act approved the twenty-fourth day of March one thousand nine hundred forty-nine (P. L. 358) is hereby further amended to read as follows

Section 21 (a) That every domestic corporation other than corporations of the first class nonprofit [corporation] corporations and cooperative agricultural associations not having capital stock and not conducted for profit and every joint-stock association limited partnership and company whatsoever from which a report is required under the twentieth section hereof shall be subject to and pay into the treasury of the Commonwealth annually through the Department of Revenue a tax at the rate of five mills upon each dollar of the actual value of its whole capital stock of a kinds including common special and preferred as ascertained in the manner prescribed in said twentieth section Provided That the tax of five mills imposed by this subsection on reports filed for the calendar years one thousand nine hundred forty-seven one thousand nine hundred forty-nine [and] one thousand nine hundred fifty one thousand nine hundred fifty-one and one thousand nine hundred fifty-two or for the fiscal years beginning in the calendar years one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine [and] one thousand nine hundred fifty one thousand nine hundred fifty-one and one thousand nine hundred fifty-two shall apply to the taxation of capital stock of corporations limited partnerships and joint-stock associations organized for manufacturing purposes excepting companies engaged in the distilling of liquors Provided further That after said [four] six year period the provisions of this section shall not apply to the taxation of the capital stock of corporations limited partnerships and joint-stock associations organized for manufacturing purposes which is invested in and actually and exclusively employed in carrying on manufacturing within the State excepting companies engaged in the distilling of liquors and such as enjoy and exercise the right of eminent domain but every corporation limited partnership or joint-stock association organized for the purpose of manufacturing shall pay the State tax of five mills herein provided upon such proportion of its capital stock if any as may be invested in any property or business not strictly incident or appurtenant to the manufacturing business in addition to the local taxes assessed upon its property in the district where located it being the object of this proviso to relieve from State taxation only so much of the capital stock as is invested purely in the manufacturing plant and business

(b) Every foreign corporation joint-stock association limited partnership and company whatsoever from which a report is required under the twentieth section hereof shall be subject to and pay into the treasury of the Commonwealth annually through the Department of Revenue a franchise tax at the rate of five mills upon a taxable value to be determined in the following manner The actual value of its whole capital stock of all kinds including common special and preferred shall be ascertained in the manner prescribed in the twentieth section of this act and shall then be divided into three equal parts

(1) Of one third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the value of the taxpayer's tangible property not actually and exclusively used in manufacturing situated within the Commonwealth and whose denominator is the value of all the taxpayer's tangible property wherever situated

(2) Of another third such portion shall be attributed to business carried on within the Commonwealth as shall be

found by multiplying said third by a fraction whose numerator is the expenditures of the taxpayer for wages salaries commissions or other compensation to its employees not exclusively engaged in manufacturing in this Commonwealth and assignable to this Commonwealth as hereinafter provided and whose denominator is the total expenditures of the taxpayer for wages salaries commissions or other compensation to all its employees

(3) Of the remaining third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the amount of the taxpayer's gross receipts from business not strictly incident or appurtenant to manufacturing in this Commonwealth assignable to this Commonwealth as hereinafter provided and whose denominator is the amount of the taxpayer's gross receipts from all its business

The sum of the amounts determined in accordance with the foregoing three rules shall be the taxable value In a case where only two of the foregoing three rules are applicable the remaining third equal part of the value of the entire capital stock shall be divided into two equal parts each of which shall be apportioned in accordance with one of the remaining two rules If only one of the three rules is applicable that part of the entire capital monwealth shall be determined solely by that rule

The amount assignable to this Commonwealth of ex-stock attributed to business carried on within the Commonwealth of the taxpayer for wages salaries commissions or other compensation to its employees shall be such expenditures for the taxable year as represent the wages salaries commissions or other compensation of employees not chiefly situated at connected with or sent out from premises for the transaction of business maintained by the taxpayer outside the Commonwealth

The amount of the taxpayer's gross receipts from business assignable to this Commonwealth shall be (1) the amount of its gross receipts for the taxable year except those negotiated or effected in behalf of the taxpayer by agents or agencies chiefly situated at connected with or sent out from premises for the transaction of business maintained by the taxpayer outside the Commonwealth and except rents and royalties and interest and dividends (2) rentals or royalties from property situated or from the use of patents within this Commonwealth and (3) dividends and interest except such dividends and interest attributable to the business conducted on premises maintained by the taxpayer outside the Commonwealth If a taxpayer maintains an office warehouse or other place of business in a state other than this Commonwealth for the purpose of reducing its tax under this subsection the Department of Revenue shall in determining the amount of its gross receipts from business assignable to this Commonwealth include therein the gross receipts attributed by the taxpayer to the business conducted at such place of business in another state

In the case of construction contracts negotiated or effected at an office in the State of Pennsylvania but performed outside the State the gross receipts under such contracts shall be assignable outside the State except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the State and partly outside the State such proportion of the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in Pennsylvania under the contract for the taxable year bear to the total costs incurred thereunder for the taxable year In the case construction contracts negotiated or effected at an office outside the State but performed in State the gross receipts under such contract shall be assignable to the State except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the State and partly outside the State such proportion of the gross receipts under the contract for the taxable year bear to the total cost incurred thereunder for the taxable year

A rule shall not be deemed to be inapplicable merely because all the tangible property or the expenditures of a taxpayer for wages salaries commissions or other com-

pensation or the gross receipts of the taxpayer are found to be situated incurred or received without the Commonwealth

Notwithstanding the foregoing provisions of this subsection (b) the franchise tax of five mills imposed by subsection (b) on reports filed for the calendar years one thousand nine hundred forty-seven, one thousand nine hundred forty-eight, one thousand nine hundred forty-nine [and] one thousand nine hundred fifty, one thousand nine hundred fifty-one and one thousand nine hundred fifty-two and for fiscal years beginning in the calendar years one thousand nine hundred forty-seven, one thousand nine hundred forty-eight, one thousand nine hundred forty-nine [and] one thousand nine hundred fifty, one thousand nine hundred fifty-one and one thousand nine hundred fifty-two shall apply to the taxation of corporations limited partnerships and joint-stock associations organized for manufacturing purposes excepting companies engaged in the distilling of liquors without excluding from the numerators of the applicable fractions manufacturing compensation of employees exclusively engaged in manufacturing and gross receipts from business strictly incident or appurtenant to manufacturing

After said [four] six year period the provisions of this subsection shall apply to the taxation of corporations limited partnerships and joint-stock associations organized for manufacturing purposes

(c) It shall be the duty of the treasurer or other officers having charge of any such corporation joint-stock association or limited partnership upon which a tax is imposed by this section to transmit the amount of said tax to the Treasury of the Commonwealth within the time prescribed by law. Provided That for the purposes of this act interest in limited partnerships or joint-stock associations shall be deemed to be capital stock and taxable accordingly. Provided further That corporations limited partnerships and joint-stock associations liable to a tax under this section shall not be required to pay any further tax on the mortgages bonds and other securities owned by them and in which the whole body of stockholders or members as such have the entire equitable interest in remainder but corporations limited partnerships and joint-stock associations owning or holding such securities as trustees executors administrators guardians or in any other manner than for the whole body of stockholders or members thereof as sole equitable owners in remainder shall return and pay the tax imposed by this act upon all securities so owned or held by them as in the case of individuals. Provided further That the tax of five mills imposed by this section on reports filed for the calendar years one thousand nine hundred and thirty-five and one thousand nine hundred and thirty-six and for each calendar year thereafter or for the fiscal year beginning in the calendar years one thousand nine hundred and thirty-five and one thousand nine hundred and thirty-six and for each fiscal year thereafter shall apply to the taxation of the capital stock of corporations limited partnerships and joint-stock associations organized for laundering and for the processing and curing of meats their products and by products excepting companies engaged in the distilling of liquors. Provided further That in case of fire and marine insurance companies the tax imposed by this section shall be at the rate of five mills upon each dollar of the actual value of the whole capital stock. Provided That nothing in this act shall be so construed as to apply to building and loan associations chartered by the State of Pennsylvania

Section 2 The provisions of this act shall be retroactive to the first day of January one thousand nine hundred forty-nine so that domestic and foreign corporations limited partnerships and joint-stock associations organized for manufacturing purposes shall pay the tax imposed for the calendar years one thousand nine hundred forty-nine, one thousand nine hundred fifty, one thousand nine hundred fifty-one and one thousand nine hundred fifty-two or for the fiscal years beginning in the calendar years one thousand nine hundred forty-nine, one thousand nine hundred fifty, one thousand nine hundred fifty-one and one thousand nine hundred fifty-two

two as other domestic and foreign corporations limited partnerships and joint-stock associations

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraff,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weldner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lutty,	Rigby,	Yester,
Gaffney,	Lyons,	Riley, R. L.,	Yetzer,
Geer,	Madden,	Robertson,	Young,
Gibson,	Madigan,	Rose,	Ziegler,
Gleason,	Markley,	Rosen,	Sorg,
Good,		Rovansek,	Speaker

NAYS—0

NOT VOTING—1

Lovett,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 843, as follows:

An Act to further amend section twenty-three of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by increasing for a further limited period of time the rate of tax imposed upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty-three of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine" as last amended by the act approved the twenty-fourth day of March one thousand nine hundred forty-nine (P. L. 363) is hereby further amended to read as follows

Section 23 That every railroad company pipe line company conduit company steamboat company canal company slack water navigation company transportation company and every other company association joint-stock association or limited partnership now or hereafter incorporated or organized by or under any law of this Commonwealth or now or hereafter organized or incorporated by any other State or by the United States or any foreign government and doing business in this Commonwealth and every copartnership person or persons owning operating or leasing to or from another corporation company association joint-stock association limited partnership copartnership persons or persons any railroad pipe line conduit steamboat canal slack water navigation or other device for the transportation of freight passengers baggage or oil except taxi-cabs motor buses and motor omnibuses and every limited partnership association joint-stock association corporation or company engaged in or hereafter engaged in the transportation of freight or oil within this State and every telephone company telegraph company express company electric light company water-power company hydro-electric company company palace car company and sleeping car company now or hereafter incorporated or organized by or under any law of this Commonwealth or now or hereafter organized or incorporated by any other State or by the United States or any foreign government and doing business in this Commonwealth and every limited partnership association joint-stock association copartnership person or persons engaged in telephone telegraph express electric light and power waterpower hydro-electric palace car or sleeping car business in this Commonwealth shall pay to the State Treasurer through the Department of Revenue a tax of fourteen mills for the six months' periods ending June thirtieth one thousand nine hundred thirty-five December thirty-first one thousand nine hundred thirty-five and June thirtieth one thousand nine hundred thirty-six and twenty mills for the six months' periods ending December thirty-first one thousand nine hundred thirty-six June thirtieth and December thirty-first one thousand nine hundred thirty-seven June thirtieth and December thirty-first one thousand nine hundred thirty-eight June thirtieth and December thirty-first one thousand nine hundred thirty-nine June thirtieth and December thirty-first one thousand nine hundred forty June thirtieth and December thirty-first one thousand nine hundred forty-one June thirtieth and December thirty-first one thousand nine hundred forty-two June thirtieth and December thirty-first one thousand nine hundred forty-three and fourteen mills for the six months' periods ending June thirtieth and December thirty-first one thousand nine hundred forty-four and for the twelve months' periods ending December thirty-first one thousand nine hundred forty-five December thirty-first one thousand nine hundred forty-six December thirty-first one thousand nine hundred forty-seven December thirty-first one thousand nine hundred forty-eight December thirty-first one thousand nine hundred forty-nine December thirty-first one

thousand nine hundred fifty December thirty-first one thousand nine hundred fifty-one and December thirty-first one thousand nine hundred fifty-two and eight mills thereafter upon the dollar of the gross receipts of said corporation company or association limited partnership joint-stock association copartnership person or persons received from passengers baggage and freight transported wholly within this State from telegraph or telephone messages transmitted wholly within the State from express palace car or sleeping car business done wholly within this State or from the sales of electric energy except gross receipts derived from sales for resale of electric energy to persons partnerships associations corporations or political subdivisions subject to the tax imposed by this act upon gross receipts derived from such resale and from the transportation of oil done wholly within the State The said tax shall be paid within the time prescribed by law for the payment of taxes settled by the Department of Revenue and for the purpose of ascertaining the amount of the same it shall be the duty of the treasurer or other proper officer of the said company copartnership limited partnership association joint-stock association or corporation of Revenue on or before the first day of February poration or person or persons to transmit to the Department of each year a statement and under oath or affirmation of the amount of gross receipts of the said companies copartnerships corporations associations joint-stock associations limited partnerships person or persons derived from all sources and of gross receipts from business done wholly within the State during the period of twelve months immediately preceding the first day of January of each year The time for filing reports may be extended estimated settlements may be made by the Department of Revenue if reports are not filed and the penalties for failing to file reports and pay the tax shall be as prescribed by the laws defining the powers and duties of the Department of Revenue Provided That in any case where the works of any corporation company copartnership association joint-stock association limited partnership person or persons are operated by another corporation company copartnership association joint-stock association limited partnership person or persons the taxes imposed by this section shall be apportioned between the said corporations companies copartnerships associations joint-stock associations limited partnerships person or persons in accordance with the terms of their respective leases or agreements but for the payment of the said taxes the Commonwealth shall first look at the corporation company copartnership association joint-stock association limited partnership person or persons operating the works and upon payment by the said company corporation copartnership association joint-stock association limited partnership person or persons of a tax upon the receipts as herein provided derived from the operation thereof no other corporation company copartnership association joint-stock association limited partnership person or persons shall be held liable under this section for any tax upon the proportion of said receipts received by said corporation company copartnership association joint-stock association limited partnership person or persons for the use of said works

This act shall be construed to apply to municipalities and to impose a tax upon the gross receipts derived from any municipally owned and operated public utility or from any public utility service furnished by any municipality to the extent of such gross receipts as are derived from business done outside the limits of the municipality operating the public utility service

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsach,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weldner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lutty,	Rigby,	Yester,
Gaffney,	Lyons,	Riley, R. L.,	Yetzer,
Geer,	Madden,	Robertson,	Young,
Gibson,	Madigan,	Rose,	Ziegler,
Gleason,	Markley,	Rosen,	Sorg,
Good,		Rovansek,	Speaker

NAYS—0

NOT VOTING—1

Lovett,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeding to the third reading and consideration of House Bill No. 844 as follows:

An act to reenact the title and to reenact and further amend the act approved the fourteenth day of June one thousand nine hundred thirty-five (P. L. 341) entitled as amended "An act to provide revenue by imposing a State tax upon sales or gifts of cigarettes by dealers as herein defined requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits prescribing the method and manner of collecting such tax making it unlawful to possess cigarettes upon which the tax has not been paid conferring and imposing duties on the Department of Revenue and persons as herein defined engaged in the sale of cigarettes at retail or wholesale and providing

penalties" by providing that the provisions of said act shall continue in effect until repealed

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and all the sections of the act approved the fourteenth day of June one thousand nine hundred thirty-five P. L. 341) entitled as amended "An act to provide revenue by imposing a State tax upon sales or gifts of cigarettes by dealers as herein defined requiring persons engaged in the sale of cigarettes at retail or wholesale and providing penalties" as last reenacted and amended by the act approved the twenty-fourth day of March one thousand nine hundred forty-nine (P. L. 336) are hereby reenacted and further amended to read as follows

An Act

To provide revenue by imposing a State tax upon sales or gifts of cigarettes by dealers as herein defined requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits prescribing the method and manner of collecting such tax making it unlawful to possess cigarettes upon which the tax has not been paid conferring powers and imposing duties on the Department of Revenue and persons as herein defined engaged in the sale of cigarettes at retail or wholesale and providing penalties

Section 1 Be it enacted &c That this act shall be known and may be cited as the "Cigarette Tax Act"

Section 2 The following words terms and phrases when used in this act shall have the meanings ascribed to them in this section except where the context clearly indicates a different meaning

"Association" Any partnership limited partnership or other form of unincorporated enterprise owned by two or more persons

"Dealer" Any wholesale dealers and in the cases hereinafter prescribed retail dealers The term "wholesale dealer" shall include any person who or which sell within Pennsylvania cigarettes to retail dealers or for purposes of resale or who or which purchases cigarettes directly from any manufacturer for purposes of resale The term "retail dealer" shall include every person other than a wholesale dealer who or which receives from any source whatsoever cigarettes for the purpose of sale to consumer in Pennsylvania or for any other purpose than that of resale whenever the packages of cigarettes so received do not have affixed to them the stamps evidencing the payment of the tax imposed by this act

"Department" The Department of Revenue of this Commonwealth

"Package" The individual package box or other container in or from which retail sales of cigarettes are normally made or intended to be made

"Person" Every natural person association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof

"Cigarettes" Any roll for smoking made wholly or in part of tobacco irrespective of size or shape and whether or not such tobacco is flavored adulterated or mixed with any other ingredient the wrapper or cover of which is made of paper or any other substance or material excepting tobacco

"Sale" And transfer for a consideration exchange barter gift offer for sale and distribution in any manner or by any means whatsoever

The singular shall include the plural and the masculine shall include the feminine and the neuter

Section 3 (a) On and after the effective date of this act it shall be unlawful for any person to continue to engage in or thereafter to begin to engage in the sale of cigarettes at wholesale within this Commonwealth or for any person excepting commissaries ships' stores and voluntary unincorporated organizations of military forces personnel operating under regulations promulgated by the Secretary of Defense or departments under his

jurisdiction and excepting retail dealers located in veterans' administration hospitals as to sales of cigarettes to patients in said hospitals to continue to engage in or thereafter to begin to engage in the sale of cigarettes at retail within this Commonwealth unless a cigarette permit or permits shall have been issued to him as hereinafter prescribed

(b) Every person desiring to continue to engage in or hereafter to begin to engage in the sale of cigarettes at wholesale or retail within this Commonwealth except those persons exempt under section 3 (a) hereof shall file an application for a cigarette permit or permits with the department. Every application for a cigarette permit shall be made upon a form prescribed prepared and furnished by the department and shall set forth the name under which the applicant transacts or intends to transact business, the location of his place of business within this Commonwealth and such other information as the department may require. If the applicant has or intends to have more than one place of business within the Commonwealth the application shall state the location of each place of business. If the applicant is an association the application shall set forth the names and addresses of the persons constituting the association and if a corporation the names and addresses of the principal officers thereof and any other information prescribed by the department for purposes of identification. The application shall be signed by the owner if a natural person and in the case of an association by a member or partner thereof and in the case of a corporation by an executive officer thereof or some person specifically authorized by the corporation to sign the application to which shall be attached the written evidence of his authority.

At the time of making such application the applicant shall pay to the department a permit fee of one dollar (\$1.00) for each permit.

Upon approval of the application and the payment of the permit fee or fees herein required the department shall grant and issue to each applicant a cigarette permit for each place of business within the Commonwealth set forth in his application. Cigarette permits shall not be assignable and shall be valid only for the persons in whose names issued and for the transaction of business at the places designated therein and shall at all times be conspicuously displayed at the places for which issued.

All permits shall expire on the thirty-first day of December next succeeding the date upon which they are issued unless sooner surrendered or revoked for cause by the department.

(c) Permits issued under the provisions of this act may be renewed annually before the first day of January upon application made to the department and the payment of a renewal fee of one dollar (\$1.00).

Whenever any permit issued under the provisions of this act is defaced, destroyed or lost the department may issue a duplicate permit to the holder of the defaced, destroyed or lost permit upon the payment of a fee of fifty cents (\$.50).

(d) The department may suspend or after hearing revoke a cigarette permit whenever it finds that the holder thereof has failed to comply with any of the provisions of this act or any rules or regulations of the department prescribed, adopted and promulgated under this act. Upon suspending or revoking any cigarette permit the department shall request the holder thereof to surrender to it immediately all permits or duplicates thereof issued to him and the holder shall surrender promptly all such permits to the department as requested. Whenever the department suspends a cigarette permit it shall notify the holder immediately and afford him a hearing if desired and if a hearing has not already been afforded. After such hearing the department shall either rescind its order of suspension or good cause appearing therefor shall continue the suspension or revoke the permit.

Section 4 A State excise tax is hereby imposed and assessed upon sale of cigarettes by dealers at the rate

of two cents per ten cigarettes or fraction thereof except such sales of cigarettes as are not within the taxing power of this Commonwealth under the commerce clause of the Constitution of the United States and except such sales as are made to authorized purchasers by those persons exempt under section 3 (a) hereof. Provided That only one sale of the same package of cigarettes shall be used in computing the amount of tax due hereunder.

Except as hereinafter provided dealers shall be liable to the Commonwealth as taxpayers for the payment of the tax imposed by this act and shall pay the tax into the State Treasury through the department by purchasing from the department adhesive stamps of such design and denominations as may be prescribed by the department.

Manufacturers of cigarettes located within or outside of this Commonwealth and wholesale dealers in cigarettes located outside of this Commonwealth may purchase stamps from the department and affix such stamps in the manner hereinafter prescribed to packages of cigarettes to be sold within this Commonwealth in which case the dealer within this Commonwealth receiving such stamped packages of cigarettes will not be required to purchase and affix stamps on such packages of cigarettes.

Section 5 Each dealer shall affix within the time hereinafter prescribed to each package of cigarettes stamps furnished by and purchased from the department evidencing the payment of the tax imposed by this act and shall cancel such stamps before such cigarettes are offered for sale or before they are otherwise disposed of unless stamps have been affixed to such packages of cigarettes before such dealer received them. Each wholesale dealer in this Commonwealth shall affix such stamps to each package of cigarettes unless such stamps shall have been previously affixed thereto and shall cancel the same in the manner prescribed by the department prior to the delivery of such packages to any retail dealer in this Commonwealth.

Each retail dealer in this Commonwealth those persons exempt under section 3 (a) hereof shall immediately upon the receipt of any cigarettes at his place of business so affix such stamps to each package of cigarettes unless such stamps shall have been previously affixed thereto and shall cancel the same in the manner prescribed by the department or shall immediately mark in ink on each unopened box, carton or other container of such cigarettes the word "received" and the month, day and year of such receipt and shall affix his signature thereto. The retail dealer shall in any event open such box, carton or other container and immediately affix such stamps to each package therein and cancel the same in the manner prescribed by the department within twenty-four hours after such receipt and prior to the sale of such cigarettes.

Whenever any cigarettes are found in the place of business of such retail dealer without the stamps affixed and cancelled or not marked as having been received within the preceding twenty-four hours as required by this section the prima facie presumption shall arise that such cigarettes are kept therein in violation of the provisions of this act.

Stamps shall be affixed to each package of cigarettes of an aggregate denomination not less than the amount of the tax upon the contents therein and shall be affixed in such manner that they will be visible to the purchaser. Upon affixing stamps to a package of cigarettes the person affixing them shall cancel them by such method or in such manner as may be prescribed by the department.

Section 6 The department shall prescribe, prepare and furnish adhesive stamps of such denominations and quantities as may be necessary for the payment of the tax imposed and assessed by this act. The department shall make provisions for the sale of such stamps in such places and at such times as it may deem necessary.

The department shall appoint wholesale dealers in cigarettes within this Commonwealth and may appoint any other persons within or without the Commonwealth as agents to affix the stamps to be used in paying the

tax herein imposed upon sales of cigarettes but a wholesale dealer shall at all times have the right to appoint the person who is to affix the stamps to any cigarettes under his control and whenever the department shall sell consign or deliver to any such agent any such stamps such agent shall be entitled to receive as compensation for his services and expenses as such agent in affixing such stamps and to retain out of the moneys to be paid by him for such stamps a commission of four per centum on the par value thereof if and when such agent has purchased the stamps affixed by him directly from the department. The department is hereby authorized and required to allow such commission or compensation in the settlement of the accounts of such agent upon payment by him into the State Treasury through the department of any moneys which may be or become due to the Commonwealth by reason of the sale delivery or consignment to such agent of such stamps.

Section 7 Every person engaged in the sale of cigarettes at wholesale within this Commonwealth and every person engaged in the sale of cigarettes at retail within this Commonwealth except those persons exempt under section 3 (a) hereof shall maintain and keep for a period of two years such record or records of cigarettes received sold and delivered within this Commonwealth by him together with invoices bills of lading and other pertinent papers as may be required by the department.

The department or any agent appointed in writing by it is hereby authorized to examine the books papers invoices and other records the stock of cigarettes in and upon any premises where the same are placed stored and sold and equipment of any such wholesale or retail dealer pertaining to the sale and delivery of cigarettes taxable under this act to verify the accuracy of the payment of the tax imposed and assessed by this act. Every such person is hereby directed and required to give to the Secretary of Revenue or his duly authorized representative the means facilities and opportunity for such examinations as are hereby provided and required.

Section 8 The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations relating to

(a) The method and the means to be used in the cancellation of stamps

(b) The denominations and sale of stamps

(c) Any other matter or thing pertaining to the administration and enforcement of the provisions of this act

Section 9 Whenever any cigarettes upon which stamps have been placed by a dealer have been sold and shipped by him into another state for sale or use therein or have been sold to those persons exempt under section 3 (a) hereof for resale to authorized purchasers or have become unfit for use and consumption or unsalable or have been destroyed such dealer shall be entitled to a refund of the actual amount of tax paid by him with respect to such cigarettes. If the department is satisfied that any dealer is entitled to a refund it shall certify the proposed amount of such refund to the Board of Finance and Revenue for approval and thereafter shall issue to such dealer stamps of sufficient value to cover the refund as approved by the board. The department is hereby authorized to adopt prescribe and promulgate such rules and regulations with regard to the presentation and proof of claim for refunds as it may deem advisable.

The department may promulgate rules and regulations to relieve manufacturers and dealers from affixing the stamps on such cigarettes as are sold and shipped to points outside the Commonwealth for use outside the Commonwealth or on such cigarettes as are sold to those persons exempt under section 3 (a) hereof for resale to authorized purchasers.

Section 10 Every person other than a common carrier or the employee thereof who shall possess or transport any cigarettes upon the public highways roads or streets of this Commonwealth for the purpose of delivery sale or disposition shall be required to have in his actual

possession invoices or delivery tickets for such cigarettes. The absence of such invoices or delivery tickets shall be prima facie evidence that such person is a dealer in cigarettes in this Commonwealth and subject to the provisions of this act.

Section 11 (a) Any person who shall sell cigarettes without being the holder of a cigarette permit or permits as required by this act shall upon conviction in a summary proceeding be sentenced to pay a fine of twenty-five dollars (\$25) and costs of prosecution and in default of payment thereof to undergo imprisonment for not more than ten (10) days.

(b) Any person who shall sell cigarettes without purchasing and affixing stamps to each package thereof as required by this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced for the first offense to pay a fine of not less than one hundred dollars (\$100) or more than one thousand dollars (\$1000) or to suffer imprisonment for a term not exceeding six (6) months or both in the discretion of the court and in the case of a conviction of a second or subsequent offense hereunder shall be sentenced to pay a fine of not less than five hundred dollars (\$500) or more than one thousand dollars (\$1000) and to suffer imprisonment for a term not less than six (6) months or more than three (3) years.

(c) Any person who shall fail neglect or refuse to comply with or shall violate the rules and regulations prescribed adopted and promulgated by the department under the provisions of this act or who shall refuse to permit the department or any agent appointing by it in writing to examine his books papers invoices and other records his stock of cigarettes in and upon any premises where the same are prepared stored and sold and his equipment pertaining to the sale of cigarettes taxable under this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars (\$100) or more than five hundred dollars (\$500) or to suffer imprisonment of not more than six (6) months or both in the discretion of the court.

(d) Any person who falsely or fraudulently makes forges alters [or] counterfeits any stamp prescribed by the department under the provisions of this act or causes or procures to be falsely or fraudulently made forged altered or counterfeited any such stamp or knowingly and wilfully utters publishes passes or tenders as true any such false altered forged or counterfeited stamps or uses more than once any stamp provided for and required by this act for the purpose of evading the tax hereby imposed and assessed shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to suffer imprisonment for a term of not less than two (2) years or more than five (5) years.

(e) Any person not being a duly licensed dealer under the provisions of this act or not exempt under section 3 (a) hereof who shall have in his possession two hundred (200) or more cigarettes upon which State cigarette tax has not been paid or to the containers of which Pennsylvania cigarette tax stamps are not affixed in the amount herein required shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not more than twenty-five dollars (\$25) and costs of prosecution for each two hundred (200) cigarettes found in his possession the cigarettes shall be forfeited to the Commonwealth and in default of the payment of of the said fine and costs shall be imprisoned in the county jail one (1) day for each dollar of fine and costs unpaid.

Section 12 The provisions of this act are severable and if any of its provisions shall be held to be unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act. It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein.

Section 13 This act shall become effective thirty days after its final enactment and shall continue in effect until

{and including the thirty-first day of May one thousand nine hundred fifty-one} repealed

Section 2 This reenacting and amending set shall become effective on the first day of June one thousand nine hundred fifty-one

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. PETROSKY. Mr. Speaker, I know for a fact that this is the only one of the tax measures that is being made a permanent tax by House Bill 844, Printer's No. 148. None of the other tax measures in the package have a like effect. So I would wish to register my protest on this tax in that order.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Heim,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsach,	Hewitt,	Mills,	Stimzel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dairymple,	Kline,	Penglass,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fenster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lutty,	Rigby,	Yester,
Gaffney,	Lyons,	Riley, E. L.,	Yetzer,
Geer,	Madden,	Robertson,	Young,
Gibson,	Madigan,	Rose,	Ziegler,
Gleason,	Markley,	Rosen,	Sorg,
Good,		Rovansek,	Speaker

NAYS—0

NOT VOTING—1

Lovett,

The majority required by the Constitution having

voted in the affirmative, the question was determined in the affirmative

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 845 as follows:

An act to reenact and amend the title and the act approved the ninth day of June one thousand nine hundred thirty-six (Special Session of one thousand nine hundred thirty-six P. L. 13) entitled as amended "An act imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board providing for the collection and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board" by extending the provisions thereof for a further limited period of time. The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and all the sections of the act approved the ninth day of June one thousand nine hundred thirty-six (Special Session of one thousand nine hundred thirty-six P. L. 13) entitled as amended "An act imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board providing for the collection and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board" as last reenacted and amended by the act approved the twenty-fourth day of March one thousand nine hundred forty-nine (P. L. 366) are hereby reenacted and further amended to read as follows

An Act

Imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board providing for the collection and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board

Section 1 Be it enacted &c That the following words terms and phrases used in this act for the purposes hereof defined as follows

"Liquor" Any alcoholic spirituous vinous fermented or other alcoholic beverage or combination of liquors and mixed liquor a part of which is spirituous vinous fermented or otherwise alcoholic and all drinks or drinkable liquids preparations or mixtures intended for beverage purposes which contain more than one-half of one per centum of alcohol by volume except alcohol and malt or brewed beverages

"Department" The Department of Revenue of this Commonwealth

"Board" The Pennsylvania Liquor Control Board of this Commonwealth

"Fiscal Month" The monthly period established from time to time by the Pennsylvania Liquor Control Board for the purpose of conducting its business

Section 2 Until the first day of June one thousand nine hundred [fifty-one] fifty-three an emergency State tax is hereby imposed and assessed at the rate of ten per centum of the net price of all liquors sold by the board. The tax herein imposed shall be collected by the board from the purchasers of the liquor from the board. The amount of such ten per centum so collected by the board under the provisions of this act shall be paid into the State Treasury through the department in the manner and within the times herein specified and shall be credited to the General Fund

Section 3 It shall be the duty of the board to transmit to the department on or before the fifteenth day of each calendar month a statement of its receipts from sales of liquor and taxes collected during the preceding fiscal month and such other information as may be

necessary to effectuate the provisions of this act at which time it shall also be the duty of the board to pay to the department the tax imposed upon such liquor by the provisions of this act. Provided however That the board may in its discretion add the tax imposed by this act to the wholesale and retail price at which liquors are sold and eliminate any accounting of such tax separate from sale prices and in such case the amount of the tax for any calendar month shall be ascertained by dividing the entire gross receipts derived from sales at Pennsylvania liquor stores during such month by eleven and the quotient thus obtained shall be deemed the amount of the tax for such month payable over under this section.

Section 4 This act shall become effective immediately upon its final enactment.

Section 3 This reenacting and amending act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraff,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Heim,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Buechin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fehrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fenster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Flo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lutty,	Rigby,	Yester,
Gaffney,	Lyons,	Riley, R. L.,	Yetzer,
Geer,	Madden,	Robertson,	Young,
Gibson,	Madigan,	Rose,	Ziegler,
Gleason,	Markley,	Rosen,	Sorg,
Good,		Rovansek,	Speaker

NAYS—0

NOT VOTING—1

Lovett,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 846 as follows:

An Act to further amend section three of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 284) entitled as amended "An act imposing a State tax payable by those herein defined as manufacturers and by others on malt or brewed beverages used sold transported or delivered within the Commonwealth prescribing the method and manner of evidencing the payment and collection of such tax conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale at retail or wholesale or in the transportation of malt or brewed beverages taxable hereunder and providing penalties" by increasing the rates of certain taxes for a further limited period of time.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Section three of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 284) entitled as amended "An act imposing a State tax payable by those herein defined as manufacturers and by others on malt or brewed beverages used sold transported or delivered within the Commonwealth prescribing the method and manner of evidencing the payment and collection of such tax conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale at retail or wholesale or in the transportation of malt or brewed beverages taxable hereunder and providing penalties" as last amended by the act approved the eighteenth day of May one thousand nine hundred forty-nine (P. L. 1459) is hereby further amended to read as follows:

Section 3 (a) Each manufacturer shall be subject to pay to the Commonwealth the taxes imposed by this section upon all malt or brewed beverages manufactured in this Commonwealth when prepared for market and every person who ships or transports malt or brewed beverages into this Commonwealth for sale delivery or storage in this Commonwealth shall pay to the Commonwealth the taxes imposed in this section before such beverages are transported within this Commonwealth. Such taxes shall be at the rate of one-third cent (1/3c) per half pint of eight (8) fluid ounces or fraction thereof and in larger quantities at the rate of one-half cent (1/2c) per pint of sixteen (16) fluid ounces or fraction thereof.

The tax rates per original container or standard fraction thereof are as follows:

Standard Fraction	Malt Beverage Tax Rate	Volume
1 barrel	\$1.24	31 gal
1/2 barrel	.62	15 1/2 gal
1/3 barrel	.42	10 1/3 gal
1/4 barrel	.31	7 3/4 gal
1/6 barrel	.21	5 1/6 gal
1/8 barrel	.16	3 7/8 gal
1 gallon	.04	
1/2 gallon	.02	
1 quart	.01	
1 pint	.005	
1/2 pint	.0033	

(a.1) Notwithstanding the rate of taxes above generally fixed the following temporary rates are hereby fixed and shall prevail from the first day of June one thousand nine hundred forty-seven to and including the thirty-first day of May one thousand nine hundred [fifty-one] fifty-

three During that period they shall be at the rate of two-third cent (2/3c) per half pint of eight (8) fluid ounces or fraction thereof and in larger quantities at the rate of one cent (1c) per pint of sixteen (16) fluid ounces or fraction thereof

The tax rates per original container or standard fraction thereof are as follows

Standard Fraction	Malt Beverage Tax Rate	Volume
1 barrel	\$2.48	31 gal
1/2 barrel	1.24	15 1/2 gal
1/3 barrel	.84	10 1/3 gal
1/4 barrel	.62	7 3/4 gal
1/6 barrel	.42	5 1/6 gal
1/8 barrel	.32	3 7/8 gal
1 gallon	.08	
1/2 gallon	.04	
1 quart	.02	
1 pint	.01	
1/2 pint	.0066	

(b) In the event that any state territory or country shall impose upon malt or brewed beverages which have been manufactured in Pennsylvania a higher tax or fee than is imposed upon malt or brewed beverages manufactured within such state territory or country every person who ships or transports from such state territory or country malt or brewed beverages manufactured therein into this Commonwealth for sale delivery or storage in this Commonwealth shall pay thereon to the Commonwealth before such beverages are transported within this Commonwealth in addition to the tax imposed by this section a tax equal to such excess tax or fee which is imposed in such state territory or county on Pennsylvania-manufactured malt or brewed beverages Such additional tax shall be levied assessed and collected in the same manner as the other taxes imposed by this act

(c) Manufactures and all persons who bring malt or brewed beverages into the Commonwealth shall be liable to the Commonwealth as taxpayers for the payment of the taxes imposed by this act

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provision of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraff,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,

Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dalrymple,	Kline,	Pengase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewica,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Pichney,	Pichney,	Weidner,
Duffy,	Pitzer,	Pitzer,	Welsh,
Dunn,	Polaski,	Polaski,	Westcott,
Erb,	Lederer,	Polen,	Westrick,
Ewing,	Lelsey,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, L.,	Price, R. A.,	Wheeler,
Ferster,	Leonard, W. C.,	Readinger,	White,
Fillip,	Leven,	Reagan,	Williams,
Filo,	Light,	Reese,	Willt,
Firmstone,	Limper,	Reidenbach,	Wood,
Flack,	Loftus,	Reilly, J. M.,	Yeakel,
Frost,	Flack,	Rigby,	Yester,
Gaffney,	Lopresti,	Riley, R. L.,	Yetzer,
Geer,	Lutty,	Robertson,	Young,
Gibson,	Lyons,	Rose,	Ziegler,
Gleason,	Madden,	Rosen,	Sorg,
Good,	Madigan,	Rovansek,	Speaker
	Markley,		

NAYS—0

NOT VOTING—1

Lovett,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 48, entitled:

An Act relating to and defining chiropractic and the right to practice chiropractic, requiring licensure, conferring powers and imposing duties upon the State Board of Chiropractic Examiners, providing for the granting, suspension, and revocation of licenses issued by the board, conferring jurisdiction upon the Court of Common Pleas of Dauphin County, and prescribing penalties.

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. SARRAF offered the following amendments:

Amend Section 2, page 2, lines 7 and 8 by striking out the words "a philosophy science and art of things natural with the human body."

Amend Section 2, page 2, line 9 by striking out the word "procedure" and inserting in lieu thereof "examination."

Amend Section 2, page 2, lines 10 and 11 by striking out after the word "vertebrae" the words "and other articulations and tissues of the human body."

Amend Section 2, page 2, line 12 by adding after the word "analysis" the words "in practical use at present."

On the question,

Will the House agree to the amendments?

Mr. WATERHOUSE. Mr. Speaker, I rise to oppose these amendments, due to the fact that it is on the definition "Chiropractic."

The definition in this bill is the same as it was in the bill that passed this House by a vote of 174 to 21 in the 1949 session. We have taken this bill up with the Department of Justice and they have assured us that there is nothing here that will allow a chiropractor to do any-

thing other than that which he is trained to do, and by starting out and mutilating this, we would only wind up with an unworkable bill.

We have been very careful in going through this bill. There were some amendments made before it came on the floor of the House. We feel that we have a bill, as it is presented here today, that will certainly be to the best interests of the people of the Commonwealth. And therefore, I would ask that these amendments be voted down.

Mr. SARRAF. Mr. Speaker, I know when I say the word chiropractic it means debate. But I stand before you this afternoon not to debate anything except what we as Members of this House have already done. The Chiropractic Bill in the last session had a board. That bill went through, signed by the Governor and five members were appointed by Governor Duff. Three of these five men are legalized men who practice in our State. Two are unlicensed men. Now that board has been appointed.

My colleague, and sponsor of the bill, said that we passed this bill last session. That is true. We did not debate about the definition. We felt we may be able to beat the board and the definition and the bill, as did result. What came out of it? You have the board now and over in the Senate they did not pass this bill.

Now, we are back to tell this board what they are to do—not a blank check and permit them to just take anybody in, to just choose any schools they wish, to set up all the regulations as they wish, to choose whom they wish. Under the bill it says limited license, which means they can give them what ever examination they wish. Now, on this particular definition, the definition sent to me by the head of the Drugless Therapeutic Group which is today—

Mr. WATERHOUSE. Mr. Speaker, I would like to inquire whether we are debating the bill or the amendments. We have gone far afield on the board and what we were taking about was the amendments to Section 2, and then you go on from there. These amendments that he offered here, I do not believe have any bearing on what he is talking about now.

However, we did discuss the definition in the 1949 session at quite some length.

The SPEAKER. The gentleman from Erie, Mr. Waterhouse, is correct. The question before the House is on the amendments to Section 2, offered by the gentleman from Allegheny, Mr. Sarraf. The Chair has been lenient in allowing considerable latitude. The gentleman will have an opportunity to discuss the bill at a later time, if he wishes.

Mr. SARRAF. Mr. Speaker, may I continue?

The SPEAKER. The gentleman is requested to confine himself to the amendments.

Mr. SARRAF. Mr. Speaker, the head of the Drugless Therapeutic Group of this State presented me with a definition of a chiropractor as of today, whether he is licensed. I would like to read the definition.

"Chiropractor means a system of locating misaligned or displaced vertebrae of the human spine and the adjustment by hand of much misaligned or displaced vertebrae."

That is from the president, or one of the heads of this group. Now the Medical Society presented me with this definition:

"Chiropractors should mean the system of locating misaligned or displaced vertebrae of the human spine and the adjustment by hand of such misaligned and displaced vertebrae."

Under this amendment, I would like to read to the Members of this House so they will understand what I am attempting to do. The term Chiropractor under the act amended as I am attempting to amend it will read this way:

"Chiropractic shall mean a system of locating misaligned or displaced vertebrae of the human spine, the examination preparatory to, and the adjustment by hand, of such misaligned or displaced vertebrae together with the use of scientific instruments of analysis in practical use at present."

I ask you, do you wish to give this Board a blank check or do you want to tell them what they are to do? You are the people to do this. I ask you to insert these amendments.

Mr. WATERHOUSE. Mr. Speaker, I certainly dislike to prolong this, I know the Members are all tired. But I would like to read, if they do not have the bill before them, page 2, lines 6 to 12 inclusive, and I will try to be fast:

"Chiropractor shall mean a practitioner of Chiropractic. Chiropractic shall mean a philosophy science and art of things natural with the human body—"
Now that is a very clear statement.

"—a system of locating misaligned or displaced vertebrae of the human spine the procedure preparatory to and the adjustment by hand of such misaligned or displaced vertebrae and other articulations and tissues of the human body together with the use of scientific instruments of analysis."

That is a very clearly stated section. It does not give them a blank check. It cannot be construed in any such way, if they are honest. But you can cut out and insert until you could get it to the point that a Chiropractor could not even put his hand on your elbow if it happened to be displaced, so to speak.

This section has been carefully studied by the head of the licensed Chiropractor's Association, by the Pennsylvania Society, and it certainly is not anything that we picked out of the clear air. I certainly hope that the Members of the House will sustain me in my plea, that they turn these amendments down.

Mr. PFAFF. Mr. Speaker, I rise to oppose the offered amendments. I base my opposition on the fact that this bill has received long and considered action in the Committee on Professional Licensure. The Chairman of our Committee has been uniformly fair in allowing the opponents and proponents of this bill to present their facts and—

Mr. SARRAF. Mr. Speaker, I am a member of the same Committee and I think we are talking about the definition of Chiropractor. I do not think the gentleman is speaking on the definition at all, or on the amendments.

Mr. PFAFF. Mr. Speaker, I am objecting to these proposed amendments. This bill has been considered carefully in the Committee. There was plenty of consideration, plenty of discussion, pro and con, and I think when the committee agreed to report this bill out it was the best possible bill that we could report from the Committee.

Mr. MAXWELL. Mr. Speaker, I very reluctantly take

the floor. I do not want to consume any more of the Members' time this afternoon than necessary and I want it understood very plainly very distinctly, that I am not opposed to the Chiropractic profession. I am very much in favor of Chiropractors. I think they have their rightful place in our community and I think they do a lot of good.

I am speaking on the amendments. I do not think that this definition of the art of Chiropractic is clear and I do not think that it definitely defines what they are to do. If the gentleman, Mr. Waterhouse, will please explain to me, and the Members of this House—Will the gentleman permit himself to be interrogated?

The SPEAKER. Will the gentleman from Erie, Mr. Waterhouse, permit himself to be interrogated?

Mr. WATERHOUSE. I will, Mr. Speaker.

Mr. MAXWELL. Mr. Speaker, not only for my own information, but I think the Members of this House should have this very clearly in their minds. On line eleven, where it says "and other articulations and tissues of the human body," will you please explain to me what "other articulations and tissues of the human body" will constitute and will allow a Chiropractor to do, please?

Mr. WATERHOUSE. Mr. Speaker, of course, in answer to the gentleman's question, I am not a Chiropractor but I will attempt to give him an intelligent answer.

Articulations, as I understand it, could be restricted circulatory, if you please; it could be pinched nerves; it could be most anything that might happen from a dislocated shoulder, elbow, ankle, wrist or what have you. It might not be only the bone structure that would be out of place but that in itself could very easily restrict other normal functions.

Mr. MAXWELL. Mr. Speaker, I do not like to take up the Members' time of this House, but I want the Members to clearly understand what they—vote for and I want Mr. Waterhouse to explain this.

Will you answer this question, Mr. Waterhouse? Suppose a man had a smashed hand or arm, fingers are broken, tissues are mutilated and he has a comminuted fracture we will say. Under this bill, the way this reads, articulation and any tissues of the body, could he take care of this injury?

Mr. WATERHOUSE. Mr. Speaker, he could not, and would not attempt it. That would definitely be a job for a surgeon or a medical man. There is not intent on the part of the authors of this bill, including myself, to delegate any such authority to a Chiropractor.

Mr. MAXWELL. Mr. Speaker, thank you. I have to disagree with the gentleman. When this reads as of now, when it says "and other articulations and tissues of the human body" if a man's hand is smashed, if it is broken, it is out of alignment, the tissues are out of alignment, he could under this definition replace that in the proper alignment, in normal alignment. I do not say that the Chiropractor would do that but the way this bill is written he could do it. Now, Mr. Speaker, I wish to further interrogate the gentleman.

Section 12, beginning lines eleven, and twelve; "with the use of scientific instruments of analysis," will you please explain what "scientific instruments of analysis mean?"

Mr. WATERHOUSE. I would be very glad to do that. In the school that is recognized by the State, they teach all the modalities including short wave, infra red, ultra violet ray, dehydration, coagulation with tonsils and hemorrhoids and so on and so forth, which are in no way connected with Chiropractic but are allowed under the present setup, and any of these instruments could be termed as scientific instruments of analysis. The usual scientific instrument of analysis is, of course, the pneumatometer, the X-ray and it has been said that electrocardiograph could be used. Some have said: Well if you let them use the X-ray, they could X-ray the stomach. Well, a store will X-ray your foot lots of time for a shoe. So I can see nothing in this definition that would allow them to do anything other than analysis. It certainly would not mean that they could take a knife and cut you open to see if you had gall stones, or something to that effect.

Mr. MAXWELL. Mr. Speaker, I thank the gentleman but I still do not think that the definition that he has given the Members of this House concerning scientific instruments is correct. Scientific instruments take in too broad a field, it is not clearly defined. I have no objection if he will state the types. If they want to use X-ray, let them use X-ray. May I ask the gentleman one more question? Would you consider a hypodermic needle that is injected into the spine, you tap the spine, you draw spinal fluid for analysis, would you consider that instrument a scientific instrument of analysis?

Mr. WATERHOUSE. I would not, I would consider that a treatment.

Mr. MAXWELL. Thank you, but I beg to differ with you. That would be a scientific instrument of analysis definitely.

Mr. WATERHOUSE. Mr. Speaker, in answer to the gentleman, I would see no reason why you could consider a hypodermic needle an instrument of analysis, in injecting one.

Mr. MAXWELL. Mr. Speaker, you do not inject, you draw the fluid for an analysis. That would definitely be a scientific instrument of analysis. Mr. Speaker, I thank the gentleman.

I do not want to take anymore time of the Members of this House, I think these amendments are good amendments. The amendments that Dr. Sarraf presented will clearly define this bill and keep the Chiropractors within their rights to practice, give them a license, and every body is going to be happy. I would ask the Members to vote for Dr. Sarraf's amendments in order to clear this whole situation up.

Mr. TAHL. Mr. Speaker, I would like to interrogate Dr. Sarraf.

The SPEAKER. Will the gentleman from Allegheny, Mr. Sarraf, permit himself to be interrogated?

Mr. SARRAF. I will, Mr. Speaker.

Mr. TAHL. Mr. Sarraf, are you a duly licensed physician?

Mr. SARRAF. I am.

Mr. TAHL. How long have you been practicing as a physician.

Mr. SARRAF. Twenty-six years.

Mr. TAHL. Now as a physician, will you tell us

whether or not in this definition the Chiropractor would have the right to do almost the same thing as any duly licensed physician?

Mr. SARRAF. I would say no, not exactly, Mr. Tahl, that they would be able to do what a Doctor or an MD. does, no. Not the terminology of this definition, no, sir. But if you will allow me to elaborate, it will permit the individuals who are licensed today, and licensed under this board that has been setup and with definition, much more than the Chiropractor as known today, whether licensed or unlicensed, is permitted to do in any state in the Union but two.

Mr. TAHL. I thank the gentleman.

Mr. WATERHOUSE. Mr. Speaker, very briefly, the question was brought up about the tissues. If you were not allowed to have anything to do with the treatment of tissues, you could not even work on the spine because that is covered by muscle and tissue. As far as this being far reaching and being such a broad definition that it would allow practically anything to be done by a chiropractic, that is just—I will not say mis-statements—but misinterpretation by people who possibly object to the idea of chiropractic in the first place. So, I still hope that the Members will not be misled by any of the statements that will defeat the amendments.

Mr. SARRAF. Mr. Speaker, I will be very very brief, in an attempt rather to help my colleague on the other side. It is very unfair to ask a layman what articulations are and his description of articulations is a way off the beam and as a Doctor and knowing anatomy, I will have to help him.

Articulation means anywhere where two bones meet. That is what articulation means to us. Now as far as tissues are concerned, that is a different item.

It specifically states in the portion which I attempted to remove "dispaced vetrebra and other articulations." Now that means every other point, as I just described to you, from your fingers to your toes, to your skull. The tissues of the human body are all the other structures of your body, nerves, muscles, tendons, everything.

I say to you this is a very, very broad definition, more that the chiropractor legitimately practicing has license to do. The illegitimate group that we are bringing is given more than they ever had, and more than the definition gives them in this State.

To help you with this, there is no real definition. We are putting into this bill a definition. I ask the House—I know you are tired. I am too. But this is very, very important I am not telling you to vote against the chiropractor. I am not saying that what he does is wrong or right. But you have a board set up and here you are giving them duties to perform. You are outlining a definite definition, if I can phrase it that way, and I think we as legislators should give them at least what they are doing today, the licensed or the unlicensed.

In my amendment I give them, to be truthful, a little more, because I read to you what the Doctor said should be in there. I read you what the Drugless Therapeutists said should be in there. Yet with all this, somebody seems to think there is something wrong.

I want everybody in this House to know that I sat with the Medical Profession this morning and we went

over this together and we leaned over backwards to put in this bill more than the man has today in this definition. If you pass this as it is defined here, I want to say to you that you are giving these people much more, and not being a lawyer myself, I do not know how far they will be able to go.

This Board with there three men licensed and two unlicensed, only two need to sit, and two are unlicensed. I want you to understand, if you will, what you are passing through this House. That is why I rise and insert these amendments if you will please go along with me.

MR. WOOD IN THE CHAIR

Mr. WATERHOUSE. Mr. Speaker, by accepting these amendments, you would spoil what is otherwise a very good bill and I certainly hope that the Members will see fit to vote "No" on the amendments.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Mr. Sarraf and Mr. Maxwell and were as follows:

YEAS—65

Amarando,	Guarnieri,	Mills,	Scanlon,
Berkstresser,	Headlee,	Monroe,	Schuster,
Boles,	Hersch,	Munley,	Seyler,
Bomberger,	Hoggard,	Musto,	Snider,
Brown,	Hunter,	Naugle,	Stoner,
Byrne,	Jenkins,	Needham,	Tahl,
Cochran,	Kamyk,	Peta,	Thompson, E. F.,
Conway,	Kolankiewicz,	Pichney,	Thompson, R. L.,
Corr,	Kornick,	Polaski,	Toll,
Costa,	Leven,	Polen,	Varallo,
Coyle,	Lopresti,	Reese,	Verona,
Davis,	Maxwell,	Rigby,	Wargo,
Dougherty,	Mazza,	Rose,	Wheeler,
Dunn,	McConnell,	Rosen,	Williams,
Fenrich,	McNally,	Rovasek,	Wilt,
Filip,	Mihm,	Sarraf,	Yester,
Filo,			

NAYS—96

Banker,	Frost,	Lelsey,	Reilly, J. M.,
Barkdoll,	Gaffney,	Light,	Riley, R. L.,
Baumunk,	Geer,	Limper,	Robertson,
Bear,	Gleason,	Lyons,	Royer,
Beech,	Goodling,	Madigan,	Schmidt,
Blair,	Graybill,	Markley,	Shoemaker,
Bloom,	Greer,	McCullough,	Shotwell,
Bolton,	Gutendorf,	McDermitt,	Sollenberger,
Boorse,	Guthrie,	McInroy,	Stimmel,
Bower,	Hall,	McKinney,	Swope,
Brelsch,	Hamilton, R. K.,	McMillen,	Taylor,
Breth,	Hamilton, W. H.,	Mikula,	Toomey,
Bucchini,	Harney,	Miller, H. G.,	VanSant,
Cella,	Helm,	Moore, C. E.,	Varnier,
Clapper,	Hocker,	Moore, H. A.,	Wachhaus,
Clendening,	Johnson,	Moran,	Waterhouse,
Cooper,	Jones, G. E.,	Muldowney,	Watkins,
Dalrymple,	Jones, J. M.,	Murray,	Weldner,
Dennison,	Jones, T. H. W.,	Najaka,	Wescott,
Dowling,	Jump,	Pfaff,	Westrick,
DuBois,	Keller,	Pitzer,	White,
Ewing,	Kline,	Price, H. W. Jr.,	Wood,
Ferster,	Kratz,	Price, R. A.,	Yeakel,
Firmstone,	Lederer,	Readinger,	Yetzer,

NOT VOTING—46

Andrews,	Kent,	Metz,	Scott,
Beaver,	Kohl,	Miller, J. C.,	Smith,
Duffy,	Kubacki,	Mintess,	Spencer,
Erb,	Lafore,	Olsen,	Stank,
Flack,	Leonard, L.,	Pengase,	Swartz,
Gibson,	Leonard, W. C.,	Petrosky,	Tompkins,
Good,	Loftus,	Pettigrew,	Welsh,
Greenwood,	Lovett,	Reagan,	Whalley,
Hagerty,	Lutty,	Reidenbach,	Young,
Haudenschild,	Madden,	Rubin,	Ziegler,
Hewitt,	McCormack,	Sax,	Sorg,
Jones, P. F.,	McGee,		Speaker

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The third and fourth sections were separately read and agreed to.

The fifth section was read.

On the question,

Will the House agree to the section?

Mr. REESE offered the following amendment:

Amend Sec. 5, page 4, line 17, by inserting after the word "equivalent" the following: "and not less than one year of college credits in physics, chemistry and biology."

Amend Sec. 5, page 5, line 10, by inserting after the word "EQUIVALENT" the following: "and not less than one year of college credits in physics, chemistry and biology."

On the question,

Will the House agree to the amendments?

Mr. WATERHOUSE. Mr. Speaker, I would oppose these amendments, if for no other reason than that the GI's from World War II, who matriculated the GI Bill of Rights, who have attended legally incorporated schools would, under this amendment, have to go back for further study and it would certainly work a hardship on any of those who have studied within the past few years.

This bill as it is written in Section 5 is very liberal and yet it is very exacting. The requirements are such that a person must have sufficient training, but would not be penalized, as they would be were these amendments to be accepted. For that reason I would ask the Membership to vote the amendments down. I will be willing to take the last roll call if that is agreeable to the gentleman presenting the amendments.

Mr. REESE. Mr. Speaker, under this bill which these amendments are to amend, present practitioners practicing under ten years, would be licensed; preliminary qualifications would be a high school education. Professional qualifications are practically two years of Chiropractics. Those requirements are very lenient, I would say. They are practically no requirements. These amendments simply add one year of college credits to meet professional requirements.

Mr. WATERHOUSE. Mr. Speaker, could I just take the gentleman to page 4, starting with line 6; it says "less than twenty more than ten, the last five" and so on and so forth, and that requires 2150 hours of class room, and then we go on "for at least one year, but less than ten." They must have a general education of not less than four years of high school or its equivalent and not less than 2550 hours of class room instruction in a legally incorporated and reputable school of chiropractic, which is only a few hours less than that required for a medical student, if you delete surgery and medication.

So I cannot quite get this thinking there that it only needs a high school when there are 2550 hours of study in an incorporated school.

Mr. REESE. Mr. Speaker, 2550 hours are equivalent to two college years.

Mr. WATERHOUSE. 2550 hours, Mr. Speaker, are equal to a four year course or an A.B. or a B.S. in time and study.

Mr. REESE. Not at a Chiropractic College.

Mr. SARRAF. I would like to interrogate the gentleman from Washington, Mr. Reese.

The SPEAKER pro tempore. Will the gentleman from Washington, Mr. Reese, permit himself to be interrogated?

Mr. REESE. I will, Mr. Speaker.

Mr. SARRAF. Mr. Speaker, Mr. Reese are you a recognized licensed chiropractor in this State at present?

Mr. REESE. I am.

Mr. SARRAF. Did you not to obtain your license have to return to Duquesne University or some school to fulfill the requirements?

Mr. REESE. Did.

Mr. SARRAF. That will be all. Thank you very much.

Mr. WATERHOUSE. Mr. Speaker, I do not think that had anything to do with these amendments. If we want to go back to requirements, the thing that happened in Philadelphia couldn't have happened under this bill.

Mr. SARRAF. Mr. Speaker, the gentleman is rather peculiar in his answers, in jumping to his feet. I rise to state that the gentleman is not speaking on the amendments at all. The Philadelphia situation, I did not hear a word of Philadelphia mentioned in the amendment.

My interrogation of this gentleman was to only portray one thing. He lived up to the qualifications, the standards remained high and they are high today, and this gentleman wishes to make them remain high for everybody. That was my interrogation.

I ask the Chair to please make his ruling up front if he will. I do not think the gentleman who sponsors the bill has any more privileges than any of us.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Mr. Reese and Mr. Rovanseck and were as follows:

YEAS—58

Amarando,	Hagerty,	Monroe,	Sarraff,
Boles,	Hersch,	Moran,	Scanlon,
Breth,	Hunter,	Musto,	Schuster,
Byrne,	Jenkins,	Penglase,	Seyler,
Cochran,	Jones, P. F.,	Peta,	Stoner,
Corr,	Kamyk,	Pettigrew,	Toill,
Coyle,	Kolankiewicz,	Polaski,	Varallo,
Davis,	Kornick,	Polen,	Verona,
Duffy,	Leonard, W. C.,	Price, H. W. Jr.,	Wargo,
Fenrich,	Leven,	Reese,	Welsh,
Fillip,	Lopresti,	Reidenbach,	Westrick,
Filo,	Mazza,	Rose,	Wheeler,
Gaffney,	McConnell,	Rosen,	Williams,
Greer,	McCullough,	Rovanseck,	Yester,
Guarnieri,	McNally,		

NAYS—96

Banker,	Ferster,	Lafore,	Rigby,
Barkdoll,	Flack,	Lederer,	Riley, R. L.,
Baumunk,	Frost,	Leisey,	Robertson,
Bear,	Gleason,	Light,	Royer,
Beaver,	Good,	Limper,	Schmidt,
Beech,	Goodling,	Madigan,	Shoemaker,
Berkstresser,	Graybill,	Markley,	Smith,
Bloom,	Gutendorf,	McCormack,	Soilenberger,
Bolton,	Guthrie,	McKinney,	Spencer,
Bomberger,	Hall,	McMillen,	Stimmel,
Boorse,	Hamilton, R. K.,	Mikula,	Swope,
Bower,	Hamilton, W. H.,	Miller, H. G.,	Thompson, R. L.,
Breisch,	Harney,	Moore, C. E.,	Tompkins,
Brown,	Haudenshield,	Moore, H. A.,	Toomey,
Buechin,	Helm,	Muldowney,	Varnier,
Clapper,	Hocker,	Najaka,	Wachhaus,
Clendenning,	Jones, J. M.,	Naugle,	Waterhouse,
Costa,	Jones, T. H. W.,	Pfaff,	Watkins,
Dalrymple,	Jump,	Pichney,	Weldner,
Dennison,	Keller,	Pitzer,	Wescott,
Dowling,	Kline,	Price, R. A.,	White,
DuBols,	Kohl,	Readinger,	Wood,
Dunn,	Kratz,	Reagan,	Yeakel,
Ewing,	Kubacki,	Reilly, J. M.,	Yetzer,

NOT VOTING—53

Andrews,	Johnson,	Mihm,	Snider,
Blair,	Jones, G. E.,	Miller, J. C.,	Stank,
Cella,	Kent,	Mills,	Swartz,
Conway,	Leonard, L.,	Mintess,	Tahl,
Cooper,	Loftus,	Munley,	Taylor,
Dougherty,	Lovett,	Murray,	Thompson, E. F.,
Erb,	Lutty,	Needham,	VanSant,
Firmstone,	Lyons,	Olsen,	Whalley,
Geer,	Madden,	Petrosky,	Wilt,
Gibson,	Maxwell,	Rubin,	Young,
Greenwood,	McDermitt,	Sax,	Ziegler,
Headlee,	McGee,	Scott,	Sorg,
Hewitt,	McInroy,	Shotwell,	Speaker
Hoggard,	Metz,		

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The sixth to eleventh sections inclusive were separately read and agreed to.

The twelfth section was read.

On the question,

Will the House agree to the section?

Mr. REESE offered the following amendment:

Amend Sec. 12, page 9, line 18, by inserting after the word "act" the following: "or a license issued by the State Board of Medical Education and Licensure prior to the effective date of this act."

On the question,

Will the House agree to the amendments?

Mr. WATERHOUSE. Mr. Speaker, I wonder if to save the time of the House, we could not have all the amendments that are going to be offered acted on as a group. Take one vote. I know that if we do not do that, we will be holding the Members here, it is 5:00 now and many of you have not even had your lunch. I am one of them and frankly I am getting a bit hungry.

The SPEAKER pro tempore. For the information of the gentleman, the amendments must be voted upon separately. The rules require taking bills up section by section.

On the question,

Will the House agree to the amendments?

The yeas and nays were required by Mr. Reese and Mr. Rovanseck and were as follows:

YEAS—58

Amarando,	Hagerty,	McNally,	Sarra,
Boles,	Hersch,	Monroe,	Scanlon,
Breth,	Hunter,	Moran,	Schuster,
Byrne,	Jenkins,	Musto,	Seyler,
Cochran,	Jones, P. F.,	Penglass,	Stoner,
Corr,	Kamyk,	Peta,	Toll,
Coyle,	Kolankiewicz,	Pettigrew,	Varallo,
Davis,	Kornick,	Polaski,	Verona,
Duffy,	Leonard, W. O.,	Polen,	Wargo,
Fenrich,	Leven,	Price, H. W. Jr.,	Welsh,
Filip,	Lopresti,	Reese,	Westrick,
Filo,	Mazza,	Reidenbach,	Wheeler,
Gaffney,	McConnell,	Rose,	Williams,
Greer,	McCullough,	Rosen,	Yester,
Guarnieri,		Rovanseck,	

NAYS—96

Banker,	Ferster,	Lafore,	Reilly, J. M.,
Barkdoll,	Flack,	Lederer,	Rigby,
Baumunk,	Frost,	Leisley,	Riley, R. L.,
Bea,	Gleason,	Light,	Robertson,
Beaver,	Good,	Limper,	Royer,
Beech,	Goodling,	Madigan,	Schmidt,
Berkstromer,	Graybill,	Markley,	Schoemaker,
Bloom,	Gutendorf,	McCormack,	Smith,
Bolton,	Guthrie,	McKinney,	Sollenberger,
Bombarger,	Hall,	McMillan,	Spencer,
Boorse,	Hamilton, R. K.,	Mikula,	Stimmel,

Bower,	Hamilton, W. H.,	Miller, H. G.,	Swope,
Brelsach,	Harney,	Moore, C. E.,	Thompson, R. L.,
Brown,	Haudenshield,	Moore, H. A.,	Tompkins,
Buchin,	Helm,	Muldowney,	Toomey,
Clapper,	Hocker,	Najaka,	Varner,
Clendening,	Jones, J. M.,	Naugle,	Wachhaus,
Costa,	Jones, T. H. W.,	Pfaff,	Waterhouse,
Dairymple,	Jump,	Pichney,	Watkins,
Dennison,	Keller,	Pitzer,	Weidner,
Dowling,	Kline,	Price, R. A.,	Weescott,
DuBois,	Kohl,	Readinger,	White,
Dunn,	Kratz,	Reagan,	Wood,
Ewing,	Kubacki,		Yeakel,
			Yetzer,

NOT VOTING—53

Andrews,	Johnson,	Mihm,	Snider,
Blair,	Jones, G. E.,	Miller, J. C.,	Stank,
Cella,	Kent,	Mills,	Swartz,
Conway,	Leonard, L.,	Mintess,	Tahl,
Cooper,	Loftus,	Munley,	Taylor,
Dougherty,	Lovett,	Murray,	Thompson, E. F.,
Erb,	Lutty,	Needham,	VanSant,
Firmstone,	Lyons,	Olsen,	Whalley,
Geer,	Madden,	Petrosky,	Wilt,
Gibson,	Maxwell,	Rubin,	Young,
Greenwood,	McDermitt,	Sax,	Ziegler,
Headlee,	McGee,	Scott,	Sorg,
Hewitt,	McInroy,	Shotwell,	Speaker
Hoggard,	Metz,		

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The thirteenth section was read.

On the question,

Will the House agree to the section?

Mr. REESE offered the following amendment:

Amend Sec. 13, page 10, lines 10, 11 and 12, by striking out the words "and satis-" on line 10, and all of lines 11 and 12.

On the question,

Will the House agree to the amendment?

Mr. WATERHOUSE. Mr. Speaker, could we by consent of the sponsor of the amendments take a previous vote and save the time of the House?

The SPEAKER pro tempore. If the gentleman is agreeable that may be done.

Mr. REESE. Mr. Speaker, I am agreeable to that.

On the question recurring,

Will the House agree to the amendment?

The yeas and nays were required by Mr. Reese and Mr. Rovanseck and were as follows:

YEAS—58

Amarando,	Hagerty,	Monroe,	Sarra,
Boles,	Hersch,	Moran,	Scanlon,
Breth,	Hunter,	Musto,	Schuster,
Byrne,	Jenkins,	Penglass,	Seyler,
Cochran,	Jones, P. F.,	Peta,	Stoner,
Corr,	Kamyk,	Pettigrew,	Toll,
Coyle,	Kolankiewicz,	Polaski,	Varallo,
Davis,	Kornick,	Polen,	Verona,
Duffy,	Leonard, W. C.,	Price, H. W. Jr.,	Wargo,
Fenrich,	Leven,	Reese,	Welsh,
Filip,	Lopresti,	Reidenbach,	Westrick,
Filo,	Mazza,	Rose,	Wheeler,
Gaffney,	McConnell,	Rosen,	Williams,
Greer,	McCullough,	Rovanseck,	Yester,
Guarnieri,	McNally,		

NAYS—96

Banker,	Ferster,	Lafore,	Rigby,
Barkdoll,	Flack,	Lederer,	Riley, R. L.,
Baumunk,	Frost,	Leisley,	Robertson,
Bea,	Gleason,	Light,	Royer,
Beaver,	Good,	Limper,	Schmidt,
Beech,	Goodling,	Madigan,	Schoemaker,

Berkstresser, Bloom, Bolton, Bomberger, Boorse, Bower, Breisch, Brown, Buccin, Clapper, Clendening, Costa, Dalrymple, Dennison, Dowling, DuBois, Dunn, Ewing,	Graybill, Gutendorf, Guthrie, Hall, Hamilton, R. E., Hamilton, W. H., Harney, Haudenschild, Helm, Hocker, Jones, J. M., Jones, T. H. W., Jump, Keller, Kline, Kohl, Kratz, Kubacki,	Markley, McCormack, McKinney, McMillen, Mikula, Miller, H. G., Moore, C. E., Moore, H. A., Muldowney, Najaka, Naugle, Pfaff, Pichney, Pitzer, Price, R. A., Readinger, Reagan, Reilly, J. M.,	Smith, Sollenberger, Spencer, Stimmel, Swope, Thompson, R. L., Tompkins, Toomey, Varner, Wachhaus, Waterhouse, Watkins, Weldner, Wescott, White, Wood, Yeakel, Yetzer,
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NOT VOTING—53

Andrews, Blair, Cella, Conway, Cooper, Dougherty, Erb, Firmstone, Geer, Gibson, Greenwood, Headlee, Hewitt, Hoggard,	Johnson, Jones, G. E., Kent, Leonard, L., Loftus, Lovett, Lutty, Lyons, Madden, Maxwell, McDermitt, McGee, McInroy,	Meiz, Mihm, Miller, J. C., Mills, Mintess, Munley, Murray, Needham, Olsen, Petrosky, Rubin, Sax, Scott,	Shotwell, Snider, Stank, Swartz, Tahl, Taylor, Thompson, E. F., VanSant, Whalley, Wilt, Young, Ziegler, Sorg,
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Speaker

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The SPEAKER pro tempore. Will the gentleman from Washington, Mr. Reese, withdraw the remainder of his amendments?

Mr. REESE. I will.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Sections fourteen to twenty-four inclusive and the title were separately read and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

THE SPEAKER (Herbert P. Sorg) IN THE CHAIR

JUDGE SCOTT WILLIAMS WELCOMED

The SPEAKER. The Chair is pleased to note the presence in the Hall of the House of Judge Scott Williams of the Court of Common Pleas of Lycoming County. He is the guest of the gentleman from Lycoming, Mr. Gleason.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection

House Bill No. 24, Printer's No. 182 and

House Bill No. 277, Printer's No. 185

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 541, as follows:

An Act to further amend Section 511 and Section 610 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An

act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by extending the time and increasing the fees for the issuance of special hauling and excessive size permits and increasing size for which permits may be issued

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 511 and Section 610 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the thirteenth day of May one thousand nine hundred forty-nine (P. L. 1322) are hereby further amended to read as follows

Section 511 Special Hauling Permits The fee for a special hauling permit which is issued for a single trip and which designates the route to be traversed as provided for in clause (a) of section six hundred and ten shall be five (\$5) dollars and two (\$0.02) cents per ton of two thousand (2000) pounds or fraction thereof of gross weight of vehicle and load for each mile or fraction thereof of length of haul payable to the authorities issuing such permit

The annual fee for a special permit which is issued for the license year and authorizes the operation or movement of heavy quarry equipment and machinery as provided for in clause (b) of section six hundred and ten shall be ten (\$10) dollars

The fee for a special permit which is issued for the period between the fifteenth day of June and the fifteenth day of [November] December of each year and authorizes the operation or movement of any oversize self-propelled combine as provided for in clause (c) of section six hundred and ten shall be ten dollars (\$10) for combines not exceeding one hundred fifty (150) inches in width and twenty-five dollars (\$25) for combines one hundred fifty-one (151) to one hundred sixty-six (166) inches in width

Section 610 Permits for Excessive Size and Weight The Secretary of Highways of this Commonwealth and local authorities in their respective jurisdiction may at their discretion upon application in writing accompanied by the fee provided in this act and good cause being shown therefor issue special permits in writing authorizing the applicant to operate or move upon any highway under

the jurisdiction of and for the maintenance of which the authorities granting the permit are responsible (a) a tractor or trailer of a size and weight exceeding the maximum specified in this act every such permit shall be issued for a single trip and shall designate the route to be traversed (b) any heavy piece of quarry equipment or machinery of a size and weight exceeding the maximum specified by this act across any highway from one part of a quarry to another or upon the highways connecting by the most direct route any quarries or portion of quarries under the single ownership or operation of such person this permit to be issued for the license year as provided by this act no such permit shall be issued for the movement of such equipment or machinery for a distance greater than one-half mile (c) any over-size self-propelled combine up to one hundred [fifty (150)] sixty-six (166) inches in width every such permit shall be issued for the period between the fifteenth day of June and the fifteenth day of [November] December both inclusive for the movement of such equipment during the daylight hours within a radius of ten (10) miles from the owner's home or farm At other times a permit for the movement of such equipment shall be granted as otherwise herein provided Any of the above permits shall be subject to such rules and regulations and any other conditions or restrictions including the obligation on the part of the permittee to restore or replace any section of highway or bridge damaged as a result of such movement whether or not the same was attributed to negligence on the part of the permittee as shall be deemed necessary by the authorities granting such permit Every such permit shall be carried in the vehicle to which it refers shall be open to inspection by any peace officer or person having collision with the tractor or trailer and shall be revokable at any time at the discretion of the official who issued the same

Penalty Any person operating or moving a tractor or trailer and its load of a size or weight exceeding the maximum specified in this act without first having obtained a permit or permits so to do shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty (\$50) dollars and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelschi,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchn,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,

Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Pengase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weldner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Bederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Fillip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lutty,	Rigby,	Yester,
Gaffney,	Lyons,	Riley, R. L.,	Yetzer,
Geer,	Madden,	Robertson,	Young,
Gibson,	Madigan,	Rose,	Ziegler,
Gleason,	Markley,	Rosen,	Sorg,
Good,		Rovansek,	Speaker

NAYS—0

NOT VOTING—1

Lovett,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 602, as follows:

An Act to reenact and amend the title and the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled as amended "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employees' Retirement System and for Pension Annuity Contracts and in certain other cases into the State Employees' Retirement Fund for certain purposes" by extending the benefits of the act to certain county police pension funds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled as amended "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employees' Retirement System and for Pension Annuity Contracts and in certain other cases into the State Employees' Retirement Fund for certain purposes" as last amended in part by the acts approved the sixth day of April one thousand nine hundred forty-five (P. L. 160) the fifth day of June one thousand nine hundred forty-seven (P. L. 433) the twentieth day of June one thousand nine hundred forty-seven (P. L. 720) the sixth day of April one thousand nine hundred forty-nine (P. L. 407) and the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1901) are hereby reenacted and further amended to read as follows

An Act

Providing for the payment by the State Treasurer [of one-half] of the amount of the tax on permiums paid by

foreign casualty insurance companies to the treasurers of the several cities boroughs towns [and] townships and certain counties and for the payment thereof into police pension funds and in certain cases into the Municipal Employees' Retirement System and for Pension Annuity Contracts and in certain other cases into the State Employees' Retirement Fund for certain purposes

Section 1 As used in this act the term

(1) "Municipality" means a city borough town or township

(2) "County" means any county having a police force separate and distinct from the police forces of the municipalities situate within the county

(3) "Participating Municipality" means a municipality in which provision is made through a Municipal Employees' Retirement Fund a Police Pension or Retirement Fund or a Pension Annuity Contract for the payment of pension retirement or disability benefits to the policemen employed by such municipality or to the dependents of such policemen

(4) "Participating County" means a county in which provision is made through a Municipal Employees' Retirement Fund a Police Pension or Retirement Fund or a Pension Annuity Contract for the payment of pension retirement or disability benefits to the policemen employed by such county or to the dependents of such policemen

(5) "Municipal Employees' Retirement Fund" means any pension or retirement fund established by a municipality or county to provide pension retirement or disability benefits to the policemen employed by such municipality or county or to dependents of such policemen including components of the retirement system provided for by the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 886) and amendments thereto

(6) "Police Pension Fund" means any pension or retirement fund established in any municipality or county and duly approved and recognized as such by the council commissioners or supervisors as the case may be of the municipality or county to provide pension retirement or disability benefits to the policemen employed by such municipality or county or to the dependents of such policemen

(7) "Pension Annuity Contract" means any contract made by a municipality or county or any Municipal Employees' Retirement Fund or Police Pension Fund of a municipality or county with an insurance or other authorized company to provide pension retirement or disability benefits to the policemen employed by such municipality or county or to the dependents of such policemen

(8) "Number of policemen" whether of a participating municipality of a participating county or of the Pennsylvania State Police means the average number of policemen employed by any such municipality county or in the Pennsylvania State Police as the case may be during the year preceding the receipt of the tax by the Commonwealth

(9) "Policeman" means a full time paid policeman or policewoman

Section 2 (a) On and after the first day of January one thousand nine hundred and forty-nine and annually thereafter there shall be paid by the State Treasurer to the treasurers of the several municipalities and counties within the Commonwealth and to the State Employees' Retirement Fund for State police pension and retirement purposes the entire amount received from the two per centum tax paid upon premiums by foreign casualty insurance companies

(b) The amounts to be distributed shall be allocated in accordance with the following formulae

Formula 1 Divide the total amount of said tax available for distribution by the population of the Commonwealth as shown by the last preceding decennial census of the United States to determine a quotient Multiply this quotient by the population of each participating municipality to determine the amount payable to the treasurer of such municipality under Formula 1

Formula 1a To determine the amount payable to a treasurer of any participating county sum the amounts payable to the treasurers of all participating municipalities within the participating county divide said sum by the total number of policemen of the participating municipalities with-

in the participating county to determine a quotient Multiply this quotient by the number of policemen of the participating county

Formula 2 Add the amounts payable to the treasurers of the participating municipalities under Formula 1 and the amounts payable to the treasurers of the participating counties under Formula 1a and divide the total by the sum of the number of policemen in all the said municipalities and the number of policemen in all the said counties to determine a quotient Multiply this quotient by the number of Pennsylvania State Police to determine the amount payable to the State Employees' Retirement Fund under Formula 2

Formula 3 Divide the balance of the tax available for distribution not allocated under Formulae 1 1a and 2 by the total number of policemen of the participating municipalities participating counties and the Pennsylvania State Police to determine a quotient Multiply this quotient by the number of policemen of each participating municipality to determine the amount payable to the treasurer of such municipality under Formula 3 Multiply the same quotient by the number of policemen of each participating county to determine the amount payable to the treasurer of such county under Formula 3 Multiply this same quotient by the number of State Police to determine the amount payable to the State Employees' Retirement Fund under Formula 3

(c) The following formulae illustrate the application of the foregoing methods of calculation wherein

"a" shall mean the total amount of tax for allocation

"b" shall mean the population of the Commonwealth

"c" shall mean the population of any municipality

"d" shall mean an amount payable to any municipal treasurer under Formula 1

"d1" shall mean total of amounts payable to all municipal treasurers under Formula 1

"e" shall mean number of policemen in all participating municipalities

"f" shall mean number of State police

"g" shall mean an amount payable to the State Retirement Fund under Formula 2

"h" shall mean number of policemen in any participating municipality

"i" shall mean an amount payable to any municipal treasurer under Formula 3

"i1" shall mean total of [accounts] amounts payable to all municipal treasurers under Formula 3

"k" shall mean an amount payable to the State Retirement Fund under Formula 3

"ci" shall mean the population of all participating municipalities within any participating county

"hi" shall mean the number of policemen of all participating municipalities within the participating county

"n" shall mean the number of policemen of any participating county

"nl" shall mean the number of policemen of all participating counties

"p" shall mean the amount payable to participating county under Formula 1a

"p1" shall mean total of amounts payable to all county treasurers under Formula 1a

"m" shall mean the amount payable to any county treasurer under Formula 3

"m1" shall mean total of amounts payable to all county treasurers under Formula 3

$$\begin{array}{l} \text{a} \\ 1 - X c = d \\ \text{b} \\ \text{a x n x ci} \\ 1a p = \frac{\quad}{\text{b x hi}} \\ \text{d1} \\ [2 - X f = g \\ \text{e} \end{array}$$

$$\begin{array}{r}
 a - (d1 + g) \\
 3 \text{ ————— } X b = i \\
 e + f \\
 a - (d1 + g) \\
 \text{—————} X f = k \\
 e + f \\
 \text{To prove } d1 + g + i1 + k = a
 \end{array}$$

$$\begin{array}{r}
 d1 + p1 \\
 2 \text{ ————— } X f = g \\
 e + n1 \\
 a - (1 + p1 + g) \\
 3 \text{ ————— } X h = i \\
 e + f + n1 \\
 a - (d1 + p1 + g) \\
 \text{—————} X f = k \\
 e + f + n1 \\
 a - (d1 + p1 + g) \\
 \text{—————} X n = m \\
 e + f + n1 \\
 \text{To prove } d1 + p1 + g + i1 + k + m1 = a
 \end{array}$$

(d) All moneys paid to the treasurer of any municipality or county shall be forthwith paid or credited to the pension or retirement fund or the premium on the pension annuity contract as the case may be to provide pension retirement or disability benefits for the policemen of such municipality or county or the dependents of such policemen. All moneys paid into the State Employee's Retirement Fund shall be credited in equal proportion to the State annuity accounts of the members of the State Police who are contributing members to such fund.

[The first allocation made under the provisions of this act shall include all moneys accumulated from the said one-half of the tax paid in premiums by foreign casualty insurance companies since the passage of the act to which this is an amendment]

(e) Warrants for the above purposes shall be drawn by the Auditor General payable to the treasurers of the several participating municipalities participating counties and to the State Employees' Retirement Fund in accordance with this act.

Section [1.1] 3 Every municipality or county which makes application and certifies that it has a police force comprising at least one full-time paid policeman but which does not have a Municipal Employees' Retirement Fund as provided in section one of this act shall be paid in the manner provided in this act the amount that would be allocated had the municipality or county made provision through a Municipal Employees' Retirement Fund a Police Pension or Retirement Fund all of which sum so allocated shall be expended by the municipal or county authorities to secure Pension Annuity Contracts for their policemen. Warrants for this purpose shall be drawn by the Auditor General payable to the treasurers of the municipalities or counties and the municipal or county authorities are hereby directed to use the allocations to forthwith secure Pension Annuity Contracts until such time as they shall have made provisions therefor through a Municipal Employees' Retirement Fund a Police Pension or Retirement Fund.

Section 2 The provisions of this reenactment and amendment shall apply to all moneys received from the aforesaid tax in the year one thousand nine hundred fifty-one and thereafter.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lutty,	Rigby,	Yester,
Gaffney,	Lyons,	Riley, R. L.,	Yetzer,
Geer,	Madden,	Robertson,	Young,
Gibson,	Madigan,	Rose,	Ziegler,
Gleason,	Markley,	Rosen,	Sorg,
Good,		Rovansek,	Speaker

NAYS—0

NOT VOTING—1

Lovett,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 614, Printer's No. 186 and

House Bill No. 730, Printer's No. 164

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 77, as follows:

An Act to further amend Section 319 of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by providing for the proration of attorney's fees and expenses in subrogation cases
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 319 of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" as last amended by the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 671) is hereby further amended to read as follows

Section 319 Where the compensable injury is caused in whole or in part by the act or omission of a third party the employer shall be subrogated to the right of the employee his personal representative his estate or his dependents against such third party [for the balance of any sum recovered in litigation or paid in compromise settlement after subtraction of reasonable attorney's fees and other proper disbursements but only] to the extent of the compensation payable under this article by the employer reasonable attorney's fees and other proper disbursements incurred in any litigation or in effecting a compromise settlement shall be prorated between the employer and employee his personal representative his estate or his dependents Any recovery against such third person in excess of the employer Any recovery against such third person in excess of the compensation theretofore paid by the employer shall be paid forthwith to the employee or to the dependents and shall be treated as an advance payment by the employer on account of any future instalments of compensation

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Amarando,	Goodling,	Maxwell,
Andrews,	Graybill,	Mazza,
Banker,	Greenwood,	McConnell,
Barkdoll,	Greer,	McCormack,
Baumunk,	Guarnieri,	McCullough,
Bear,	Gutendorf,	McDermitt,
Beaver,	Guthrie,	McGee,
Beech,	Hagerty,	McInroy,
Berkstresser,	Hall,	McKinney,
Blair,	Hamilton, R. K.,	McMillen,
Bloom,	Hamilton, W. H.,	McNally,
Boies,	Harney,	Metz,
Bolton,	Haudenschild,	Mihm,
Bomberger,	Headlee,	Mikula,
Boorse,	Helm,	Miller, H. G.,
Bower,	Hersch,	Miller, J. C.,
Brelsch,	Hewitt,	Mills,
Breth,	Hocker,	Mintess,
Brown,	Hoggard,	Monroe,
Buchlin,	Hunter,	Moore, C. E.,
Byrne,	Jenkins,	Moore, H. A.,
Cella,	Johnson,	Moran,
Clapper,	Jones, G. E.,	Muldowney,
Cledenning,	Jones, J. M.,	Munley,
Cochran,	Jones, P. F.,	Murray,
Conway,	Jones, T. H. W.,	Musto,
Cooper,	Jump,	Najaka,

Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Fillip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lutty,	Rigby,	Yester,
Gaffney,	Lyons,	Riley, R. L.,	Yetzer,
Geer,	Madden,	Robertson,	Young,
Gibson,	Madigan,	Rose,	Ziegler,
Gleason,	Markley,	Rosen,	Sorg,
Good,		Rovansek,	Speaker

NAYS—0

NOT VOTING—1

Lovett,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILLS PASSED OVER

There being no objection.

Senate Bill No. 195, Printer's No. 49

Senate Bill No. 215, Printer's No. 39 and

Senate Bill No. 217, Printer's No. 40

were passed over at the request of the SPEAKER.

RESOLUTION

CONDOLENCE

Mr. BRETH offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, April 4, 1951.

Death has invaded the ranks of the shrinking group of ex-legislators and on this occasion has beckoned Blake B. Shugarts.

Mr. Shugarts was politically active for many years in Democratic circles, having served as borough tax collector in Clearfield and as a Member of the House of Representatives from 1933 to 1938.

As a member of the American Legion and of the Veterans of Foreign Wars, Mr. Shugarts had a wide circle of "buddy" acquaintances.

In fraternal activities he was closely associated with the Red Men and served the order in the capacity of Great Sachem. His premature death at the age of fifty-four years has brought inconsolable sorrow to his surviving wife, his three children, his father, his two sisters, and two brothers; therefore be it

Resolved, That the House of Representatives express its sorrow at the death of one of its former members, and be it further

Resolved, That the Chief Clerk be instructed to transmit a copy of this resolution to his surviving widow, Mrs. Blake B. Shugarts, of Clearfield County, Pennsylvania.

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN
BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 237.

An Act to amend Section 714 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by further regulating the possession and transportation of big game.

SENATE BILL No. 339.

An Act to amend section 1408 of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled, as amended, "An act relating to the business of banking and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers and employees' mutual banking associations; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers and employees' mutual banking associations, and of the officers, directors, trustees, shareholders, attorneys, and other employees of all such corporations, employees' mutual banking associations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by making further provision concerning the effect of merger or consolidation of banking institutions.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 12.

An Act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in, and use of alcoholic liquors, alcohol and malt and brewed beverages, and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores; for the payment of certain license fees to the respective municipalities and townships; for the abatement of certain nuisances; and in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures providing for local option and repealing existing laws

SENATE BILL No. 237.

An Act to amend Section 714 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by further regulating the possession and transportation of big game

SENATE BILL No. 243.

An Act validating certain deeds bonds and mortgages and trust indentures executed and delivered by nonprofit corporations unless the validity thereof is raised by legal proceedings within a prescribed period of time

SENATE BILL No. 338.

An Act to amend clause (1) of subsection A of section 1412 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers directors trustees shareholders attorneys and other employees of all such corporations employees' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by revising the procedure for the conversion of banks and bank and trust companies into national banks

SENATE BILL No. 339.

An Act to amend section 1408 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers directors trustees shareholders attorneys and other employees of all such corporations employees' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by making further provision concerning the effect of merger or consolidation of banking institutions

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON
SENATE BILL No. 18

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 18, entitled:

An Act to amend Section 5 of the act approved the eleventh day of June one thousand nine hundred forty-seven (P. L. 565) entitled "An act providing compensation to certain persons who served in the military or naval forces of the United States or of any of her allies during World War II providing the method of making payment to representatives of persons who because of death or incapacity cannot personally receive compensation imposing certain duties on the Adjutant General making an appropriation and providing penalties" by extending the time during which applications may be filed for veterans' compensation.

And has appointed Messrs. Wolfe, Pechan and Bane a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

Mr. JOHNSON. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill No. 18 and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE
ON SENATE BILL No. 18

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. McMillen, Royer and Sarraf.

Ordered, That the Clerk inform the Senate accordingly.

ANNOUNCEMENT

CONCURRENT RESOLUTION No. 1951

To the General Assembly of Pennsylvania, Assorted Lobbyists, Legislative Engineers and Others.

File of the Pennsylvania Legislative Correspondents' Association

SUBJECT:

"Looking Ahead—Off the Record"

Whereas, The critical year of 1951 finds all of us at wit's end on the future course of events, and,

Whereas, Republicans and Democrats for a change are unanimous in their agreement on this point, and,

Whereas, It's about time we got some authoritative information before Pennsylvania's ship of state founders on the sharp rocks of misdirection, and,

Whereas, It's about time we got the real inside information from someone other than the elevator operators, Therefore be it

Resolved, That all captains of the Ship of State, provided they possess ten dollars, be admitted to the 28th biennial dinner of the Pennsylvania Legislative Correspondents' Association at the Penn Harris Hotel, Tuesday evening, April 24, 1951 at 7:30 o'clock postmeridian time to hear the real inside info on what's ahead of us on wages, prices, credit controls, rent controls and home financing from Federal Economic Stabilization Director Eric Johnston, erstwhile Czar of Hollywood who may in addition touch on the Red Menace in Hollywood, and be it further

Resolved, That Native, Naturalized and Alien, elective and self-appointed skippers of State who have the urge and the 10 dollars are hereby directed to obtain said tickets at the News Room in the State Capitol on a strictly first-come, first-served basis.

PUBLIC HEARING

There will be a Public Hearing before the Committee on Judiciary on the BB gun bills on Tuesday, April 10, at 10:00 a. m. in the new House Caucus Room.

ADJOURNMENT

Mr. RIGBY. Mr. Speaker, I move that this House do now adjourn until Thursday, April 5, 1951 at 10:00 a. m.

The motion was agreed to, and (at 5:13 p. m.) the House adjourned.

Legislative Journal.

Session 1951.

139th of the General Assembly.

Vol. 32.

HARRISBURG, PA., THURSDAY, APRIL 5, 1951.

No. 33.

HOUSE OF REPRESENTATIVES

THURSDAY, April 5, 1951

The House met at 10:00 a. m.

The SPEAKER (Herbert P. Sorg) in the Chair.

PRAYER

The Reverend Charles F. Trunk, Jr., guest Chaplain, pastor of the Bethlehem Luthern Church, Harrisburg, offered the following prayer:

Almighty and eternal God, Thou Who art Lord of our Life and the Hope of every nation, we thank Thee that Thou art mindful of us in our smallness. Give to us the knowledge of Thy presence so that we may be unified in good purpose even when divided in debate.

Help us to do that which is needed in the way that is best for all, answering only to pressure from Thee through the inspiration of Thy Son, in Whose Name we pray. Amen.

JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Wednesday, April 4, 1951? If not, and without objection, the Journal is approved.

BILLS INTRODUCED AND REFERRED

By Mr. BLAIR.

HOUSE BILL No. 940.

An Act to authorize counties, cities, boroughs, incorporated towns, townships, school districts, poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law; and to amend such claims when the property affected is not sufficiently described; and to file suggestions of nonpayment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims; and to revive judgments where the lien of such claims or the judgments thereon have been lost; and providing for the reinstatement of the liens of such claims and judgments.

Referred to the Committee on Judiciary.

By Mr. BUCCHIN.

HOUSE BILL No. 941.

An Act to add Article XI-A to the act, approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing for a written contract of employment with and regulating the discharge, suspension, fining and removal of nonprofessional employes in second, third and fourth class school districts; providing for appeals.

Referred to the Committee on Education.

By Messrs. GAFFNEY and MULDOWNEY.

HOUSE BILL No. 942.

An Act to further amend subsection (b) of Section 814 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles, and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners, of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporate towns, townships within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by prohibiting the use of sirens on any vehicle during the present emergency.

Referred to the Committee on Motor Vehicles.

By Messrs. MILLS and PETROSKY.

HOUSE BILL No. 943.

An Act making it a felony for any person under order of court for the support of his spouse or children to wilfully leave or abscond from the jurisdiction of such court or from the Commonwealth and prescribing penalties.

Referred to the Committee on Judiciary.

By Messrs. YOUNG and READINGER.

HOUSE BILL No. 944.

An Act to further amend section one of the act, approved the twentieth day of July, one thousand nine hundred seventeen (P. L. 1158), entitled "An act to fix, regulate, and establish the fees to be charged and received by constables in this Commonwealth, increasing the fees in certain cases.

Referred to the Committee on Judiciary.

By Mr. LEVEN.

HOUSE BILL No. 945.

An Act reinstating members of the Pennsylvania State Police Force heretofore summarily dismissed.

Referred to the Committee on State Government.

By Messrs. HELM and SOLLENBERGER.

HOUSE BILL No. 946.

An Act to amend Article X of the Act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending revising, consolidating and changing the laws relating thereto," by further providing for the appointment and removal of supervisors, their qualifications, term of office, duties, salary and method of filling vacancies.

Referred to the Committee on Education.

By Messrs. SOLLENBERGER and HELM.

HOUSE BILL No. 947.

An Act to amend Sections 1704, 1705 and 1707 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30), entitled, "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools, amending, revising, consolidating and changing the laws relating thereto" by further providing for voting by boards of school directors establishing and maintaining joint schools or departments, method of adopting budget and employing teachers.

Referred to the Committee on Education.

By Messrs. PETROSKY, WELSH, POLASKI and

BUCCIN

HOUSE BILL No. 948.

An Act to further amend Section 404 of the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937, P. L. 3897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by increasing benefits.

Referred to the Committee on Workmen's Compensation.

By Messrs. FLACK and GUTHRIE.

HOUSE BILL No. 949.

An Act authorizing cities, boroughs, incorporated towns and townships to abate certain interest charges and penalties added to municipal claims, imposed or assessed for certain improvements; prohibiting the sale of real property for the nonpayment of such claims for a certain period; preserving the liens of such claims and providing for the extension thereof.

Referred to the Committee on Municipal Corporations.

By Mr. STIMMEL.

HOUSE BILL No. 950.

An Act to amend section 1 of the act, approved the thirtieth day of March, one thousand nine hundred seventeen (P. L. 21) entitled "An act defining optometry; and relating to the right to practice optometry; and relating to the right to practice optometry in the Commonwealth of Pennsylvania, and making certain exceptions; and providing a Board of Optometrical Education, Examination, and Licensure, and means and methods whereby the right to practice optometry may be obtained; and providing for the means to carry out the provisions of this act; and providing for revocation or suspension of licenses given by

said board, and providing penalties for violations thereof; and repealing all acts or parts of acts inconsistent therewith," by further defining the practice of optometry and defining "optometrist."

Referred to the Committee on Professional Licensure.

By Mr. STIMMEL.

HOUSE BILL No. 951.

An Act to add Section 11.1 to the act, approved the thirtieth day of March, one thousand nine hundred seventeen (P. L. 21) entitled "An act defining optometry; and relating to the right to practice optometry in the Commonwealth of Pennsylvania, and making certain exceptions; and providing a Board of Optometrical Education, Examination, and Licensure, and means and methods whereby the right to practice optometry may be obtained; and providing for the means to carry out the provisions of this act; and providing for revocation or suspension of licenses given by said board, and providing penalties for violations thereof; and repealing all acts or parts of acts inconsistent therewith," by providing for acceptance of testimony of licensed optometrists by agencies and political subdivisions of the Commonwealth and providing for payment for services of optometrists.

Referred to the Committee on Professional Licensure.

By Messrs. GUTENDORF and JUMP.

HOUSE BILL No. 952.

An Act to amend the act, approved the twenty-second day of May, one thousand nine hundred forty-five (P. L. 837), entitled, as amended "An act providing for and requiring in certain cases preference in appointments to and retention in public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged; and in certain cases for the widows and wives of such persons," by putting part of the administration thereof under the executive director of the State Civil Service Act and part under the administration of the Department of Military Affairs; changing the provisions as to preference; providing right of appeal and providing penalties for certain misdemeanors.

Referred to the Committee on State Government.

By Messrs. SCOTT and DUNN.

HOUSE BILL No. 953.

An Act to provide revenue for the purpose of redeeming bonds of the Commonwealth issued to provide funds for the payment of World War II veterans' compensation by imposing a privilege tax upon the business of operating pipe lines for the transportation of natural gas within the Commonwealth; providing for the assessment and collection of the same and the settlement and resettlement thereof and appeals therefrom; prescribing penalties and providing for the disposition and use of the proceeds of such tax.

Referred to the Committee on Ways and Means.

By Mr. SCOTT.

HOUSE BILL No. 954.

An Act legalizing bowling and the operation of bowling alleys on Sunday when the electors of a municipality or township vote in favor of the same; prescribing penalties and repealing inconsistent laws.

Referred to the Committee on Law and Order.

By Mr. DALRYMPLE.

HOUSE BILL No. 955.

An Act to amend section 10 of the act, approved the twenty-third day of May, one thousand nine hundred forty-five (P. L. 903) entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and in such cities," by removing the limitations on contributions by the city.

Referred to the Committee on Cities—Third Class.

By Mr. DALRYMPLE.

HOUSE BILL No. 956.

An Act to add Section 1201.1 to the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an application and providing for refunds," by providing for traffic courts in cities of the third class.

Referred to the Committee on Cities—Third Class.

By Mr. BOMBERGER.

HOUSE BILL No. 957.

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for study and research, including archaeological excavations pertaining to the activities and glass works of the famous Pennsylvania ironmaster, glassmaker and townbuilder, (Henry William) Baron von Stiegel.

Referred to the Committee on Appropriations.

By Mr. BOMBERGER.

HOUSE BILL No. 958.

An Act to further amend subsections (a) of Sections 1016 and 1112 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," by changing the requirements for stop signs.

Referred to the Committee on Motor Vehicles.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 7.

An Act authorizing cities to establish and maintain common trust funds for the investment and reinvestment of the moneys of charitable uses or trusts, the charge or administration of which has been committed to their care, or of the estates of minors of which they may be guardians, providing for the administration of funds so established and prescribing the nature and kinds of investments which may be made therein.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 68.

An Act to validate and confirm certain contracts heretofore entered into by boards of school directors where there is no evidence of fraud or conspiracy, and to authorize, ratify, confirm and validate payments on such contracts by the school district.

Referred to the Committee on Education.

SENATE BILL No. 81.

An Act to amend the title and Sections 1, 2, 3 and 4 of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 302), entitled "An act providing for the admission of children to, and their education and maintenance in, and their discharge from the Pennsylvania Soldiers' Orphan School; prohibiting discharging children or taking children from said school, or children from leaving the same without an order of the Board of Trustees of the Pennsylvania Soldiers' Orphan School; and prescribing penalties," by changing the name of the Pennsylvania Soldier's Orphan School.

Referred to the Committee on Education.

SENATE BILL No. 405.

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the board of trustees of Warren State Hospital to acquire a certain tract of land with the building thereon adjacent thereto for the use of said hospital and making an appropriation therefor

Referred to the Committee on Appropriations.

SENATE BILL No. 416.

An Act to amend Section 704 of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing acts and parts of acts relating to corporations" by changing and clarifying the provisions with respect to payment of dividends from paid-in surplus

Referred to the Committee on Judiciary.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. SWARTZ for himself for today's session because of death in the family.

Mr. Gibson for Mr. MADIGAN for today's session.

Mr. Gutendorf for Mr. JUMP for today's session.

Mr. Scanlon for 29 members of the Democratic minority from Philadelphia for Monday's session.

REPORT FROM COMMITTEE

Mr. FERSTER from the Committee on Fisheries, reported as committed, House Bill No. 863, entitled:

An Act to further amend Sections 113 and 133 of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by further regulating fishing devises for game fish on the Delaware River between Pennsylvania and New Jersey.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. HELM asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

Mr. ROYER IN THE CHAIR

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 213, entitled:

An Act to further amend section one of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 477) entitled as amended "An act providing for the payment of the salary medical and hospital expenses of policemen and firemen by cities boroughs towns and townships who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period" by adding a presumption of relationship to employment of diseases of the heart and tuberculosis of the respiratory system and providing disability benefits for such conditions

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 218, entitled:

An Act to further amend section 30 of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of live stock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties" by increasing the maxi-

mum amounts of payments by the State and requiring additional proof of claims in certain cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 249, entitled:

An Act to further amend Section 504 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing that plans for public improvements in townships of the first class need not be submitted to the county planning commission

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 375, entitled:

An Act to further amend subsection (b) of Section 1103 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by authorizing townships of the first class to remove and impound vehicles

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 554, entitled:

An Act authorizing political subdivisions other than cities of the first and second classes and school districts of the first class and first class A to appoint and pay the compensation of employes to make an assessment list of all inhabitants or residents thereof over twenty-one years of age for taxation purposes

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 681, entitled:

An Act to further amend the title and Section 1 of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 477) entitled as amended "An act providing for the payment of the salary medical

and hospital expenses of policemen and firemen by cities boroughs towns and townships who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period" by extending the provisions thereof to park guards

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 721, entitled:

An Act to further amend clause (c) of Section 285 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish an damending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by authorizing the Board of Fish Commissioners to make certain expenditures with or without bids

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 811, entitled:

An Act to add section 1501.1 to the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by empowering township supervisors to compel connection with and use of sewer systems constructed by municipal authorities to impose penalties to enforce regulations and orders and to connect properties of owners failing or neglecting to make connection

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 821, entitled:

An Act requiring the employment by any political subdivision of unemployed owners of real estate situate within the political subdivision for the purpose of payment of the amount of unpaid taxes assessed against such real estate.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 839, entitled:

An Act to further amend sections one and two of the act approved the twenty-fifth day of June one thousand eight hundred ninety-five (P. L. 275) entitled "An act dividing the cities of this State into three classes with respect to their population and designating the mode of ascertaining and changing the classification thereof in accordance therewith" by classifying cities into five classes and providing for the government of cities of the third class

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration Senate Bill No. 201, entitled:

An Act to amend Section 1705 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by authorizing investment of sinking fund moneys in deposits insured by the Federal Deposit Insurance Corporation and in shares of building and loan or Federal savings and loan associations insured by the Federal Savings and Loan Insurance Corporation

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration Senate Bill No. 366, entitled:

An Act to further amend subsection A of Section 221 and to amend Section 241 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by extending non-resident fishing privileges to Canadians and redefining resident.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

THE SPEAKER (Herbert P. Sorg) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Lancaster, Mr. Royer for presiding.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 73, entitled:

An Act to amend Article V of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by permitting school directors to attend meetings of educational or financial interest to districts and providing for the payment of their expenses

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 268, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1046) entitled as amended "An act appropriating the moneys in the Motor License Fund" by providing for appropriations to the Department of Public Instruction for its expenses and payments to school districts in carrying out a driver-training program

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 270, entitled:

An Act to add section 2511.2 to the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for payments to school districts and vocational school districts on account of employment of highway safety education instructors

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 295, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by increasing the maximum per capita tax rate

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 466, entitled:

An Act requiring cities of the first class to make annual appropriations to Firemen's Pension Funds

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 491, entitled:

An Act to amend the title and further amend the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 733) entitled "An act to provide revenue in school districts of the first class by imposing a temporary tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county assessing authority board of revision of taxes receiver of school taxes county treasurer board of public education in such districts and courts providing for compensation to certain officers and employees and imposing penalties" by eliminating certain classes of taxable items providing that corporations limited partnerships and joint-stock associations holding certain taxable securities as mere custodian for the real owner shall not be taxed therefor and providing that the act shall apply only to school districts of the first class A

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 513, entitled:

An Act to amend section 2 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by providing that certain appeals may be taken to the court of common pleas of the county in which the aggrieved person resides

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 708, entitled:

An Act requiring certain non-profit and cooperative associations and corporations to obtain the approval of the Pennsylvania Public Utility Commission before beginning to furnish telephone service on a cooperative or non-profit basis or to furnish such service in areas not therefore served providing for regulation of such service after approval and conferring powers and imposing duties upon the Pennsylvania Public Utility Commission

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 755, entitled:

An Act to further amend Section 1208 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by regulating jurisdiction of magistrates aldermen and justices of the peace in civil actions arising from use of vehicles

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 16, entitled:

An Act to further amend clauses six, seven, twenty and twenty-three of section two of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities; and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings, conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies, and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by exempting from the provisions thereof transportation of pulpwood or chemical wood from woodlots.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration Senate Bill No. 318, entitled:

An Act authorizing counties of the second class to establish fire training schools for the paid and volunteer firemen of municipalities within the county.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection

House Bills No. 24, Printer's No. 182, and

House Bill No. 48, Printer's No. 183,
were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 256, as follows:

An Act to further amend Section 14 of the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 233) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the Bureau of Police in cities of the second class providing a pension fund for said employees and providing for the payment of certain dues fees assessments fines and appropriations thereto regulating membership therein creating a board for the management thereof providing the amount mode and manner of payment to beneficiaries thereof and for the care and disposition of said fund providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds organizations corporations or associations having the same or similar purposes and of such additional monies as may be necessary to carry out the provisions of this act" by changing the amount of pension payments to beneficiaries

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 14 of the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 233) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the Bureau of Police in cities of the second class providing a pension fund for said employees and providing for the payment of certain dues fees assessments fines and appropriations thereto regulating membership therein creating a board for the management thereof providing the amount mode and manner of payment to beneficiaries thereof and for the care and disposition of said fund providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds organizations corporations or associations having the same or similar purposes and of such additional monies as may be necessary to carry out the provisions of this act" as amended by the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 919) is hereby further amended to read as follows

Section 14 Beneficiaries under said fund shall be rated and classified and shall be entitled to receive from the fund per month the amounts indicated in the following table to-wit

Classification	Monthly Payments	
Superintendent of Police	[150.00]	\$175.00
Assistant Superintendent of Police	[135.00]	\$165.00
Inspector of Police	[120.00]	\$155.00
Inspector of Traffic	[120.00]	\$155.00
Inspector of Detectives	[120.00]	\$155.00
Police Investigator of Child Delinquency	[120.00]	\$155.00
Captain of Detectives	[115.00]	\$150.00
Captain of Police	[115.00]	\$150.00
Lieutenant of Detectives	[115.00]	\$145.00
Lieutenant of Police	[110.00]	\$145.00
Lieutenant of Traffic	[110.00]	\$145.00
Lieutenant of Motorcycles	[110.00]	\$145.00
City Detective	[110.00]	\$145.00
Sergeant of Police	[105.00]	\$140.00
Chief Identification Operator	[105.00]	\$135.00
Turnkey	[105.00]	\$135.00
Patrolman	[100.00]	\$135.00
Corneman	[100.00]	\$135.00
Motorcycle Patrolman	[100.00]	\$135.00
Morals Court Officer	[100.00]	\$135.00
Traffic Court Officer	[100.00]	\$135.00
Precinct Detective	[100.00]	\$135.00
Bertillion Operator	[100.00]	\$135.00
Radio Patrolman	[100.00]	\$145.00

Provided That the increases in pension payments herein provided shall be deemed cost-of-living increases and shall not be construed as a permanent and binding obligation of the pension fund which will in perpetuity entitle present and future pensioners to secure pensions predicated upon such increases Such increased pension schedule shall be subject to revision by the General Assembly in the event of a decline or a rise in the cost of living Provided That in no event shall any decrease in living costs result in decreasing the schedule of pension payments in effect prior to the passage of this amendment

The pensions for members holding positions not included in the above table shall be rated classified and determined by the board of managers in amounts proportionate to the pensions listed in the above table

No pension shall be granted or paid to any member based on the rank or position which he holds at the time of making application for pension unless he has held such rank or position for a period of one (1) year prior to the date of making such application

[The first pension payments to be made under this act shall be those for the month of October one thousand nine hundred and thirty-five which shall be payable on the third working day of November one thousand nine hundred and thirty-five] Pension payments [thereafter] hereafter shall always be payable on the third working day of each month and shall be for the preceding month

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Amarando,	Good,	Maxwell,	Rovansek,
Andrews,	Goodling,	Mazza,	Royer,
Banker,	Graybill,	McConnell,	Rubin,
Barkdoll,	Greenwood,	McCormack,	Sarraf,
Baumunk,	Greer,	McCullough,	Sax,
Bear,	Guarnieri,	McDermitt,	Scanlon,
Beaver,	Gutendorf,	McGee,	Schmidt,
Beech,	Guthrie,	McInroy,	Schuster,
Berkstresser,	Hagerty,	McKinney,	Scott,
Blair,	Hall,	McMillen,	Seyler,
Bloom,	Hamilton, R. K.,	McNally,	Shoemaker,
Boies,	Hamilton, W. H.,	Metz,	Shotwell,
Bolton,	Harney,	Mihm,	Smith,
Bomberger,	Haudenschild,	Mikula,	Snider,
Boorse,	Headlee,	Miller, H. G.,	Sollenberger,
Bower,	Helm,	Miller, J. C.,	Spencer,
Brelsch,	Hersch,	Mills,	Stank,
Breth,	Hewitt,	Mintess,	Stimmel,
Brown,	Hocker,	Monroe,	Stoner,
Bucchin,	Hoggard,	Moore, C. E.,	Swope,
Byrne,	Hunter,	Moore, H. A.,	Tahl,
Cella,	Jenkins,	Moran,	Taylor,
Clapper,	Johnson,	Muldowney,	Thompson, R. L.,
Clendenning,	Jones, G. E.,	Munley,	Toll,
Cochran,	Jones, J. M.,	Murray,	Tompkins,
Conway,	Jones, P. F.,	Musto,	Toomey,
Cooper,	Jones, T. H. W.,	Najaka,	VanSant,
Corr,	Kamyk,	Naugle,	Varallo,
Costa,	Keller,	Needham,	Varner,
Coyle,	Kent,	Olsen,	Verona,
Dalrymple,	Kline,	Penglase,	Wachhaus,
Davis,	Kohl,	Peta,	Wargo,
Dennison,	Kolankiewicz,	Petrosky,	Waterhouse,
Dougherty,	Kornick,	Pettigrew,	Watkins,
Dowling,	Kratz,	Pfaff,	Weidner,
DuBois,	Kubacki,	Pichney,	Welsh,
Duffy,	Lafore,	Pitzer,	Wescott,
Dunn,	Lederer,	Polaski,	Westrick,
Erb,	Leisey,	Polen,	Whalley,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Wheeler,
Fenrich,	Leonard, W. C.,	Price, R. A.,	White,
Ferster,	Leven,	Readinger,	Williams,
Fillo,	Light,	Reagan,	Wilt,
Filo,	Limper,	Reese,	Wood,
		Reidenbach,	Yeakel,

Firmstone,
Flack,
Frost,
Gaffney,
Geer,
Gibson,
Gleason,

Loftus,
Lopresti,
Lutty,
Lyons,
Madden,
Markley,

Reilly, J. M.,
Rigby,
Riley, R. L.,
Robertson,
Rose,
Rosen,

Yester,
Yetzer,
Young,
Ziegler,
Sorg,
Speaker

NAYS—0

NOT VOTING—5

Jump,
Lovett,

Madigan,

Swartz,

Thompson, E. F.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 269, Printer's No. 184,
was passed over at the request of the SPEAKER.

The SPEAKER. If there is no objection, House Bill No. 277, Printer's No. 185, will be passed over. Is there objection?

Mr. ANDREWS. Mr. Speaker, this bill is a debatable measure. If the sponsor desires to call it it is quite all right as far as we are concerned. Some members of the Democratic delegation in the House are opposed to it. We have no objections to its going over, until there is a full house. Or we have no objections to its being called at this time.

The SPEAKER. The Chair hears no objection, and the bill is passed over.

BILLS PASSED OVER

House Bill No. 368, Printer's No. 197, and
House Bill No. 369, Printer's No. 91,
were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 398, as follows:

An Act to further amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the bureau of fire in cities of the second class creating a board for the management thereof providing the mode and manner of payment to beneficiaries and for the care and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created" by changing the compensation of the Secretary-treasurer of the board and changing the amounts of contributions by members to the fund and changing the amounts of payments to beneficiaries

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five of the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the bureau of fire in cities of the second class creating a board for the management thereof providing the mode and manner of payment to beneficiaries and for the care and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards super-

seded by the fund and board herein created" as last amended by the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2635) is hereby further amended to read as follows

Section 5 The director of the department of public safety shall be the president of said board the chief clerk of the department of public safety shall be the secretary-treasurer of said board for the performance of which services he shall be paid the sum of [seventy-five] one hundred fifty dollars per month and the city solicitor shall be the attorney and legal counsel of said board but shall receive no additional compensation therefor The board shall elect from among its members a vice president who shall serve without compensation and shall perform the duties of the president during his absence

Section 2 Clause two of section nine and section twelve of said act as last amended by the act approved the thirteenth day of May one thousand nine hundred forty-nine (P. L. 1328) are hereby further amended to read as follows

Section 9 Any individual eligible to membership in such fund as aforesaid shall be required

* * * * *

(2) To contribute to said fund in accordance with his classification in the amounts indicate din the following schedule to-wit Chief Deputy Chiefs Battalion Chiefs and Chief of River Patrol of the Bureau of Fire and the Superintendents Chief Inspectors and Chief Wiring Inspectors of the Bureau of Electricity five per centum of the rated monthly salary or wages of the Battalion Chief of the Bureau of Fire all other classifications five per centum of his rated monthly salary or wages [which] All of said contributions from each individual shall be deducted from his salary or wages by the city controller from the payroll for the last half of each month and paid into the fund All beneficiaries of the fund shall in addition thereto pay the sum of one dollar a month into the said fund and in the case of active members the city controller shall deduct said contribution from the payroll of the last half of each month and the secretary of the fund shall deduct the sum of one dollar from the pension paid each pensioner The amount so collected shall be paid into the firemen's relief and pension fund and out of the funds of the firemen's relief and pension fund there shall be paid to the beneficiary of any deceased member of the fund the sum of one thousand two hundred dollars

When any member of the fund shall resign or be dismissed from service there shall be paid to him from the fund a sum of money equal to all dues paid by him into the fund without interest When any member of the fund shall die in active service there shall be paid from the fund a sum of money equal to all dues paid by him into the fund without interest to his widow if there be such widow or in the absence of such widow to such person or persons as he shall have designated on a form prepared and approved by the board for such purpose or in the absence of such widow and such designation to his estate When any beneficiary shall die before he has received pension payments equal in amount to his total contributions to the fund there shall be paid a sum of money equal to the difference between the amount of his said contributions and the amount he shall have received as pension payments without interest to his widow if there be such widow or in the absence of such widow to such person or persons as he shall have designated on a form prepared and approved by the board for such purpose or in the absence of such widow and such designation to his estate Regular employes shall serve at least fifteen days in each month and appear on both semi-monthly payrolls of said bureau of fire in said month in order to be credited for one month's eservice for pension under this act In the event however that such regular employe served one or more days in any month while serving as a substitute employe prior to becoming a regular employe such regular employe shall be given a full month's credit for the day or days in every month so served as a substitute Provided That the dues for each month so credited are paid in full

Section 12 Beneficiaries under said fund shall be rated and classified and shall be entitled to receive from the

fund per month the amounts indicated in the following table to-wit

	Classification	Composed of	Monthly Payments
I	Chief	Bureau of Fire	[\$150.00] \$175.00
	Superintendent	Bureau of Electricity	
II	Deputy Chiefs	Bureau of Fire	[\$130.00] \$165.00
	Deputy Superintendents	Bureau of Electricity	
III	Battalion Chiefs	Bureau of Fire	[\$11.00] \$155.00
	Chief of River Patrol	Bureau of Fire	
	Chief Inspectors	Division of Fire Prevention	
	Chief Wiring Inspectors	Bureau of Electricity	
IV	Training School Instructors	Bureau of Fire	[\$100.00] \$150.00
V	Captains	Bureau of Fire	[\$100.00] \$150.00
	Assistant Engineers	Bureau of Electricity	
	Supervisors of Construction	Bureau of Electricity	
	Fire Alarm Operators	Bureau of Electricity	
VI	Lieutenants	Bureau of Fire	[\$100.00] \$145.00
	Engineers	Bureau of Fire	\$135.00
	Pumpmen	Bureau of Fire	\$135.00
VII	Drivers	Bureau of Fire	[\$100.00] \$135.00
	Electric Wiring Inspectors	Bureau of Building Inspection	
VIII	Hose and Ladermen	Bureau of Fire	[\$100.00] \$135.00
	Aides	Bureau of Fire	
	Assistant Engineers	Bureau of Fire	
	Fire Alarm Box Inspectors	Bureau of Electricity	[\$100.00] \$135.00
	Police Bix Inspectors	Bureau of Electricity	
	Instrument Repairmen	Bureau of Electricity	
	Battery Men	Bureau of Electricity	
	Line Foremen	Bureau of Electricity	
	Lineman	Bureau of Electricity	
	Inspector	Bureau of Fire	
	Inspector	Division of Fire Prevention	

The classification of any applicant for retirement or disability pension shall be determined as follows

(1) If the applicant has held the position he holds at the time of making the application continuously for one year or more prior thereto pension shall be granted as of the classification into which such position falls

(2) If the applicant has not held such position continuously for one year or more pension shall be granted as of the classification into which the last preceding position which he held continuously for one year or more falls whether such classification is higher or lower than the classification of the position held by applicant at the time of making the application

[No application to become a beneficiary of the fund shall be filed or accepted until thirty days after the effective date of this act It is further provided that any member making such application who thereafter withdraws the same shall not be permitted to file a new application until one year after the date of the first application]

Section 3 The increases in pension payments provided by this amending act shall be deemed cost-of-living increases and shall not be construed as a permanent and binding obligation of the pension fund which will in perpetuity entitle present and future pensioners to secure pensions predicated upon such increases such increased pension schedule shall be subject to revision by the general assembly in the event of a decline or a rise in the cost of living provided that in no event shall any decrease in living costs result in decreasing the schedule of pension payments in effect prior to the passage of this amending act

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Amarando,	Good,	Maxwell,	Rovansek,
Andrews,	Goodling,	Mazza,	Royer,
Banker,	Graybill,	McConnell,	Rubin,
Barkdoll,	Greenwood,	McCormack,	Sarraf,
Baumunk,	Greer,	McCullough,	Sax,
Bear,	Guarnieri,	McDermitt,	Scanlon,
Beaver,	Gutendorf,	McGee,	Schmidt,
Beech,	Guthrie,	McInroy,	Schuster,
Berkstresser,	Hagerty,	McKinney,	Scott,
Blair,	Hall,	McMillen,	Seyler,
Bloom,	Hamilton, R. K.,	McNally,	Shoemaker,
Boles,	Hamilton, W. H.,	Metz,	Shotwell,
Bolton,	Harney,	Mihm,	Smith,
Bomberger,	Haudenschild,	Mikula,	Snider,
Boorse,	Headlee,	Miller, H. G.,	Sollenberger,
Bower,	Helm,	Miller, J. C.,	Spencer,
Brelsch,	Hersch,	Mills,	Stank,
Breth,	Hewitt,	Mintess,	Stimmel,
Brown,	Hocker,	Monroe,	Stoner,
Bucchin,	Hoggard,	Moore, C. E.,	Swope,
Byrne,	Hunter,	Moore, H. A.,	Tahl,
Cella,	Jenkins,	Moran,	Taylor,
Clapper,	Johnson,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, G. E.,	Munley,	Toll,
Cochran,	Jones, J. M.,	Murray,	Tompkins,
Conway,	Jones, P. F.,	Musto,	Toomey,
Cooper,	Jones, T. H. W.,	Najaka,	VanSant,
Corr,	Kamyk,	Naugle,	Varallo,
Costa,	Keller,	Needham,	Varner,
Coyle,	Kent,	Olsen,	Verona,
Dalrymple,	Kline,	Penglase,	Wachhaus,
Davis,	Kohl,	Peta,	Wargo,
Dennison,	Kolankiewicz,	Petrosky,	Waterhouse,
Dougherty,	Kornick,	Pettigrew,	Watkins,
Dowling,	Kratz,	Pfaff,	Weidner,
DuBois,	Kubacki,	Pichney,	Welsh,
Duffy,	Lafore,	Pitzer,	Wescott,
Dunn,	Lederer,	Polaski,	Westrick,
Erb,	Lelsey,	Polen,	Whalley,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Wheeler,
Fenrich,	Leonard, W. C.,	Price, R. A.,	White,
Ferster,	Leven,	Readinger,	Williams,
Flilp,	Light,	Reagan,	Wilt,
Filo,	Limper,	Reese,	Wood,
Firmstone,	Loftus,	Reidenbach,	Yeakel,
Flack,	Lopresti,	Reilly, J. M.,	Yester,
Frost,	Lutty,	Rigby,	Yetzer,
Gaffney,	Lyons,	Riley, R. L.,	Young,
Geer,	Madden,	Robertson,	Ziegler,
Gibson,	Markley,	Rose,	
Gleason,		Rosen,	Speaker

NAYS—0

NOT VOTING—5

Jump,	Madigan,	Swartz,	Thompson, R. L.,
Lovett,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 614, as follows:

An Act to amend section one thousand one hundred nine of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for qualifications of certain principals

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand one hundred nine of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 1109 Qualifications Every teacher employed to teach in the public schools of this Commonwealth must be a person of good moral character must be at least eighteen years of age and must be a citizen of the United States Provided That citizenship may be waived in the case of exchange teachers not permanently employed and teachers employed for the purpose of teaching foreign languages

Every principal appointed after August thirty-first one thousand nine hundred fifty-three employed in the public schools of this Commonwealth who devotes one-half or more of his time to supervision and administration shall be properly certificated by the Department of Public Instruction in accordance with such standards as the State Council of Education may establish and shall have at last three (3) years of teaching experience in the field for which such certificate is issued

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Amarando,	Good,	Maxwell,	Rovansek,
Andrews,	Goodling,	Mazza,	Royer,
Banker,	Graybill,	McConnell,	Rubin,
Barkdoll,	Greenwood,	McCormack,	Sarraf,
Baumunk,	Greer,	McCullough,	Sax,
Bear,	Guarnieri,	McDermitt,	Scanlon,
Beaver,	Gutendorf,	McGee,	Schmidt,
Beech,	Guthrie,	McInroy,	Schuster,
Berkstresser,	Hagerty,	McKinney,	Scott,
Blair,	Hall,	McMillen,	Seyler,
Bloom,	Hamilton, R. K.,	McNally,	Shoemaker,
Boles,	Hamilton, W. H.,	Metz,	Shotwell,
Bolton,	Harney,	Mihm,	Smith,
Bomberger,	Haudenschild,	Mikula,	Snider,
Boorse,	Headlee,	Miller, H. G.,	Sollenberger,
Bower,	Helm,	Miller, J. C.,	Spencer,
Brelsch,	Hersch,	Mills,	Stank,
Breth,	Hewitt,	Mintess,	Stimmel,
Brown,	Hocker,	Monroe,	Stoner,
Bucchin,	Hoggard,	Moore, C. E.,	Swope,
Byrne,	Hunter,	Moore, H. A.,	Tahl,
Cella,	Jenkins,	Moran,	Taylor,
Clapper,	Johnson,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, G. E.,	Munley,	Toll,
Cochran,	Jones, J. M.,	Murray,	Tompkins,
Conway,	Jones, P. F.,	Musto,	Toomey,
Cooper,	Jones, T. H. W.,	Najaka,	VanSant,
Corr,	Kamyk,	Naugle,	Varallo,
Costa,	Keller,	Needham,	Varner,
Coyle,	Kent,	Olsen,	Verona,
Dalrymple,	Kline,	Penglase,	Wachhaus,
Davis,	Kohl,	Peta,	Wargo,
Dennison,	Kolankiewicz,	Petrosky,	Waterhouse,
Dougherty,	Kornick,	Pettigrew,	Watkins,
Dowling,	Kratz,	Pfaff,	Weidner,
DuBois,	Kubacki,	Pichney,	Welsh,
Duffy,	Lafore,	Pitzer,	Wescott,
Dunn,	Lederer,	Polaski,	Westrick,
Erb,	Lelsey,	Polen,	Whalley,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Wheeler,
Fenrich,	Leonard, W. C.,	Price, R. A.,	White,
Ferster,	Leven,	Readinger,	Williams,
Flilp,	Light,	Reagan,	Wilt,
Filo,	Limper,	Reese,	Wood,
Firmstone,	Loftus,	Reidenbach,	Yeakel,
Flack,	Lopresti,	Reilly, J. M.,	Yester,
Frost,	Lutty,	Rigby,	Yetzer,
Gaffney,	Lyons,	Riley, R. L.,	Young,
Geer,		Robertson,	Ziegler,

Gibson, Madden, Rose, Sorg,
Gleason, Markley, Rosen, Speaker

NAYS—0

NOT VOTING—5

Jump, Madigan, Swartz, Thompson, R. L.,
Lovett,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 730, as follows:

An Act to further amend Section 501 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by regulating the issuance of resident hunters' licenses for antlerless deer for the hunting of antlerless deer and eliminating the provisions for special permits for antlerless deer and for abrogation of open season on antlerless deer

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (c) of Section 501 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" as last amended by the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 810) is hereby further amended to read as follows

Section 501 Open Seasons After investigation or information otherwise obtained by the commission as to the annual game supply the commission may by appropriate rules and regulations a summary of which shall be published as hereinafter specified fix seasons shooting hours and daily season and possession limit or remove protection and declare an open season or increase reduce or close seasons or increase or reduce bag limits for all species of game birds and game animals throughout the Commonwealth or in any part thereof or limit the number of hunters in any designated area and prescribe the methods of hunting therein when in its opinion such action is necessary to assure the maintenance of an adequate supply of such species or when an unbalanced sex ratio exists which in its opinion should be corrected or when in the opinion of the commission such additional open season will not jeopardize the future supply of game

Resident Hunters' Licenses for Antlerless Deer If in any year the commission by resolution declares an open season for antlerless deer it [may in its discretion] shall issue resident hunters' licenses for antlerless deer to hunt for or kill such deer at a fee of one dollar and ten cents under such rules and regulations governing the issuance of such licenses as it may deem necessary to limit the number of persons who may hunt for such deer in any county of the Commonwealth provided public notice of such action is given as hereinafter required Such licenses may be issued only to holders of resident hunting licenses

Resident hunters' licenses for antlerless deer shall be issued only by the Department of Revenue and by the county treasurers in counties where such deer may be hunted and killed who for that purpose are hereby made agents of the Department of Revenue

For services rendered in collecting and paying over fees and issuing licenses such agents may retain the sum of ten cents from the amount paid by each licensee which amount shall be paid into the county treasury except that

such agents may retain therefrom any amounts necessary to reimburse them for any expenses including compensation of employees incurred in collecting such fees and issuing such licenses

Forty per cent of all antlerless deer licenses shall be made available for issuance by the Department of Revenue The remaining sixty per cent shall be made available for issuance by the county treasurers of the county in which such licenses are to be used

When such licenses are issued to restrict the number of persons who may hunt antlerless deer in any county of the Commonwealth any citizen of the United States residing within the Commonwealth who is a bona fide owner or lessee of lands which lie within the county declared open to the hunting of said deer or any member of the family or household or regularly hired help of such owner or lessee if such person is a citizen of the United States actually residing upon and cultivating such lands is hereby declared eligible to hunt antlerless deer without a resident hunter's license for antlerless deer upon said property and by and with the consent of the owner thereof upon the lands immediately adjacent and connected with his own lands other than lands owned by or under the control of the Commonwealth

The term "antlerless deer" and "deer without visible antlers" as used in this subsection or any other provision of the Game Law which this act amends are hereby defined to mean a deer without an antler sometimes called horn the term "antler" as herein used or in any other provision of the Game Law which this act amends meaning the bony growth on the head of a deer regardless of its size or development

When the commission adopts and promulgates such rules and regulations relative to resident hunters' licenses for antlerless deer it is unlawful for any person other than a landowner or lessee of the county or a member of his household as hereinbefore enumerated to hunt for antlerless deer without resident hunters' license for antlerless deer or to take such deer contrary to the rules and regulations adopted by the commission

Section 2 Subsection (d) of Section 501 of said act is hereby repealed

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Amarando,	Good,	Maxwell,	Rovansek,
Andrews,	Goodling,	Mazza,	Royer,
Banker,	Graybill,	McConnell,	Rubln,
Barkdoll,	Greenwood,	McCormack,	Sarraf,
Baumunk,	Greer,	McCullough,	Sax,
Bear,	Guarnieri,	McDermitt,	Scanlon,
Beaver,	Gutendorf,	McGee,	Schmidt,
Beech,	Guthrie,	McInroy,	Schuster,
Berkstresser,	Hagerty,	McKinney,	Scott,
Blair,	Hall,	McMillen,	Seyler,
Bloom,	Hamilton, R. K.,	McNally,	Shoemaker,
Boles,	Hamilton, W. H.,	Metz,	Shotwell,
Bolton,	Harney,	Mihm,	Smith,
Bomberger,	Haudenshield,	Mikula,	Snider,
Boorse,	Headlee,	Miller, H. G.,	Sollenberger,
Bower,	Helm,	Miller, J. C.,	Spencer,
Breisch,	Hersch,	Mills,	Stank,
Breth,	Hewitt,	Mintess,	Stimmel,
Brown,	Hocker,	Monroe,	Stoner,
Bucchin,	Hoggard,	Moore, C. E.,	Swope,
Byrne,	Hunter,	Moore, H. A.,	Tahl,
Cella,	Jenkins,	Moran,	Taylor,
Clapper,	Johnson,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, G. E.,	Munley,	Toll,
Cochran,	Jones, J. M.,	Murray,	Tompkins,
Conway,	Jones, P. F.,	Musto,	Toomey,
Cooper,	Jones, T. H. W.,	Najaka,	VanSant,
Corr,	Kamyk,	Naugle,	Varallo,

Costa,	Keller,	Needham,	Varner,
Coyle,	Kent,	Olsen,	Verona,
Dalrymple,	Kline,	Penglase,	Wachhaus,
Davis,	Kohl,	Peta,	Wargo,
Dennison,	Kolankiewicz,	Pettigrew,	Waterhouse,
Dougherty,	Kornick,	Pfaff,	Watkins,
Dowling,	Kratz,	Pichney,	Weidner,
DuBois,	Kubacki,	Pitzer,	Welsh,
Duffy,	Lafore,	Polaski,	Wescott,
Dunn,	Lederer,	Polen,	Westrick,
Erb,	Lelsey,	Price, H. W. Jr.,	Whalley,
Ewing,	Leonard, L.,	Price, R. A.,	Wheeler,
Fenrich,	Leonard, W. C.,	Readinger,	White,
Ferster,	Leven,	Reagan,	Williams,
Fillip,	Light,	Reese,	Wilt,
Filo,	Limper,	Reidenbach,	Wood,
Firmstone,	Loftus,	Reilly, J. M.,	Yeakel,
Flack,	Lopresti,	Rigby,	Yester,
Frost,	Lutty,	Riley, R. L.,	Yetzer,
Gaffney,	Lyons,	Robertson,	Young,
Geer,	Madden,	Rose,	Ziegler,
Gibson,	Markley,	Rosen,	Sorg,
Gleason,			Speaker

NAYS—1

Petrosky,

NOT VOTING—5

Jump,	Madigan,	Swartz,	Thompson, R. L.,
Lovett,			

The majority required by the Constitution having voted in the affirmative the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

Senate Bill No. 195, Printer's No. 49 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 215, as follows:

An Act to further amend Section 30 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by increasing the legal size of pickerel that may be taken from inland waters

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 30 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" as last amended by the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 834) is hereby further amended to read as follows

Section 30 Legal Sizes. No person shall have in possession except as in this article otherwise provided any

(a) Charr commonly called brook trout or any species of trout except lake trout less than six inches in length

(b) Black bass or small mouth bass or large mouth bass otherwise called Oswego green or yellow bass less than nine inches in length

(c) Pike-perch otherwise called wall-eyed pike or Susquehanna salmon less than twelve inches in length.

(d) Pickerel less than [twelve] fifteen inches in length

(e) [Muscallongel] Muskellunge western and northern pike less than twenty-two inches in length

(f) Rockfish or striped-bass less than twenty inches in length

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Amarando,	Good,	Maxwell,	Rovansek,
Andrews,	Goodling,	Mazza,	Royer,
Banker,	Graybill,	McConnell,	Rubin,
Barkdoll,	Greenwood,	McCormack,	Sarraf,
Baumunk,	Greer,	McCullough,	Sax,
Bear,	Guarnieri,	McDermitt,	Scanlon,
Beaver,	Gutendorf,	McGee,	Schmidt,
Beech,	Guthrie,	McInroy,	Schuster,
Berkstresser,	Hagerty,	McKinney,	Scott,
Blair,	Hall,	McMillen,	Seyler,
Bloom,	Hamilton, R. K.,	McNally,	Shoemaker,
Boles,	Hamilton, W. H.,	Metz,	Shotwell,
Bolton,	Harney,	Mihm,	Smith,
Bomberger,	Haudenschild,	Mikula,	Snider,
Boorse,	Headlee,	Miller, H. G.,	Sollenberger,
Bower,	Helm,	Miller, J. C.,	Spencer,
Breisch,	Hersch,	Mills,	Stimmel,
Breth,	Hewitt,	Mintess,	Stoner,
Brown,	Hocker,	Monroe,	Swope,
Buccin,	Hoggard,	Moore, C. E.,	Tahl,
Byrne,	Hunter,	Moore, H. A.,	Taylor,
Cella,	Jenkins,	Moran,	Thompson, E. F.,
Clapper,	Johnson,	Muldowney,	Toll,
Clendenning,	Jones, G. E.,	Munley,	Tompkins,
Cochran,	Jones, J. M.,	Murray,	Toomey,
Conway,	Jones, P. F.,	Musto,	VanSant,
Cooper,	Jones, T. H. W.,	Najaka,	Varallo,
Corr,	Kamyk,	Naugle,	Varnier,
Costa,	Keller,	Needham,	Verona,
Coyle,	Kent,	Olsen,	Wachhaus,
Dalrymple,	Kline,	Penglase,	Wargo,
Davis,	Kohl,	Peta,	Waterhouse,
Dennison,	Kolankiewicz,	Pettigrew,	Watkins,
Dougherty,	Kornick,	Pfaff,	Weidner,
Dowling,	Kratz,	Pichney,	Welsh,
DuBois,	Kubacki,	Pitzer,	Wescott,
Duffy,	Lafore,	Polaski,	Westrick,
Dunn,	Lederer,	Polen,	Whalley,
Erb,	Lelsey,	Price, H. W. Jr.,	Wheeler,
Ewing,	Leonard, L.,	Price, R. A.,	White,
Fenrich,	Leonard, W. C.,	Readinger,	Williams,
Ferster,	Leven,	Reagan,	Wilt,
Fillip,	Light,	Reese,	Wood,
Filo,	Limper,	Reidenbach,	Yeakel,
Firmstone,	Loftus,	Reilly, J. M.,	Yester,
Flack,	Lopresti,	Rigby,	Yetzer,
Frost,	Lutty,	Riley, R. L.,	Young,
Gaffney,	Lyons,	Robertson,	Ziegler,
Geer,	Madden,	Rose,	Sorg,
Gibson,	Markley,	Rosen,	Speaker
Gleason,			

NAYS—0

NOT VOTING—5

Jump,	Madigan,	Swartz,	Thompson, R. L.,
Lovett,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 217 as follows:

An Act assenting to the provisions of the act of Congress entitled "An act to provide that the United States shall aid the States in fish restoration, and management projects and for the other purposes" approved August

ninth one thousand nine hundred and fifty and conferring certain powers and duties on the Pennsylvania Fish Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Commonwealth of Pennsylvania hereby assents to the provisions of the act of Congress entitled "An act to provide that the United States shall aid the States in fish restoration and management projects and for other purposes" approved August ninth one thousand nine hundred and fifty (Public No 681 81st Congress) and the Pennsylvania Fish Commission is hereby authorized empowered and directed to perform such acts as may be necessary to the conduct and establishment of cooperative fish restoration projects as defined in said act of Congress in compliance with said act and rules and regulations promulgated by the Secretary of the Interior thereunder.

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Amarando,	Good,	Maxwell,	Rovanse,
Andrews,	Goodling,	Mazza,	Royer,
Banker,	Graybill,	McConnell,	Rubin,
Barkdoll,	Greenwood,	McCormack,	Sarraf,
Baumunk,	Greer,	McCullough,	Sax,
Bear,	Guarnieri,	McDermitt,	Scanlon,
Beaver,	Gutendorf,	McGee,	Schmidt,
Beech,	Guthrie,	McInroy,	Schuster,
Berkstresser,	Hagerty,	McKinney,	Scott,
Blair,	Hall,	McMillen,	Seyler,
Bloom,	Hamilton, R. K.,	McNally,	Shoemaker,
Boles,	Hamilton, W. H.,	Metz,	Shotwell,
Bolton,	Harney,	Mihm,	Smith,
Bomberger,	Haudenschild,	Mikula,	Snider,
Boorse,	Headlee,	Miller, H. G.,	Sollenberger,
Bower,	Helm,	Miller, J. C.,	Spencer,
Brelsich,	Hersch,	Mills,	Stank,
Breth,	Hewitt,	Mintess,	Stimmel,
Brown,	Hocker,	Monroe,	Stoner,
Bucclin,	Hoggard,	Moore, C. E.,	Swope,
Byrne,	Hunter,	Moore, H. A.,	Tahl,
Cella,	Jenkins,	Moran,	Taylor,
Clapper,	Johnson,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, G. E.,	Munley,	Toll,
Cochran,	Jones, J. M.,	Murray,	Tompkins,
Conway,	Jones, P. F.,	Musto,	Toomey,
Cooper,	Jones, T. H. W.,	Najaka,	VanSant,
Corr,	Kamyk,	Naugle,	Varallo,
Costa,	Keller,	Needham,	Varner,
Coyle,	Kent,	Olsen,	Verona,
Dalrymple,	Kline,	Penglase,	Wachhaus,
Davis,	Kohl,	Peta,	Wargo,
Dennison,	Kolankiewicz,	Petrosky,	Waterhouse,
Dougherty,	Kornick,	Pettigrew,	Watkins,
Dowling,	Kratz,	Pfaff,	Weidner,
DuBois,	Kubacki,	Pichney,	Welsh,
Duffy,	Lafore,	Pitzer,	Wescott,
Dunn,	Lederer,	Polaski,	Westrick,
Erb,	Lelsey,	Polen,	Whalley,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Wheeler,
Fenrich,	Leonard, W. C.,	Price, R. A.,	White,
Fenster,	Leven,	Readinger,	Williams,
Filip,	Light,	Reagan,	Wilt,
Flo,	Limper,	Reese,	Wood,
Firmstone,	Loftus,	Reidenbach,	Yeakel,
Flack,	Lopresti,	Reilly, J. M.,	Yester,
Frost,	Lutty,	Rigby,	Yetzer,
Gaffney,	Lyons,	Riley, R. L.,	Young,
Geer,	Madden,	Robertson,	Ziegler,
Gibson,	Markley,	Rose,	Sorg,
Gleason,		Rosen,	Speaker

NAYS—0

NOT VOTING—5

Jump,
Lovett,

Madigan,

Swartz,

Thompson, R. L.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

RESOLUTION

CONGRATULATIONS

Messrs. TOLL, TAYLOR, BYRNE, WELSH, LEVEN, SCANLON, CONWAY and POLASKI offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, April 5, 1951.

Tomorrow, Friday, April 6, 1951, is the birthday of a distinguished member of this House. He is gracing this chamber for his fifth term and is a valued member of this honorable assembly. He is a veteran of World War I and active in veteran affairs. He is married and has five sons, four of whom are in the Army and one is in college in Boston. He is an optometrist by profession and is President of the Polish Citizens League.

It is in honor of such an outstanding citizen and legislator, Dr. Leon J. Kolankiewicz, that congratulations are offered. Therefore be it

Resolved, That the members of the House of Representatives congratulate Dr. Leon J. Kolankiewicz and express our sincere hope that he will be with us for many years in the future and that his family will be spared and enjoy good fortune, and be it further

Resolved, That a copy of this resolution be forwarded to Dr. Leon J. Kolankiewicz.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Kolankiewicz.

Mr. KOLANKIEWICZ. Mr. Speaker, I do want to thank the Members of the House that presented the resolution. I thought this year I would be able to get away without any resolutions. However, the time had appeared, I know, because some of the boys took me out last night. They treated me just as though I were a young lady. However, I am very grateful to them and to the Members of this House.

RESOLUTION

CONGRATULATIONS

Mr. ZIEGLER offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, April 4, 1951.

All boys from 5 to 105 enjoy a circus, and the Members of this House are not exceptions, for there is something about a circus that makes it incomparable entertainment.

The 4th Annual Zembo Shrine's Circus with its excellent programming, timing, color, and performers, with its gifted clowns, gorgeous gals, rousing band, talented trained animals,—and all the rest—is a super-colossal production that leaves pleasant memories with all its spectators; everyone who invites his friend to this show is a friend indeed; now therefore be it

Resolved, (by the House of Representatives) That We hereby thank Mr. A. E. O'Brien and the Associated Penna. Constructors for their generous hospitality in inviting the members of this House as their guests to the 4th Annual Zembo Shrine Circus; and be it further

Resolved, That We hereby congratulate everyone connected with bringing to Harrisburg and carrying on this magnificent spectacle which is for the benefit of such a worthy cause; and be it further

Resolved, That the Chief Clerk of the House of Representatives shall transmit copies of this resolution to Mr. A. E. O'Brien and to the Associated Penna. Constructors.

BILLS INTRODUCED AND REFERRED

By Mr. COSTA

HOUSE BILL No. 959

An Act to further amend the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 252), entitled, as amended, "An act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," by further regulating and limiting the issuance of distributors' and importing distributors' licenses and further regulating sales by licensees.

Referred to the Committee on Liquor Control.

By Mr. SCOTT

HOUSE BILL No. 960

An Act to amend Section 8 of the act, approved the first day of May, one thousand nine hundred seven (P. L. 135) entitled "An act relating to the appointment of stenographers and assistant stenographers to report proceedings in the several courts of common pleas, and orphans' courts, courts of oyer and terminer and general jail delivery, and courts of quarter sessions of the peace, of this Commonwealth, as well as before commissioners, masters, and special masters in chancery, referees, examiners, auditors, and other officers; prescribing their powers and duties and when such reports shall be evidence of the facts reported; prescribing their compensation and allowances for expenses, when the same shall be paid by the county wherein such stenographers or assistant stenographers are employed, and when by the parties to such proceedings; and repealing an act, entitled 'An act directing the appointment of official stenographers in the several civil courts of this Commonwealth; authorizing the appointment of stenographers by examiners, masters, referees, commissioners, and auditors; authorizing the appointment of assistant stenographers; repealing 'An act to authorize the appointment of stenographers in the several courts of this Commonwealth, prescribing their duties and fixing their compensation,' approved May fifteenth, one thousand eight hundred and seventy-four; repealing 'An act to authorize the appointment of stenographers in the several courts of this Commonwealth, prescribing their duties and fixing their compensation,' approved May eighth, one thousand eight hundred and seventy-six, and repealing 'An act defining the duty of court stenographers in the several counties in this State,' approved June tenth, one thousand eight hundred and eighty-one,' approved the twenty-fourth day of May, one thousand eight hundred and eighty-seven; but such repeal not to revive any law repealed by the said act of twenty-fourth of May, one thousand eight hundred and eighty-seven," by increasing the compensation of official stenographers for copies of stenographic notes.

Referred to the Committee on Judiciary.

By Mr. PETROSKY

HOUSE BILL No. 961

An Act prohibiting persons engaged in the business of selling or reselling new or used automobiles from selling or reselling the same, or accessories sold therewith at prices in excess of the retail prices established or suggested by the manufacturers; requiring such persons to display at their place of business the manufacturer's established or suggested retail price and to keep records of the prices at which they purchase and sell the same, and records of the orders received from, and filled for customers requiring a duplicate bill of sale, showing the consideration received, to be delivered to the purchaser; providing for the revocation of dealers' licenses and imposing penalties for violations.

Referred to the Committee on Motor Vehicles.

By Messrs. KENT and SCOTT HOUSE BILL No. 962

An Act authorizing the Supreme Court and the Superior Court to appoint and fix the compensation of reporters of their decisions, and to approve the appointment and compensation of assistants and employees appointed by said reporters; and repealing certain acts.

Referred to the Committee on Judiciary.

By Mr. SCOTT

HOUSE BILL No. 963

An Act relating to and regulating the practice of the profession of public accounting; providing for the licensing and registration of persons practicing said profession and the suspension and revocation of said licenses and registrations for violation of this Act, subject to appeal and for their reinstatement; creating the State Board of Examiners for the Licensing of Public Accountants and describing the powers and duties of that Board and the Department of Public Instruction; providing for ownership of working papers; defining unlawful acts and acts not unlawful; prescribing penalties and repealing inconsistent laws.

Referred to the Committee on Professional Licensure.

By Messrs. PETROSKY, LOVETT, GUTHRIE and
HELM

HOUSE BILL No. 964

An Act making an appropriation to the Department of Highways for the erection and construction of ramp over the tracks of the Pennsylvania Railroad in the Borough of West Leechburg and for the construction of the necessary approaches thereto.

Referred to the Committee on Highways.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, what I have to say I will say in the Democratic caucus. It is becoming increasingly difficult to arrange a calendar in conformity with the wishes of Members who are not present. I am of course, the servant of the Democratic caucus, but as, if and when the Members hand the Floor Leader a list of four or five bills that they would like to hold over and then depart, one gets a hold-over list in the interest of Members who are not here. And, I wish to repeat, it is becoming increasingly difficult to arrange a calendar in the interests of the Members who are not present.

It will be my purpose to cooperate with any Member on either side that may not want a particular bill called

if he is in the House. Because then we can ascertain the reasons why he does not want the bill called. But for a Member to leave a memoranda that he does not want a particular bill called and then depart to attend to his private business certainly places the floor leadership in a difficult position.

I simply want to say that we cannot continue in-

definitely arranging calendars to suit the convenience of Members who are not present in the Hall of the House.

ADJOURNMENT

Mrs. COYLE. Mr. Speaker, I move that this House do now adjourn until Monday, April 9, 1951, at 4.30 p. m.

The motion was agreed to, and (at 10.59 a. m.) the House adjourned.

Legislative Journal.

Session 1951.

139th of the General Assembly.

Vol. 32.

HARRISBURG, PA., MONDAY, APRIL 9, 1951.

No. 34.

SENATE

MONDAY, April 9, 1951.

The Senate met at 3:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair

PRAYER

The Chaplain, Rev. GILBERT L. BENNETT, Pastor of the First Methodist Church, Huntingdon, Pennsylvania, offered the following prayer:

O Divine Shepherd, Who has prepared green pastures and still waters for the restoration of Thy people, lead us, we pray Thee, in the paths of peace. Lift us above fretfulness and care. Deliver us from strain and stress. Bestow upon us the spirit of calm and grant that our ordered lives may reflect the beauty of Thy peace. We offer our prayer in the name of Him who gave the peace that passeth all understanding. Amen,

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. SCARLETT, further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 9, 1951.

Mr. ROBINSON. Mr. President, I second the motion. The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 9, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the dates shown:

To compute from date of confirmation

ALLEGHENY COUNTY

Edwin A. Austen, Etna.
Hubert E. Harkins, Pittsburgh, 12 N. Diamond St., West.
Mrs. Olive Jackson, Pittsburgh, 2600 Wylie Ave.
Miss Mary G. McCarrick, Pittsburgh, 355 Fifth Ave.
Valentino F. Munizza, Pittsburgh, 3532 Frazier St.

BEDFORD COUNTY

Roy G. Allison, Saxton.

BERKS COUNTY

Mrs. Muriel D. Thalmer, Reading.
Mrs. Hanna Rhoads Weidman, Reading.

CAMBRIA COUNTY

J. W. Fisher, Dean Twp., Ashville.

CAMERON COUNTY

Miss Rena M. Miller, Emporium.

CARBON COUNTY

Mrs. Marie M. Henritz, Mahoning Twp., Lehighton.

CRAWFORD COUNTY

Mrs. Rosanna G. Bodamer, Titusville.

DAUPHIN COUNTY

Elton B. Crouse, Harrisburg.
Miss Frances Lapides, Harrisburg.
D. E. McMinn, Middletown.

DELAWARE COUNTY

Richard D. Mendham, Upper Darby Twp., Upper Darby.

LACKAWANNA COUNTY

Harry J. Atno, Carbondale.

McKEAN COUNTY

Miss Mary Curcio, Bradford.

MONTGOMERY COUNTY

Samuel K. Cohen, Lower Merion Twp., Bala-Cynwyd.

NORTHAMPTON COUNTY

William Calvin Davis, Easton.

PHILADELPHIA COUNTY

Tina Davis, 5338 Haverford Ave.
 Francis X. Ennis, 1517-21 S. 52nd St.
 Robert F. Kelly, 3570 Frankford Ave.
 Walter N. Kennedy, 760 N 25th St.
 Philip J. Kohn, 1620 N. 11th St.
 Harry B. Ladner, 630 Widener Bldg.
 Miss Doris R. Lovette, Barrett Div., 36th & Grays Ferry Ave.
 Joseph J. Mondelblatt, 4707 Stenton Ave.
 Seamon Schlesinger, J. D. Schlesinger & Sons, N.W. Cor. 22nd & Norris Sts.
 William J. Smart, 2407 Fairmount Ave.
 Miss Alice M. Wright, 2101 DeLancey Place.

WASHINGTON COUNTY

Miss Janet E. Adams, Washington.

WAYNE COUNTY

Mrs. Gladys K. Wrighter, Starrucca.

WESTMORELAND COUNTY

Mrs. Helen S. Buzzard, Irwin.

YORK COUNTY

Harold K. Good, Dallastown.

To compute from the dates set opposite their names

DELAWARE COUNTY

Miss B. J. Kinnear, Upper Darby Twp., Upper Darby, 4-16-51.

LUZERNE COUNTY

Joseph Belcastro, Wilkes-Barre, 4-19-51.

DELAWARE COUNTY

Joseph Zeitzeff, Chester, 4-20-51.

ERIE COUNTY

Carl G. Wright, Erie, 4-27-51.

Miss Anna I. Saeger, Erie, 4-28-51.

JEFFERSON COUNTY

Miss Marie F. Lindsay, Punxsutawney, 4-28-51.

PHILADELPHIA COUNTY

Benjamin Boory, 2436 N. Stanley St., 4-28-51.

SOMERSET COUNTY

Miss Margaret E. Zeigler, Somerset, 4-28-51.

ARMSTRONG COUNTY

Harry I. McGregor, Rayburn Twp., Kittaning, 4-29-51.

DAUPHIN COUNTY

Mrs. Mary F. Summers, Harrisburg, 4-30-51.
 Geo. W. VanWagner, Harrisburg, 5-1-51.

PHILADELPHIA COUNTY

Mrs. G. W. Gelzer, 40 S. 19th St., 5-3-51.

ALLEGHENY COUNTY

Charles O. Anderson, McKeesport, 5-4-51.

MONTGOMERY COUNTY

Perry Greenspan, Abington Twp., Roslyn, 5-4-51.

ALLEGHENY COUNTY

O. E. Romig, Pittsburgh, 234 Atwood St., 5-5-51.
 Owen B. Yeckley, Sewickley, 5-5-51.

DELAWARE COUNTY

Mrs. Theresa C. Marvel, Chester, 5-5-51.

ELK COUNTY

Francis E. Simons, St. Marys, 5-5-51.

JEFFERSON COUNTY

Mrs. Frances E. DeMotte, Brookville, 5-5-51.

PHILADELPHIA COUNTY

Arthur R. Pasquarella, 2938 Germantown Av., 5-5-51.
 Miss Jean E. Scharer, 21 N. 5th St., 5-5-51.
 Mrs. Helen E. Skinner, 4038 Chestnut St., 5-5--51.

WESTMORELAND COUNTY

Richard A. Pennington, Vandergrift, 5-5-51.

ALLEGHENY COUNTY

Miss D. M. Regan, Pittsburgh, 1501 First Nat'l. Bank Bldg., 5-6-51.

BERKS COUNTY

Howard J. Dietrich, Kutztown, 5-6-51.

WARREN COUNTY

R. J. Weigle, Warren, 5-6-51.

ALLEGHENY COUNTY

Lz. E. Powers, Pittsburgh, 1561 W. Liberty Av., 5-7-51.

BERKS COUNTY

Mrs. Marguerite Murphy, Reading, 5-7-51.

DAUPHIN COUNTY

Lester W. Martin, Middletown, 5-7-51.

McKEAN COUNTY

Joseph H. Ertz, Bradford, 5-7-51.

YORK COUNTY

Miss Geraldine Whitcomb, York, 5-7-51.

CLINTON COUNTY

Mrs. Bessie L. Lintz, Lock Haven, 5-8-51.

LANCASTER COUNTY

Robert Eberly Longenecker, Clay Twp., Clay, 5-8-51.

PHILADELPHIA COUNTY

Mrs. Madeleine J. Rogers, 121 S. Broad St., 5-8-51.

JOHN S. FINE.

A motion was made by Mr. WALKER and Mr. ROBINSON,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blam,	Kessler,	Peeler,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letalor,	Rosenfeld,	Watkins,

Freed,
Dent,
Diehm,
DiSilvestro,
Fleming,

Mahany,
Mallery,
McCreesh,
McGinnis,
McMenamin,

Ruth,
Scarlett,
Silvert,
Snowden,

Watson,
Wolfe,
Wood,
Yosko,

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

MEMBERS OF THE ARMSTRONG COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 9, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Armstrong County Board of Assistance:

Paul R. Newcomb (Republican), Kittanning, from December 5, 1949, until December 31, 1951, and until his successor is duly appointed and qualified.

Quincy G. Vincent (Republican), 412 Thirteenth Street, Ford City, to serve until December 31, 1953, and until his successor is duly appointed and qualified, vice Earl D. Artman, Ford City, whose term expired.

JOHN S. FINE.

HOUSE MESSAGES

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED BY THE SENATE TO SENATE BILL No. 18, AND APPOINTS COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives being introduced, informed the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 18, entitled:

An Act to amend Section 5 of the act approved the eleventh day of June, one thousand nine hundred forty-seven (P. L. 565), entitled "An act providing compensation to certain persons who served in the military or naval forces of the United States or of any of her allies during World War II; providing the method of making payment to representatives of persons who, because of death or incapacity, cannot personally receive compensation; imposing certain duties on the Adjutant General; making an appropriation, and providing penalties," by extending the time during which applications may be filed for veterans' compensation.

and has appointed Messrs. McMILLEN, ROYER and SARRAF as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

HOUSE CONCURS IN SENATE BILL No. 215

He also returned to the Senate, Senate Bill No. 215, entitled:

An Act to further amend Section 30 of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by increasing the legal size of pickerel that may be taken from inland waters.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 217

He also returned to the Senate, Senate Bill No. 217, entitled:

An Act assenting to the provisions of the Act of Congress, entitled "An act to provide that the United States shall aid the States in fish restoration and management projects, and for other purposes," approved August ninth, one thousand nine hundred and fifty, and conferring certain powers and duties on the Pennsylvania Fish Commission.

with the information that the House has passed the same without amendments.

SENATE BILL No. 77 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 77, entitled:

An Act to further amend Section 319 of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by changing the employer's right of subrogation.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on tomorrow's Calendar.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 256, entitled:

An Act to further amend sections 10 and 14 of the act, approved the twenty-second day of May, one thousand nine hundred thirty-five (P. L. 233), entitled "Policemen's Relief and Pension Fund Law," by changing and fixing the amount of members' contributions and pension payments to beneficiaries.

Which was committed to the Committee on Local Government.

House Bill No. 398, entitled:

An Act to further amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the bureau of fire in cities of the second class creating a board for the management thereof providing the mode and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created" by chang-

ing the compensation of the Secretary-Treasurer of the Board and changing the amounts of contributions by members to the fund and changing the amounts of payments to beneficiaries.

Which was committed to the Committee on Local Government.

House Bill No. 541, entitled:

An Act to further amend Section 511 and Section 610 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled "Tractor Code," by extending the time and increasing the fees for the issuance of special hauling and excessive size permits and increasing size for which permits may be issued.

Which was committed to the Committee on Highways.

House Bill No. 602, entitled:

An Act to reenact and amend the title and the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled as amended "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employees' Retirement System and for Pension Annuity Contracts and in certain other cases into the State Employees' Retirement Fund for certain purposes" by extending the benefits of the act to certain county police pension funds.

Which was committed to the Committee on Local Government.

House Bill No. 614, entitled:

An Act to amend section one thousand one hundred nine of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by providing for qualifications of principals.

Which was committed to the Committee on Education.

House Bill No. 730, entitled:

An Act to further amend Section 502 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," by further regulating the issuance of permits for the hunting of antlerless deer and repealing the provisions for abrogation of open season on antlerless deer.

Which was committed to the Committee on Forests and Waters, Game and Fish.

PRESENTATION OF MEMBERS OF YOUNG REPUBLICAN CLUB OF DICKINSON COLLEGE

Mr. WADE. Mr. President, I would like to introduce to the Senate a group of visitors today, headed by Mr. William Britton. The group is from the Young Republican Club of Dickinson College, and included in their number is a representative from Japan, one from Sweden, one from Germany and one from New Zealand.

I, therefore, Mr. President, take great pleasure in introducing this group to you and to the Members of the Senate.

The PRESIDENT. Will the guests of Senator Wade please rise in place and take a bow?

PRESENTATION OF THE SENIOR CLASS OF MESSIAH COLLEGE

Mr. WADE. Mr. President, may I again announce to you and the Members of the Senate that we are honored today by a visit from the Senior Class of Messiah College, which is located in Grantham, Pennsylvania, in Cumberland County.

The PRESIDENT. Will the guests of Senator Wade please rise in place and take a bow? ?

REPORT FROM COMMITTEE

Mr. PEELOR, from the Committee on Elections, reported as committed, Senate Bill No. 432, entitled:

An Act to amend the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests: creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county board of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by providing for nominations and elections of county officers in counties about to undergo a change in classification, and imposing certain duties upon county commissioners, county boards of elections, and others.

BILL INTRODUCED AND REFERRED

Mr. WATSON read in his place and presented to the Chair Senate Bill No. 481, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by defining "antique motor vehicle" and authorizing the operation of such vehicles with limitations as to use of lighting equipment in certain cases.

Which was committed to the Committee on Highways.

SENATE CONCURRENT RESOLUTION

TIME OF NEXT MEETING

Mr. PEELOR offered the following resolution, which was twice read, considered and agreed to:

In the Senate, April 9, 1951.

Resolved (if the House of Representatives concur) That

when the Senate adjourns this week it reconvene on Monday, April 16, 1951, at three o'clock, p. m., E.S.T.; and when the House of Representatives adjourns this week it reconvene on Monday, April 16, 1951, at four-thirty o'clock, p. m., E.S.T.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

CALENDAR

THIRD READING CALENDAR

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 126, on third reading, entitled:

An Act to amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further regulating insurance companies, associations and inter-insurance exchanges and their investments, policy provisions, joint policies, premium tax returns and the licensing of foreign companies and repealing existing law.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order

The Senate proceeded to the third reading and consideration of Senate Bill No. 127 as follows:

An Act to further amend section 15 and to amend section 29 of the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and fore their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" by regulating the transfer of excess insurance funds to the expense and other funds and providing for the consolidation of any society's funds further regulating reports of valuation of death benefit fund obligations regulating reserves and contributions for benefits

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 15 of the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L.

1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" as amended by the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 686) is hereby further amended to read as follows

Section 15 Funds Securities The funds from which benefits shall be paid and the funds from which expenses of the society shall be defrayed shall be derived from regular monthly or other periodical rates of contribution paid by the members of the society and accretions of said funds as apportioned in accordance with the constitution and laws of the society and no part of any funds set aside for the payment of benefits shall be used for expenses or other purposes [that would impair the valuation of the certificates herein provided] except that any such society having admitted assets as shown by its last annual statement filed with the Insurance Commissioner in excess of one hundred per cent of its entire liabilities including its required reserves computed on a net tabular basis may transfer or allocate such excess insurance funds to the expense or other funds of the society in accordance with its constitution and by-laws but the amount so transferred in any calendar year shall not exceed five per cent of the total premium income of such society during the next preceding calendar year Any such society having admitted assets as shown by its last annual statement filed with the Insurance Commissioner in excess of one hundred per cent of its entire liabilities including its required reserves computed on a net tabular basis not lower than the American Experience Table of Mortality with an interest rate of three and one-half per cent may in accordance with its constitution and by-laws provide for the consolidation of its various funds and may report its transactions accordingly provided that no expenses will be incurred that would impair the reserve base or bases which it is using Except as herein otherwise allowed every domestic society shall invest its funds only in securities and in the manner permitted by the laws of this Commonwealth for the investment of the funds of life insurance companies and in securities of Federal savings and loan associations or of other institutions to the extent that such investment is guaranteed by the United States Government or any instrumentality thereof Unless the approval of the Insurance Commissioner shall be first obtained in writing no domestic society shall keep or maintain at a place outside this Commonwealth any securities or other assets except such as are necessary for the collection of current dues and to enable it to comply with the laws of any other state or foreign country for the purpose of transacting business therein

Section 2 Section 29 of said act is hereby amended to read as follows

Section 29 Valuation Report In addition to the annual report herein required each society shall annually report to the insurance commissioner a valuation of its benefit fund obligations in force on December thirty-first last preceding [excluding those entered into within the year for which the report is filed in cases where the contributions for the first year in whole or in part are used for current expenses] Such report of valuation shall show as contingent liabilities the present mid-year value of the promised benefits provided in the constitution and laws of such society under certificates then subject to valuation at not more than four per cent interest less such portion thereof as may have been assumed by other associations

or companies and as contingent assets the present mid-year value at the same rate of interest of [the] such future net contributions provided in [its constitution and laws of the same] the constitution and laws of such society as are in practice actually collected

In lieu of the above valuation any society at its option may show the net value of its benefit fund obligations subject to valuation at the rate of interest as hereinbefore provided and said net value when computed in the case of monthly contributions may be the mean of the terminal value for the end of the preceding and of the current certificate years from which said tabular values shall be deducted such portion thereof as may have been assumed by other associations or companies

Each valuation report shall be certified by a competent accountant or actuary or at the request and expense of the society verified by the actuary of the Department of Insurance of the home state of the society and shall be filed with the Insurance Commissioner on or before the first day of April succeeding the submission of the last preceding annual report

The minimum standard of valuation for death benefit fund obligations issued prior to the first day of January one thousand nine hundred fifty-two shall be the National Fraternal Congress Table of Mortality hereinbefore referred to or at the option of the society by any other standard table or a table based upon the society's own experience of at least twenty years and covering not less than one hundred thousand lives with an interest assumption of not more than four per cent

The minimum standard of valuation for death benefit fund obligations issued on and after the first day of January one thousand nine hundred fifty-two shall be the American Experience Table of Mortality with an interest assumption of not more than three and one-half per cent

Every valuation report shall set forth clearly and fully the mortality and interest basis and the method of valuation Any society providing for cancellable disability benefits shall keep a separate account of the same in its said valuation report shall [charge as a liability the balance to the credit of such fund or funds at the date of such valuation Where a combined contribution table is used by a society for both death and permanent and total disability benefits the valuation may be of death benefit only and in such case a separate accounting shall not be required] establish and maintain a reserve of one-half of the periodic contribution for such benefits On and after the first day of January one thousand nine hundred fifty-two the minimum basis for contributions and reserves for disability benefits and double indemnity benefits shall be the minimum basis required of legal reserve life insurance companies for such benefits

Nothing herein contained shall require a society which has adopted a procedure for strengthening its reserve to modify any existing non-forfeiture benefits which had been previously used

A report of such valuation with such explanations as the society may deem advisable shall be printed and mailed to each beneficial member of the society not later than July first of each year or in lieu thereof may be published in the society's official paper and the issue containing the same mailed to each beneficial member of the society

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 128, on third reading, entitled:

An Act to amend subsections (d) and (f) of section 211.1 and to further amend section 212 and subsection (a) of section 301 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance, establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by further regulating assessments made by the Insurance Commissioner against life insurance companies to defray certain expenses providing for reciprocity with other states in assessing taxes and fees on insurance companies permitting foreign companies to write workmen's compensation insurance in Pennsylvania limiting the basis for valuation of reserve liability of life insurance companies organized in foreign countries

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 136, on third reading, entitled:

An Act to amend Clause (8) of Section 6 and Section 9 of the act approved the eleventh day of May, one thousand nine hundred forty-nine, (P. L. 1210), entitled "An act relating to group life insurance; describing permitted policies and restrictions thereon, the premium basis thereof and rights thereunder; limiting the amount of such insurance; prescribing standard policy provisions; and requiring notice of conversion privileges," by limiting the amount of an individual policy issued to a person entitled thereto; and changing the premium basis and rate of interest thereon.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND
FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 140, as follows:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further regulating investments of insurance companies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 518 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's insurance Fund providing penalties and repealing existing laws" as amended by the act approved the twelfth day of May one thousand nine hundred twenty-five (P. L. 601) is hereby further amended to read as follows

Section 518 Investment of Surplus Any money over and above the capital of any stock fire stock marine and stock fire and marine insurance company may be invested in the securities above enumerated or in the bonds or notes of any public instrumentality of this Commonwealth or of any other state territory or possession of the United States or of the District of Columbia or of any foreign country or political subdivision thereof or in the stock or other evidence of indebtedness of any solvent corporation created under the laws of [this Commonwealth or of any other State of the United States or the District of Columbia] any of said jurisdictions or loaned upon the pledge of the same except its own stock but [no such investments shall be hereafter made by such company in excess of five per centum of its gross assets in the stock of another insurance company if the latter has invested in or loaned its funds on the stock of the first investing company] the total investments hereafter made by such company in stocks of other insurance companies which have invested or loaned its funds on the stock of the first investing company shall not exceed five per centum of the gross assets of the first investing company nor shall the total investments hereafter made by such company in the stocks or other evidence of indebtedness of solvent corporations created under the laws of any foreign country or of any political subdivision thereof exceed ten per centum of the moneys of such company over and above its capital and the reserves which it is required to maintain under the laws of this Commonwealth The current market value of such securities shall at the time of any loan thereon be at least twenty per centum (20%) more than the sum loaned thereon No such insurance company shall invest any of its funds in any unincorporated business or enterprise nor in the stocks or evidence of indebtedness of any corporation the owners or holders of which stock or evidence of indebtedness may in any event be or become liable on account thereof to any assessment except for more than one-fifth (1/5) of its capital shall be invested in a single taxes nor shall any of its funds be loaned on personal security Not mortgage If any investment or loan is made in a manner not authorized by this act the officers and directors mak-

ing or authorizing the same shall be personally liable for any loss occasioned thereby

Section 2 Section 602 of said act as last amended by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 986) is hereby further amended by adding thereto after clause (h) a new clause to read as follows

Section 602 Investment of Capital Every domestic stock casualty insurance company shall invest and keep invested in sound income-bearing securities all its capital and funds of every description excepting such cash as may be required in the transaction of its business and such as it may invest in real estate as hereinafter authorized The capital of every such company shall be invested as follows

* * * * *

(i) The Insurance Commissioner may permit any such company to invest sufficient of its reserves in the securities of a foreign government in order to enable it to comply with the laws of such foreign government and transact business therein

Section 3 Section 603 of said act as last amended by the act approved the tenth day of March one thousand nine hundred twenty-five (Pamphlet Laws 30) is hereby further amended to read as follows

Section 603 Investment of Surplus Restrictions Any money over and above the capital of any such stock casualty insurance company may be invested in the securities above enumerated or loaned upon the security of the same or in the bonds or notes of any public instrumentality of this Commonwealth or of any other state territory or possession of the United States or of the District of Columbia or of any foreign country or political subdivision thereof or in the stock or other evidence of indebtedness of any solvent [dividend paying] corporation created under the laws of [this Commonwealth or of any other State of the United States] any of such jurisdictions or loaned upon the pledge of the same except its own stock [or the stock of any other insurance company transacting like classes of business] The total investments hereafter made by such company in stock of other insurance companies which have invested in or loaned its funds on the stock of the first investing company shall not exceed five per centum of the gross assets of the first investing company nor shall the total investments hereafter made by such company in the stocks or other evidence of indebtedness of solvent corporations created under the laws of any foreign country or of any political subdivision thereof exceed ten per centum of the moneys of such company over and above its capital and the reserves which it is required to maintain under the laws of this Commonwealth The current market value of such securities at the time of any loan thereon shall be at least fifteen per centum (15%) more than the sum loaned thereon No such insurance company shall invest any of its funds in any unincorporated business or enterprise nor in the stock or evidence of indebtedness of any corporation the owners or holders of which stock or evidence of indebtedness may in any event be or become liable on account thereof to any assessment except for taxes nor shall any of its funds be loaned on personal security Not more than one-fifth (1/5) of its capital shall be invested in a single mortgage No such company shall enter into any agreement to withhold from sale any of its property but the disposition of its property shall be at all times within the control of its board of directors or trustees If any investment or loan is made in a manner not authorized by this act the officers and directors making or authorizing the same shall be personally liable for any loss occasioned thereby

Any such stock casualty insurance company may invest in the capital stock and obligations of a corporation or corporations formed for the purpose of taking and holding title to real estate and erecting or maintaining thereon a building or buildings to be used in whole or in part for the accommodation and transaction of the business of such insurance company without being subject to the limitation hereinbefore prescribed as to investment in the stock of a (dividend paying) solvent corporation but no such insurance company shall invest more than fifty per centum

(50%) of its capital and surplus in the stock and other obligations of any such corporation or corporations nor acquire and hold any of the stock or other obligations of any such corporation or corporations if the total amount of the capital and other obligations of such corporation or corporations exceeds in the aggregate fifty per centum (50%) of the capital and surplus of such insurance company without the written approval of the Insurance Commissioner

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—45

Bane.	Haluska,	McPherson, Jr.,	Snowden,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	McCreesh,	Ruth,	Watson,
Diehm,	McGinnis,	Scarlett,	Wolfe,
DiSilvestro,	McMenamin,	Silvert,	Yosko,
Fleming,			

NAYS—5

Freed,	Mallery,	Stevenson,	Wood,
Mahany,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 247, entitled:

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending revising, consolidating and changing the laws relating thereto," by regulating the authority of school districts to purchase supplies and to perform and contract for construction, reconstruction, repairs and work of any nature.

And said bill having been read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. FLEMING. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is ther objection? The Chair hears none.

Amend Sec. 1 (Sec. 751), page 2, line 11, by inserting after the word "of" the following "plumbing"; Amend Sec. 1 (Sec. 751), page 3, line 3, by inserting a bracket before the word "contract;" Amend Sec. 1 (Sec. 751), page 3, line 3, by inserting a bracket after the word "or" and inserting immediately thereafter "separate."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. FLEMING. Mr. President, I ask unanimous consent that Senate Bill No. 247, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 320, as follows:

An Act to further amend subsection (a) of Section 621.1 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further defining and regulating group accident and health insurance

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of Section 621.1 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as last amended by the act approved the twenty-first day of June one thousand nine hundred forty-seven (P. L. 855) and by the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1305) is hereby further amended to read as follows

Section 621.1 Group Accident and Health Insurance (a) Group Accident and Health Insurance is hereby declared to be that form of accident and health insurance covering not less than twenty-five employees or members [and in addition may include the employees' or member's dependents] written under a master policy issued to a summer camp scout troop college school system one or more schools or other institutions of learning or to the head or heads or principal or principals thereof who or which shall be deemed the policyholder or to any governmental corporation unit agency or department thereof or to any corporation copartnership individual employer or to the trustees of a fund established by any corporation copartnership or individual employer or to any association or organization of employees of one employer [its affiliates or subsidiaries or to the members of] or to any labor union bar association medical dental or other professional society volunteer fire department automobile club or association or to any organization or association of Federal or State employees or school teachers or school employees or nurses or to the trustees of a fund established by two or more employers in the same industry or by one or more labor unions or by one or more labor unions and one or more employers

where officers members employes or classes or departments thereof may be insured for their individual benefit for written under a master policy issued to the trustees of a fund established by two or more employers in the same industry for the benefit of persons other than the employes the premium for such policy to be paid by the trustees wholly from funds contributed by the employers of the insured persons. The policy may provide that the term "employer" shall include retired employes and the individual proprietors or partners if an employer is an individual proprietor or a partnership. The policy may provide that the term "employees" shall include the employes of one or more subsidiary corporations and the employes individual proprietors and partners of one or more affiliated corporations proprietors or partnerships if the business of the employer and of such affiliated corporations proprietors or partnerships is under common control through stock ownership or contract. A policy issued to trustees may provide that the term "employees" shall include the trustees or their employes or both if their duties are principally connected with such trusteeship. The policy may provide benefits for hospital surgical or medical expense on account of families of the insured employes or members. The premiums for a policy issued to trustees of a fund established by two or more employers in the same industry or by one or more labor unions or by one or more labor unions and one or more employers shall be paid by the trustees wholly from funds contributed by the employer or employers of the insured persons or by the union or unions or by both except that all or part of the premium for benefits for hospital surgical or medical expense for families of employes or members may be paid from funds contributed by the insured employes or members.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 341, as follows:

An Act to further amend Section 2 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 685) entitled "An act designating certain life insurance companies as limited life insurance companies and further describing the powers thereof" by further describing the powers of limited life insurance companies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 685) entitled "An act designating certain life insurance companies as limited life insurance companies and further describing the powers thereof" as last amended by the act approved the tenth day of June one thousand nine hundred forty-seven (P. L. 511) is hereby further amended to read as follows

Section 2 Powers All limited life insurance companies are hereby specifically empowered to issue policies agreeing to pay not more than twenty-dollars (\$20.00) per week in the event of disablement from sickness nor more than double that amount in the event of disability from accident nor more than five hundred dollars (\$500.00) in the event of death from natural or accidental causes and to issue policies of endowment insurance subject to the condition hereinafter provided notwithstanding any limitation to the contrary established by the act of Assembly pursuant to which such corporation shall have been incorporated or reincorporated or by any other act of Assembly or by the provisions of its charter

Any such company may issue policies agreeing to pay in excess of five hundred dollars (\$500.00) but not exceeding one thousand dollars (\$1000.00) in the event of death from natural and accidental causes provided it has

(a) In the case of stock companies a capital of fifty thousand dollars (\$50,000.00) and in addition thereto has accumulated a surplus in the sum of at least twelve thousand five hundred dollars (\$12,500.00) or

(b) In the case of mutual companies accumulated a surplus in the sum of at least fifty thousand dollars (\$50,000.00)

Any such company may issue policies of endowment insurance agreeing to pay not more than one thousand dollars (\$1000.00) upon maturity thereof provided it has

(a) In the case of stock companies a capital of one hundred thousand dollars (\$100,000.00) and in addition thereto has accumulated a surplus in the sum of at least twenty-five thousand dollars (\$25,000.00) or

(b) In the case of mutual companies accumulated a surplus in the sum of at least one hundred thousand dollars (\$100,000.00)

Any such company may issue policies agreeing to pay in excess of the weekly limitations herein prescribed but not exceeding [forty-five dollars (\$45)] fifty-five dollars (\$55) per week and agreeing to pay an additional benefit for hospital and medical expenses for any one sickness or accident not exceeding one hundred fifty dollars (\$150) in the event of disablement from sickness or accident provided such policies limit payment of benefits to periods during which insured shall have been admitted as a patient into and as such be necessarily wholly and continuously confined within a duly licensed and incorporated hospital provided it has

(a) In the case of stock companies additional capital of twenty-five thousand dollars (\$25,000.00) and has accumulated additional surplus in the sum of at least twenty-five thousand dollars (\$25,000.00) or

(b) In the case of mutual companies accumulated additional surplus in the sum of at least twenty-five thousand dollars (\$25,000.00) or

(c) Such additional capital and additional surplus as required by clauses (a) and (b) of this paragraph shall be deemed to be capital and surplus additional to that required by any of the previous paragraphs of this section or by the act under which such company was incorporated or reincorporated

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Tcole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 374, on third reading, entitled:

An Act to amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision of protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further regulating health and accident insurance

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 433, as follows:

An Act to further amend sections thirty-one and thirty-two of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by reclassifying counties of the sixth and seventh classes and providing for elections pursuant to changes of classification by counties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 31 and 32 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" are hereby amended to read as follows

Section 31 Counties Divided Into Eight Classes For the purposes of legislation and the regulation of their affairs counties of this Commonwealth now in existence and those hereafter erected shall be divided into eight classes as follows

Those having a population of one million eight hundred thousand inhabitants and over shall constitute the first class

Those having a population of eight hundred thousand and more but less than one million eight hundred thousand inhabitants shall constitute the second class

Those having a population of two hundred and fifty thousand and more but less than eight hundred thousand inhabitants shall constitute the third class

Those having a population of one hundred fifty thousand and more but less than two hundred and fifty thousand inhabitants shall constitute the fourth class

Those having a population of one hundred thousand and more but less than one hundred fifty thousand inhabitants shall constitute the fifth class

Those having a population of [fifty] forty-five thousand and more but less than one hundred thousand inhabitants shall constitute the sixth class

Those having a population of twenty thousand and more but less than [fifty] forty-five thousand inhabitants shall constitute the seventh class

Those having a population of less than twenty thousand inhabitants shall constitute the eighth class

Section 32 Ascertainment Certification and Effect of Change of Class The classification of counties shall be ascertained and fixed according to their population by reference from time to time to the last preceding decennial United States census deducting therefrom the number of persons residing on any lands that have been ceded to the United States Whenever is shall appear by any such census that any county has attained a population entitling it to an advance in classification or that a county has heretofore or hereafter decreased in population so as to recede in classification as herein prescribed it shall be the duty of the Governor under the great seal of this Commonwealth to certify that fact accordingly to the board of county commissioners on or before the first day of October of the year succeeding that in which the census was taken or as soon thereafter as may be practicable having in mind the county offices which will be affected by such a certification which certificate shall be forwarded by the commissioners to the recorder of deeds [of the proper county] and be recorded in his office

Changes of class ascertained and certified as aforesaid shall become effective on the first day of January next following the year in which the [census] change was [taken] so certified by the Governor to the county commissioners except that salaries of county officers shall not thereby be increased or decreased during the terms for which they shall have been elected and Provided That in the municipal election following such certification of change of class and preceding the effective date of such change the proper number of persons shall be elected to fill any elective office or offices which will exist in the county by the change of classification certified and that no election shall be held for any office which will be abolished as a result of such change of classification

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 717, on third reading, entitled:

An Act making a deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-nine and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-nine

go over in its order, temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

SECOND READING CALENDAR

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 6, entitled:

An Act relating to the administration and distribution of incompetents' estates, both as to real and personal property, and the procedure relating thereto; including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a guardian in certain cases; the appointment, bond, removal and discharge of guardians of such estates, their powers, duties and liabilities, the rights of persons dealing with such guardians, and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees, and containing provisions concerning the determination of incompetency and the powers, duties and liabilities of foreign guardians; and also generally dealing with the jurisdiction, powers and procedure of the orphans' court and the common pleas court relating to incompetents' estates.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 17, entitled:

An Act relating to the jurisdiction, powers, and duties of registers of wills, and regulating proceedings before them, and the costs thereof, the effects of their acts, and appeals therefrom.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 25, entitled:

An Act relating to the orphans' courts, conferring exclusive jurisdiction on such courts over the administration and distribution of decedents' estates, trust estates, minors' estates, absentees' estates and incompetents' estates; providing for the organization of orphans' courts, the procedure therein, the powers and duties of the judges thereof, and appeals therefrom.

Sections 101, 102, 103, 104, 201, 202, 203, 204, 205, 206, 301, 302, 303, 304, 305, 306, 307, 308, 309, 401, 402, 403, 404, 501, 502, 503, 504, 505, 506, 511, 512, 601, 602, 603, 604, 701, 702, 703, 704, 705, 706, 711, 721, 731, 732, 741, 742, 743, 744, 745, 746, 751, 752, 753, 754, 755, 756, 761, 771, and 772, were read and agreed to.

Section 773 was read.

On the question

Will the Senate agree to the section?

Mr. MAHANY offered the following amendment:

Amend Sec. 773, page 39, line 1, by striking out the word "records" and inserting in lieu thereof: "record".

It was agreed to.

The section was agreed to as amended.

Section 801 was read.

On the question,

Will the Senate agree to the section?

Mr. MAHANY offered the following amendments:

Amend Sec. 801, page 40, by inserting between lines 3 and 4 the following: "(2) Section six of the act, approved the second day of April, one thousand eight hundred sixty-eight (Pamphlet Laws 3), entitled 'An act to ascertain and appoint the fees to be received by the several officers of this Commonwealth,' absolutely"; Amend Sec. 801, page 40, line 4, by striking out the figure "(2)" and inserting in lieu thereof: "(3)"; Amend Sec. 801, page 40, line 8, by striking out the figure "(3)" and inserting in lieu thereof: "(4)"; Amend Sec. 801, page 40, line 8, by striking out the words "Section one of the" and inserting in lieu thereof: "The"; Amend Sec. 801, page 40, line 12, by striking out the figure "(4)" and inserting in lieu thereof: "(5)"; Amend Sec. 801, page 41, line 7, by striking out the figure "(5)" and inserting in lieu thereof: "(6)"; Amend Sec. 801, page 43, lines 1 to 4 inclusive, by striking out all of said lines, and inserting in lieu thereof: "(b) General Repeal.—All other acts and parts of acts inconsistent herewith are hereby repealed"; "(c) Saving Clause.—This act shall not repeal or modify any of the provisions of the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (Pamphlet Laws 963), entitled 'An act prescribing the fees to be received by the clerks of orphans' courts of counties of the fifth, sixth, seventh and eighth class,' or its amendment."

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to, as amended.

Ordered, To be transcribed for a third reading.

HOUSE BILL No. 717 CALLED UP

Mr. WALKER. Mr. President, at this time I desire to

call up for consideration House Bill No. 717, which was passed over in its order temporarily.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 717, as follows:

An Act making a deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-nine and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-nine

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of ten million dollars (\$10,000,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Public Assistance for the payment of the deficiency in the appropriation for the payment of assistance and administrative expenses as provided by the Public Assistance Law and for the payment of attorneys' fees and court costs necessary for the proper conduct of the work of the Department of Public Assistance for the two fiscal years beginning June first one thousand nine hundred forty-nine and for the payment of assistance and administrative expenses attorneys' fees and court costs accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-nine

Section 2 Out of the moneys appropriated by section one of this act the Department of Public Assistance shall allocate funds from time to time for the several assistance programs (old age assistance aid to dependent children pensions for the blind general assistance and other programs provided by the Public Assistance Law) for administrative expenses of the several county boards of assistance for such administrative expenses incurred by the department which are chargeable to such boards and for the payment of attorneys' fees and court costs necessary for the proper conduct of the work of the department

Section 3 Out of the moneys appropriated by section one of this act quarterly allocations shall be made to the Department of the Auditor General and the Treasury Department respectively in such amounts as may be deemed necessary to pay the administrative expenses of such departments in auditing and disbursing appropriations for or relating to public assistance including any Federal sums supplementing such appropriations In the case of the Department of the Auditor General said allocation shall be made by the Governor President pro tempore of the Senate Speaker of the House of Representatives and the Auditor General or a majority thereof and in the case of allocations made to the Treasury Department such allocations shall be made by the Governor President pro tempore of the Senate Speaker of the House of Representatives and the State Treasurer or a majority thereof

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,

Berger,	Kephart,
Blase,	Kessler,
Byrne,	Lane,
Chapman,	Leader,
Crowe,	Letzler,
Dent,	Mahany,
Diehm,	Mallery,
DiSilvestro,	McCreesh,
Fleming,	McGinnis,
Freed,	McMenamin,

Pechan,
Peelor,
Probert,
Robinson,
Rosenfeld,
Ruth,
Scarlett,
Silvert,
Snowden,

Toole,
Wade,
Wagner,
Walker,
Watkins,
Watson,
Wolfe,
Wood,
Yosko,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 30, entitled:

An Act to add clause (5) to section two thousand five hundred forty-one of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for payments on account of pupils transportation where school buses are used for purposes of better graduation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 42, entitled:

An Act to amend subsection (b) of Section 921, and Section 922 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by changing the tenure of members and officers of county boards of school directors.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 59, entitled:

An Act to further amend section 15 of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the ef-

fect of judicial sales of the properties lien the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" changing the procedure in reviving municipal claims and reinstating the lien of certain claims

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 96, entitled:

An Act to reenact sections one to nine inclusive of the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2803) entitled "An act providing a method of annexation of townships of the first class and parts thereof to cities and boroughs and regulating the proceedings pertaining thereto" by making the same applicable in counties of the second class and repealing inconsistent laws excepting as to proceedings now pending

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 175, on second reading, entitled:

An Act authorizing and directing the Pennsylvania Fish Commission to make a comprehensive study of the migratory habits of fish particularly shad and the stocking and tagging of shad below and above the Safe Harbor Dam the Holtwood Dam and the Conowingo Dam and to cooperate with the Federal government in connection therewith prescribing powers and duties and making an appropriation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 187, entitled:

An Act to further amend Article XIV of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by authorizing the appointment of special school police and defining their powers and duties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 191, on second reading, entitled:

An Act to further amend Section 671 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing the change of the fiscal year by districts of the second class

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 276, entitled:

An Act to further amend the act approved the fifth day of June one thousand nine hundred forty-seven (P. L. 458) entitled as amended "An act creating as bodies corporate and politic "Parking Authorities" in cities of the first second second A and third classes prescribing the rights powers and duties of such authorities authorizing such authorities to acquire construct improve maintain and operate parking projects to conduct research of the parking problem and to establish a permanent coordinated system of parking facilities and to borrow money and issue bonds therefore providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such authorities empowering such authorities to enter into contracts with and to accept grants from the Federal Government State political subdivisions of the State or any agency thereof exempting the property and securities of such parking authorities from taxation and conferring exclusive jurisdiction on certain courts over rates" by extending the provisions of the act to boroughs and townships of the first class

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 296, on second reading, entitled:

An Act to further amend the act approved the nineteenth day of June one thousand nine hundred thirty-one (P. L. 589) entitled as amended "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein regulating compensation for services rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties" by changing the provisions as to fees charged apprentices and students and as to the powers of municipalities and transferring the administration of several provisions of this act to the State Board of Barber Examiners

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 297, on second reading, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative

work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the organization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by creating the State Board of Barber Examiners as a departmental administrative board in the Department of Public Instruction

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 365, on second reading, entitled:

An Act to further amend the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporation; conferring certain rights, powers, duties, and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by permitting the Department of State to copy and destroy or return certain documents; permitting directors to fill vacancies in the board of directors resulting from an increase in the number of directors; deleting certain requirements as to the appointment, compensation and duties of agents; providing that meetings of shareholders at which directors are to be elected may be adjourned for periods of fifteen days each; fixing the method of cumulative voting in cases where directors are elected separately by the holders of different classes of shares; providing that courts having jurisdiction over trustees who are evenly divided as to how shares shall be voted may direct the voting of such shares; deleting requirements as to the voting of shares of foreign corporations owned by other corporations; providing that articles of incorporation may be amended to eliminate the preemptive rights of shareholders, and providing for the purchase of and payment for shares of any shareholders who dissent therefrom; specifying cases of merger or consolidation of which sixty days' notice to shareholders must be given; providing that shareholders of a parent corporation shall have no right to dissent from a merger or consolidation of such parent and one or more wholly-owned subsidiaries thereof, provided the state of incorporation and relative rights and preferences of the shareholders of the parent corporation are not changed thereby; providing that foreign corporations which shall have done business in Pennsylvania without procuring a certificate of authority to do so shall be conclusively presumed to have appointed the Secretary of the Commonwealth their agent to accept service of process in cases arising out of acts of omissions of such

corporation in the Commonwealth, and specifying the duties of the Secretary upon receipt of such process.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 380, on second reading, entitled:

An Act to amend the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" by giving municipal claims equal priority with taxes in the distribution of certain moneys recovered under the provisions of said act

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 406, entitled:

An Act to further amend Section 305 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first class and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolish revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by requiring the approval of the court of quarter sessions for the erection and

alteration of institutions and further prescribing the powers of the Department of Welfare

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 407, entitled:

An Act to further amend the title and section one of the act approved the third day of May one thousand nine hundred and nine (P. L. 424) entitled as amended "An act providing that in all counties of the first second third fourth fifth and sixth class advertisements and notices required by law or rules of court to be published in newspapers of general circulation unless dispensed with by special order of court shall be published in the legal newspaper issued at least weekly of the proper county designated by rules of court for the publication of court or other legal notices" by extending the provisions of the said act to all counties and further defining publications excepted from its operation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL POSTPONED

Mr. WALKER. Mr. President, I move that House Bill No. 534, on second reading, entitled:

An Act to further amend Section 1304 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing the provisions relating to admission of beginners be placed on the Second Reading Postponed Calendar.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 555, on second reading, entitled:

An Act to amend Section 1704 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by clarifying the powers of joint school committees in managing the affairs of joint schools or departments

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 655, entitled:

An Act to amend Section 508 of the act approved the tenth day of March, one thousand nine hundred forty-nine,

(P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto, "by requiring a record vote of school directors on the adoption of the annual budget.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

REPORTS FROM COMMITTEES

Mr. CHAPMAN. Mr. President. I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CHAPMAN, from the Committee on Appropriations, reported as committed, House Bill No. 716, entitled:

A Supplement to the act, approved the twenty-seventh day of May, one thousand nine hundred forty-nine (Appropriation Acts, page 62), entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-nine, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-nine," providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first, one thousand nine hundred and fifty-one.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 719, entitled:

An Act making a deficiency appropriation to the Department of Welfare to reimburse State-aided hospitals for part of the cost of training student nurses in approved schools of nursing.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 25, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Pennsylvania Historical and Museum Commission, to acquire on behalf of the Commonwealth, certain land, buildings and appurtenances, located in the Township of Manheim, Lancaster County, and certain personal property therein; and making an appropriation.

Mr. MAHANY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY, from the Committee on Local Government, reported as amended, Senate Bill No. 119, entitled:

An Act regulating the suspension, removal, reduction in rank, furloughing and reinstatement of police officers in boroughs and townships of the first class having police forces of less than three members, and in townships of the second class.

BILLS INTRODUCED AND REFERRED

Mr. PECHAN. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. PECHAN and McCREESH read in place and presented to the Chair Senate Bill No. 482, entitled:

An Act to amend Section 771 of the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing for suitable ceremonies affirming and developing allegiance to the Flag of the United States and our American way of life and organization of government.

Which was committed to the Committee on Education.

Mr. TOOLE. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. TOOLE and MEADE read in place and presented to the Chair Senate Bill No. 483, entitled:

An Act to further amend subsection (a) of Section 722 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by exempting motor vehicles of war amputees, or veterans suffering from paraplegia, from the payment of title or registration fees.

Which was committed to the Committee on Highways.

Mr. LANE. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LANE read in place and presented to the Chair Senate Bill No. 484, entitled:

An Act to amend clause (c) of Section 603 of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 571), entitled "An act relating to assessment for taxation in counties of the fourth, fifth, sixth, seventh and eighth classes; designating the subjects, property and persons subject to and exempt from taxation for county, borough, town, township, school, except in cities and county institution district purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each such county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township assessors; abolishing the office of assistant triennial assessor in townships of the first class; providing for the appointment of a chief assessor, assistant assessors and other employees; providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deeds; and eliminating the triennial assessment," by clarifying the information to be shown on the assess-

ment roll as to the owner of a severed and distinct estate in real estate involving mineral rights.

Which was committed to the Committee on Local Government.

PERMISSION TO ADDRESS SENATE

Mr. YOSKO asked and obtained unanimous consent to address the Senate.

Mr. YOSKO. Mr. President, I intended to discuss Senate Bill 717, making a ten million dollar deficiency appropriation to the Department of Public Assistance. The bill was held over temporarily. However, while I was out to the telephone it was called up and passed finally. I would have voted for the bill anyway, but I did want to discuss it and discuss the report of the Department of Public Assistance as prepared by the Joint State Government Commission.

Mr. President, as I understand that they were in a hurry to pass Senate Bill 717. At least, Mr. Wray informed me that unless this bill was passed today we would lose an allocation from the Federal Government as its proportionate contribution to this ten million dollars. Mr. Wray tells me that the Department of Public Assistance is out of funds and wants to get this bill approved and notify the officials in Washington. For that reason I will refrain from discussing the bill today and reserve the right to discuss it tomorrow. I also understand that some of the Members of the Senate want to go to Philadelphia to a dinner, and far be it from me to hold them up.

So, Mr. President, for the reasons stated, I will defer my talk on this subject until tomorrow.

BILLS ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. BLASS. Mr. President, I second the motion. The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 119, entitled:

An Act regulating the suspension removal furloughing and reinstatement of police officers in boroughs and townships of the first class having police forces of less than three members and in townships of the second class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 432, entitled:

An Act to amend the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county board of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by providing for nominations and elections of county officers in coun-

ties about to undergo a change in classification, and imposing certain duties upon county commissioners, county boards of elections, and others.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 716, entitled:

A Supplement to the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (Appropriation Acts page 62) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-nine and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-nine" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred and fifty-one

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 719, entitled:

An Act making a deficiency appropriation to the Department of Welfare to reimburse State-aided hospitals for part of the cost of training student nurses in approved schools of nursing

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL SIGNED

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) announced that the Chief Clerk having reported that the following bill has passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

House Bill No. 717, entitled:

An Act making a deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred forty-nine and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first, one thousand nine hundred forty-nine.

Whereupon,

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the presence of the Senate signed the same.

REMARKS BY MAJORITY FLOOR LEADER

Mr. WALKER. Mr. President, before we adjourn I would like to extend to the Minority side of the aisle the best wishes and felicitations of the Majority side of the aisle on your Jackson Day Dinner tonight in Philadelphia. We wish you all the best of luck in the world up to election day.

ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Tuesday, April 10, 1951, at 3:00 o'clock, p. m., Eastern Standard Time.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:41 o'clock, p. m., Eastern Standard Time, until Tuesday, April 10, 1951, at 3:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, April 9, 1951

The House met at 4:30 p. m.

The SPEAKER (Herbert P. Sorg) in the Chair.

PRAYER

The Chaplain, Reverend William Hugh Fryer, offered the following prayer:

O Lord God Almighty, guide, we pray Thee our Governor and all those to whom has been committed the government of this State, and grant to them special gifts of wisdom and understanding, of counsel and strength; that upholding what is right, and following what is true, they may obey Thy holy will and fulfill Thy divine purpose; through Jesus Christ our Lord. Amen.

JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Thursday, April 5, 1951? If not, and without objection, the Journal is approved.

SENATE MESSAGES

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 717.

An Act making a deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-nine and, for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-nine

With information that the Senate has passed the same without amendment.

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 127, 140, 320, 341, and 438.

BILL SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 717.

An Act making a deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-nine and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-nine

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILLS SIGNED BY GOVERNOR

The Secretary to the Governor being introduced, pre-

sented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS 131, 331, 332, 441 and 501.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 6, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 131, Printer's No. 59, entitled "An act relating to the rights obligations and liabilities of landlord and tenant and of parties dealing with them and amending revising changing and consolidating the law relating thereto."

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 6, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 331, Printer's No. 36, entitled "An act to amend clause (4) of Section 1401 and Section 1421 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' by further defining 'Medical Examiner.'"

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 6, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 332, Printer's No. 37, entitled "An Act to amend Clauses (80) (81) and (87) of Section 101 of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1019) entitled 'An act relating to Statutory laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction and operation of amendments re-enactments and repeals of statutes' by changing the definition of 'osteopath' 'osteopathic surgeon' and 'physician.'"

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 6, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 441, Printer's No. 54, entitled "An Act providing for the reception as evidence of certification of authorized representatives of departments boards or commissions attesting to the licensure status or non-licensure status of an individual."

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 6, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 501, Printer's No. 58, entitled "An Act authorizing the Department of Welfare

the Department of Health or any departmental administrative board commission or officer of either department to proceed by injunction or other process in the court of common pleas in any county where an alleged unauthorized activity is committed to prohibit and restrain any unlicensed person association copartnership or corporation from engaging in an activity for which a license is required to be issued by either department and setting out the method of procedure therefor."

JOHN S. FINE.

DICKINSON COLLEGE YOUNG REPUBLICAN CLUB WELCOMED

The SPEAKER. The Chair welcomes sixteen members of the Young Republican Club of Dickinson College, accompanied by William Britton, President. With the group are four foreign students from New Zealand, Japan, Sweden and Germany. They are the guests of the gentleman from Cumberland, Mr. Stoner.

FORMER SPEAKER WELCOMED

The SPEAKER. The Chair takes great pleasure in welcoming a former Speaker of the House, the gentleman from Snyder, Honorable Ira T. Fiss.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair is also pleased to welcome a former Member of the House, the gentleman from Carbon, Honorable Frank Bernhart.

RECONSIDERATION OF VOTE

Mr. YOUNG. Mr. Speaker, I move that the vote by which House Bill 539, Printer's No. 127, was made a special order of business for third reading and final passage, Tuesday, April 10, at 2:00 o'clock p. m. be rescinded.

The motion was agreed to.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 863, entitled:

An Act to further amend Sections 113 and 133 of the act, approved the second day of May one, thousand nine hundred twenty-five (P. L. 448) entitle "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by further regulating fishing devices for game fish on the Delaware River between Pennsylvania and New Jersey

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 218, entitled:

An Act to further amend section 30 of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of live stock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of

licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties" by increasing the maximum amounts of payments by the State and requiring additional proof of claims in certain cases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 375, entitled:

An Act to further amend subsection (b) of Section 1103 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the tilting including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by authorizing townships of the first class to remove and impound vehicles

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 492, entitled:

An Act to further amend Section 1311 of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory

sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superceded by or inconsistent with this act" by providing for sentences of imprisonment in default of fines imposed under that section for first and second offenses by motor carriers common carriers by airplane or brokers

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 554, entitled:

An Act authorizing political subdivisions other than cities of the first and second classes and school districts of the first class and first class A to appoint and pay the compensation of employees to make an assessment list of all inhabitants or residents thereof over twenty-one years of age for taxation purposes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 589, entitled:

An Act to amend section one thousand one hundred forty-four of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for additional increments for holders of college certificates or Masters' Degrees

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMENDED

Mr. CLAPPER. Mr. Speaker, I move that this bill be recommitted to the Committee on Education for the purpose of amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 681, entitled:

An Act to further amend the title and Section 1 of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 477) entitled as amended "An act providing for the payment of the salary medical and hospital expenses of policemen and firemen by cities boroughs towns and townships who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period" by extending the provisions thereof to park guards

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 721, entitled:

An Act to further amend clause (c) of Section 285 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by authorizing the Board of Fish Commissioners to make certain expenditures with or without bids

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 726, entitled:

An Act to amend the title and further amend Subsections A and C of Section 1 of the act approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 1145) entitled "An act empowering cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, townships of the first class, school districts of the second class, school districts of the third class and school districts of the fourth class to levy, assess, and collect or to provide for the levying, assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court," by including townships of the second class within the classes of political subdivisions authorized to impose taxes under the provisions thereof.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 746, entitled:

A Joint Resolution proposing an amendment to section four of article two of the Constitution of Pennsylvania, establishing annual sessions of the General Assembly.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 821, entitled:

An Act requiring the employment by any political subdivision of unemployed owners of real estate situate within the political subdivision for the purpose of payment of the amount of unpaid taxes assessed against such real estate

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. READINGER. Mr. Speaker, I move that this bill be recommitted to the Committee on Municipal Corporations for the purpose of further study.

The motion was agreed to.

BILLS PASSED OVER

There being no objection

Senate Bill No. 201, Printer's No. 131 and

Senate Bill No. 366, Printer's No. 104

were passed over at the request of the SPEAKER.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection

House Bill No. 24, Printer's No. 182

House Bill No. 48, Printer's No. 183

House Bill No. 73, Printer's No. 169

House Bill No. 268, Printer's No. 171

House Bill No. 269, Printer's No. 184

House Bill No. 270, Printer's No. 172

House Bill No. 277, Printer's No. 185 and

House Bill No. 295, Printer's No. 173

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 368, as follows:

An Act relating to the practice of professional nursing providing for the licensing of nurses and for the revocation and suspension of such licenses subject to appeal and for their reinstatement providing for the renewal of such licenses regulating nursing in general prescribing penalties and repealing certain laws

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 This act shall be known and may be cited as "The Professional Nursing Law"

Section 2 When used in this act the following words and phrases shall have the following meanings unless the context provides otherwise

(1) A person engages in the "Practice of Professional Nursing" within the meaning of this act who performs any professional services requiring the application of principles of the biological physical or social sciences and nursing skills in the care of the sick in the prevention of disease or in the conservation of health

(2) "Board" means the State Board of Nurse Examiners

(3) "Approved" means approved by the State Board of Nurse Examiners

Section 3 Except as provided in Section four it shall be unlawful for (i) any person not licensed under this act (ii) any person not holding a current license issued this act or (iii) any person whose license has been suspended or revoked to practice professional nursing

Section 4 This act confers no authority to practice medicine or surgery nor does it prohibit

(1) Any services rendered by persons known as practical nurses or graduate nurses so long as such persons do not represent or hold themselves out to be licensed nurses licensed registered nurses or registered nurses or use in connection with their names any designation tending to imply that they are licensed to practice under the provisions of this act

(2) Gratuitous care of the sick by friends or members of the family

(3) Home care of the sick by friends domestic servants nursemaids companies or household aides of any type

(4) Domestic administration of family remedies by any person

(5) Nursing services by anyone in case of an immediate emergency

(6) Nursing by a person temporarily in this State in compliance with an engagement made outside of this State which engagement requires that such person accompany and care for a patient while temporarily in this State Provided however That said engagement shall not be more than six (6) months' duration

(7) Care of the sick with or without compensation or personal profit when done in connection with the practice of the religious tenets of any church by adherents thereof

(8) Auxiliary services rendered by persons carrying out duties necessary for the support of nursing service including those duties which involve minor nursing services for patients performed in hospitals or elsewhere under the direction of licensed physicians or supervision of licensed registered nurses

(9) Nursing services rendered by a student enrolled in an approved school of nursing when these services are a part of the course of study

(10) Nursing services rendered by a graduate of an approved school of nursing in Pennsylvania or any other state working under qualified supervision during the period not to exceed one (1) year between completion of his or her course of nursing education and notification of the results of a licensing examination taken by such person and during such additional period as the Board may in each case especially permit

(11) Nursing services rendered by a person who holds a current license or other evidence of the right to practice professional nursing as that term is defined in this act issued by any other state territory or province of the United States or the Dominion of Canada during the period that an application filed by such person for licensure in Pennsylvania is pending before the Board or for a period of one (1) year whichever period first expires

(12) The practice of professional nursing within the definition of this act by any person lawfully qualified so to practice in another state territory province or country when such person is engaged in the practice of nursing as an employee of the United States or if permitted by Federal law as a citizen of a foreign country temporarily residing in Pennsylvania for a period not to exceed one (1) year for the purpose of post-graduate study and experience certified to be such by the American Nurses' Association or other appropriate agency satisfactory to the Board

Section 5 The Board shall once every year and at such other times and under such conditions as shall be provided by its regulations examine all applicants eligible for examinations to determine whether they are qualified to be licensed and shall authorize the issue to each person passing said examination to the satisfaction of the Board of a proper certificate setting forth that such person has been licensed to practice as a licensed registered nurse

Section 6 No application for licensure as a registered nurse shall be considered unless accompanied by a fee of ten dollars (\$10) Every applicant to be eligible for examination for licensure as a registered nurse shall furnish evidence satisfactory to the Board that he or she is twenty (20) years of age or over is a citizen of the United States or has legally declared an intention to become such is of good moral character has completed work equal to a standard high school course as evaluated by the Department of Public Instruction and has graduated

from a school of nursing which gives at least a two (2) years' course of instruction or has received instruction in different schools of nursing and in other approved agencies with which such schools are affiliated for periods of time amounting to at least a two (2) years' course of instruction and has then graduated. Such school or combination of schools of nursing must be on the approved list issued by the Board as hereinafter provided. The course of instruction shall include (1) principles of nursing based on biological physical and social sciences (2) responsible supervision of a patient involving skill in observation of symptoms and reactions and the accurate recording of the facts and carrying out of treatments and medication prescribed by a licensed physician and (3) the application of such nursing procedures as involve understanding of cause and effect in order to safeguard life and health of a patient and others.

Section 7 (a) The Board may authorize the issue of a license without examination to a graduate of a school of nursing approved by the duly constituted agency in any other state territory or province of the United States or the Dominion of Canada who has completed a course of study in nursing considered by the Board to be equivalent to that required in this State at the time such course was completed and who was registered or licensed in such other state territory or province by examination and has met all the foregoing requirements as to age character citizenship and preliminary education.

(b) The Board may admit to examination a graduate of a school of nursing in any other state territory or province of the United States or the Dominion of Canada which school was approved by the duly constituted agency thereof and is considered by the Board to satisfy current requirements of this State and which graduate has met all the requirements as to age character citizenship and preliminary education set forth in section six of this act.

(c) The Board may admit to examination graduates of schools of nursing in other countries not mentioned above which are approved by the duly constituted agency thereof provided such persons have been licensed or registered there and can meet current requirements in Pennsylvania.

(d) To and including the thirtieth day of September one thousand nine hundred fifty-two the Board may license without examination persons who are graduates of approved schools of nursing or of organized courses of nursing study in hospitals or schools of nursing in Pennsylvania or any other state territory or province of the United States or the Dominion of Canada which school or course at the time of graduation of such persons required the satisfactory completion of a course considered by the Board to be equivalent to the minimum requirements then in effect in Pennsylvania for the preparation or registered nurses.

Section 8 Every person legally entitled to practice as a registered nurse and to use the letters "R.N." at the time this act becomes effective shall be considered as licensed to practice under this act and may continue to practice as such and use the title registered nurse and the letters "R.N." until the expiration of his or her current certificate of record and may obtain a license automatically thereafter by making application and paying the fee as herein provided for the renewal of licenses every holder of a valid license issued pursuant to the provisions of this act shall be entitled to use the title "registered nurse" or "licensed registered nurse" and the letters "R.N."

Section 9 The Board shall subject to the provisions of the Administrative Agency Law approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) and its amendments have the right and duty to establish reasonable regulations for the administration of this act. Copies of such regulations shall be available to the persons who may be interested therein. The Board shall have no power in any way to fix prices or control the compensation received by any licensed registered nurse.

Section 10 The Board shall annually prepare and make

available for public distribution lists of all schools of nursing or combinations of schools of nursing approved and classified by it the graduates of which shall be eligible for examination for licensure as licensed registered nurses. The removal of any such school from the approved list shall not make any bona fide student therein at the time of said removal ineligible for examination upon satisfactory completion of the required program.

Section 11 Each person upon being licensed by the Board as a licensed registered nurse under the provisions of this act shall without additional fee therefor be given a card to evidence such license which shall be valid during the current renewal year. Licenses issued pursuant to this act shall expire on the thirty-first day of October of each year or on such other annual expiration date as the Board may fix. Application for renewal of a license shall annually be forwarded to each active registrant prior to the expiration date of the current renewal year. The application form shall be completed and returned to the Board accompanied by the required fee of one dollar (\$1) upon approval of each application the applicant shall receive a renewal of license.

The form and method of license and renewal shall be provided for by the Board in such manner as will enable it to carry into effect the purposes of this act. The Board shall maintain a record of all licenses issued under this act and of all renewals as herein provided.

Section 12 Except as otherwise herein provided it shall be unlawful for any person association copartnership corporation or institution to

(1) Sell or fraudulently obtain or fraudulently furnish any nursing diploma license record or registration or aid or abet therein or

(2) Practice professional nursing as defined by this act under cover of any diploma license record or registration illegally or fraudulently obtained or signed or issue any diploma license record or registration unlawfully or under fraudulent representation or mistake of fact in a material regard or

(3) While engaged in the performance of any nursing services use in connection with his or her name the words "licensed nurse" "licensed registered nurse" "registered nurse" or letters "R.N." or any designation tending to imply that he or she is a licensed registered nurse unless he or she is licensed to so practice under the provisions of this act or

(4) Otherwise violate any of the provisions of this act.

Section 13 Any person or the responsible officer or employees of any corporation copartnership institution or association violating any of the provisions of this act shall upon summary conviction thereof be sentenced to pay a fine of not less than fifty dollars (\$50) for the first offense for the second and any subsequent offenses not less than one hundred dollars (\$100) nor more than two hundred dollars (\$200) and in default of the payment of such fine and costs to undergo imprisonment for a period not to exceed thirty (30) days.

Section 14 The Board may suspend or revoke any license in any case where the Board shall find that

(1) The licensee is guilty of gross immorality

(2) The licensee is unfit or incompetent by reason of negligence habits or other causes

(3) The licensee has wilfully or repeatedly violated any of the provisions of this act or of the regulations of the Board

(4) The licensee has committed fraud or deceit in the practice of nursing or in securing his or her admission to such practice

(5) The licensee has been convicted or has pleaded guilty or entered a plea of nolo contendere or has been found guilty by a judge or jury of a crime or has been dishonorably discharged or discharged under circumstances amounting to a dishonorable discharge from the military forces of the United States or of any other country

(6) The licensee is an habitual drunkard or is addicted to the use of morphine cocaine or other drugs having a

similar effect or if he or she has become mentally incompetent

(7) The licensee is continuing to practice nursing when such licensee knows he or she has an infectious communicable or contagious disease

(8) The licensee has been guilty of unprofessional conduct or such conduct as to require a suspension or revocation in the public interest

(9) The licensee having obtained a license upon declaration of intention to become a citizen of the United States has not become a citizen of the United States within seven (7) years after the date of such declaration of intention

Section 15 All suspensions and revocations shall be made only in accordance with the regulations of the Board and only by majority vote of the members of the Board after a full and fair hearing before the Board All actions of the Board shall be taken subject to the right of notice hearing and adjudication and the right of appeal therefrom in accordance with the provisions of the Administrative Agency Law approved the fourth day of June one thousand nine hundred forty-five (Pamphlet Laws 1388) or any amendment or reenactment thereof relating to adjudication procedure The Board by majority action and in accordance with its regulations may reissue any license which has been suspended or revoked

Section 16 The following acts or parts of acts and their amendments are hereby repealed as respectively indicated

The act approved the first day of May one thousand nine hundred nine (R. L. 321) entitled "An act to provide for State registrations of nurses to establish a State Board of Examiners in connection therewith and to provide penalties for the violation of certain provisions regarding such registration" absolutely

The act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 988) entitled "An act providing for and regulating the State registration of nurses and licensed attendants the annual recording of registration certificates and regulating the profession of nursing and repealing certain existing laws" except in so far as it applies to licensed attendants

All other acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

Section 17 The provisions of this act shall become effective immediately upon final enactment but Section three shall not become operative until the first day of November one thousand nine hundred fifty-two

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—178

Andrews,	Good,	Mazza,	Sax,
Banker,	Goodling,	McConnell,	Schmidt,
Barkdoll,	Graybill,	McCormack,	Schuster,
Baumunk,	Greenwood,	McCullough,	Scott,
Bear,	Greer,	McDermitt,	Seyler,
Beaver,	Gutendorf,	McInroy,	Shoemaker,
Beech,	Guthrie,	McKinney,	Shotwell,
Berkstresser,	Hall,	McMillen,	Smith,
Blair,	Hamilton, R. K.,	McNally,	Snider,
Bloom,	Hamilton, W. H.,	Metz,	Sollenberger,
Boies,	Harney,	Mihm,	Spencer,
Bolton,	Haudenschild,	Mikula,	Stank,
Bomberger,	Headlee,	Miller, H. G.,	Stimmel,
Boorse,	Helm,	Miller, J. C.,	Stoner,
Bower,	Hewitt,	Mills,	Swartz,
Brelsich,	Hocker,	Mintess,	Swope,
Breth,	Hunter,	Moore, C. E.,	Tahl,
Brown,	Jenkins,	Moore, H. A.,	Thompson, E. F.,
Buchlin,	Johnson,	Moran,	Thompson, R. L.,
Cella,	Jones, J. M.,	Munley,	Tompkins,
Clapper,	Jones, P. F.,	Murray,	Toomey,
Clendenning,	Jones, T. H. W.,	Musto,	VanSant,

Cochran,	Jump,	Najaka,	Varner,
Cooper,	Kamyk,	Naugle,	Verona,
Corr,	Keller,	Needham,	Wachhaus,
Costa,	Kent,	Olsen,	Wargo,
Dalrymple,	Kline,	Petrosky,	Waterhouse,
Davis,	Kohl,	Pichney,	Watkins,
Dennison,	Kornick,	Pitzer,	Weldner,
Dowling,	Kratz,	Polaski,	Wescott,
DuBois,	Kubacki,	Polen,	Westrick,
Dunn,	Lafore,	Price, H. W. Jr.,	Whalley,
Erb,	Lelsey,	Price, R. A.,	Wheeler,
Ewing,	Leonard, L.,	Readinger,	White,
Fenloch,	Leonard, W. C.,	Reagan,	Williams,
Ferster,	Light,	Reese,	Wilt,
Filip,	Loftus,	Reidenbach,	Wood,
Filo,	Lopresti,	Reilly, J. M.,	Yeakel,
Firmstone,	Lovett,	Rigby,	Yester,
Flack,	Lutty,	Riley, R. L.,	Yetzer,
Frost,	Lyons,	Robertson,	Young,
Gaffney,	Madden,	Rovasek,	Ziegler,
Geer,	Madigan,	Royer,	Sorg,
Gibson,	Markley,	Rubin,	Speaker
Gleason,	Maxwell,	Sarraff,	

NAYS—0

NOT VOTING—29

Amarando,	Hersch,	McGee,	Rose,
Byrne,	Hoggard,	Monroe,	Rosen,
Conway,	Jones, G. E.,	Muldowney,	Scanlon,
Coyle,	Kolankiewicz,	Penglaase,	Taylor,
Dougherty,	Lederer,	Peta,	Toll,
Duffy,	Leven,	Pettigrew,	Varallo,
Guarnieri,	Limper,	Pfaff,	Welsh,
Hagerty,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 369, as follows:

An Act to further amend Sections 202 418 and 1310 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by changing the name of the State Board of Examiners for Registration of Nurses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 As much as relates to the Department of Public Instruction of sections two hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers

Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions shall be determined" as last amended by the acts approved the ninth day of May one thousand nine hundred forty-nine (P. L. 1003) the twelfth day of May one thousand nine hundred forty-nine (P. L. 1289) and the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1717) is hereby further amended to read as follows

Section 202 Departmental Administrative Boards Commissions and Offices The following boards commissions and offices are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective administrative departments mentioned in the preceding section as follows

* * * * *

In the Department of Public Instruction
 State Council of Education
 State Real Estate Commission
 Pennsylvania State Board of Censors
 Public School Employes Retirement Board
 Board of Trustees of Thaddeus Stevens Trade School
 Board of Trustees of Pennsylvania State Oral School for the Deaf
 Board of Trustees of Pennsylvania Soldiers Orphan School
 Board of Trustees of West Chester State Teachers' College
 Board of Trustees of Millersville State Teachers' College
 Board of Trustees of Kutztown State Teachers' College
 Board of Trustees of East Stroudsburg State Teachers' College
 Board of Trustees of Mansfield State Teachers' College
 Board of Trustees of Bloomsburg State Teachers' College
 Board of Trustees of Shippensburg State Teachers' College
 Board of Trustees of Lock Haven State Teachers' College
 Board of Trustees of Indiana State Teachers' College
 Board of Trustees of California State Teachers' College
 Board of Trustees of Slippery Rock State Teachers' College
 Board of Trustees of Edinboro State Teachers' College
 Board of Trustees of Clarion State Teachers' College
 Board of Trustees of Cheyney Training School for Teachers
 State Board of Medical Education and Licensure
 State Board of Pharmacy
 State Dental Council and Examining Board
 State Board of Optometrical Examiners
 State Board of Osteopathic Examiners
 Osteopathic Surgeons' Examining Board
 State Board of Nurse Examiners [for the Registration of Nurses]
 State Board of Cosmetology
 State Board of Veterinary Medical Examiners
 State Board of Chiropractic Examiners
 State Board for the Examination of Public Accountants
 State Board of Examiners of Architects
 State Registration Board for Professional Engineers
 Public Service Institute Board
 State Board of Private Academic Schools
 State Board of Private Business Schools
 State Board of Private Trade Schools
 State Board of Private Correspondence Schools

Section 2 Section 418 of said act as last amended by the act approved the second day of May one thousand nine hundred forty-nine (P. L. 781) is hereby further amended to read as follows

Section 418 State Board of Nurse Examiners [for Regis-

tration of Nurses] The State Board of Nurse Examiners [for Registration of Nurses] shall consist of the Superintendent of Public Instruction and five members who shall be registered nurses graduated from schools of nursing where practical and theoretical instruction is given in general surgical and medical nursing and who shall have been engaged in nursing in the Commonwealth of Pennsylvania for at least five years since registration

The Governor shall upon the expiration of the term of office of any member appoint a person with the above specified qualifications from a list of not less than ten names submitted to him by the board of directors of the Pennsylvania State Nurses' Association for a term of six years and until a successor is appointed and qualified Vacancies shall be filled in like manner

Three members of the board shall constitute a quorum and the board shall select from among its members a chairman and shall elect a secretary who need not be a member of the board

The board with the approval of the Superintendent of Public Instruction shall also appoint and fix the compensation of one or more State educational advisors of schools of nursing who shall have the same qualifications as the members of the board

The members of the board other than the Superintendent of Public Instruction shall receive fifteen dollars per diem when actually engaged in the transaction of official business and the secretary shall receive such reasonable compensation as shall be determined by the board with the approval of the Superintendent of Public Instruction

Section 3 Section 1310 of said act as last amended by the acts approved the twelfth day of May one thousand nine hundred forty-nine (P. L. 1289) and the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1717) is hereby further amended to read as follows

Section 1310 Professional Examining Boards The professional examining boards within the Department of Public Instruction shall respectively exercise the rights and powers and perform the duties by law vested in and imposed upon them Provided however That all certificates and official documents of such examining boards shall be issued by the Department of Public Instruction but may be signed by the members of the appropriate board or any of them as determined by such board

Subject to the preceding provisions of this section and to any other inconsistent provision in this act contained

The State Board of Medical Examination and Licensure shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board and the Bureau of Medical Examination and Licensure in the Department of Public Instruction

The State Board of Pharmacy shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Dental Council and Examining Board shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board the State Dental Council and the Board of Dental Examiners for the Commonwealth of Pennsylvania

The State Board of Optometrical Examiners shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board and the Board of Optometrical Education Examination and Licensure

The State Board of Osteopathic Examiners shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board and the State Board of Osteopathic Examiners of Pennsylvania

The Osteopathic Surgeons' Examining Board shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Board of Nurse Examiners [for Registration of Nurses] shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board and the State Board of Examiners for Registration of Nurses

The State Board of Cosmetology shall exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Board of Veterinary Medical Examiners shall

continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Board of Examination of Public Accountants shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Board of Examiners of Architects shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Registration Board for Professional Engineers shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Board of Chiropractic Examiners shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

Section 4 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—178

Andrews,	Good,	Maxwell,	Sarra,
Banker,	Goodling,	Mazza,	Sax,
Barkdoll,	Graybill,	McConnell,	Schmidt,
Baumunk,	Greenwood,	McCormack,	Schuster,
Bear,	Greer,	McCullough,	Scott,
Beaver,	Gutendorf,	McDermitt,	Seyler,
Beech,	Guthrie,	McInroy,	Shoemaker,
Berkstresser,	Hall,	McKinney,	Shotwell,
Blair,	Hamilton, R. K.,	McMillen,	Smith,
Bloom,	Hamilton, W. H.,	McNally,	Snider,
Boles,	Harney,	Metz,	Sollenberger,
Bolton,	Haudenschild,	Mihm,	Spencer,
Bomberger,	Headlee,	Mikula,	Stank,
Boorse,	Helm,	Miller, H. G.,	Stimmel,
Bower,	Hewitt,	Miller, J. C.,	Stoner,
Brelsch,	Hocker,	Mills,	Swartz,
Breth,	Hunter,	Mintess,	Swope,
Brown,	Jenkins,	Moore, C. E.,	Tahl,
Buechin,	Johnson,	Moore, H. A.,	Thompson, E. F.,
Cells,	Jones, J. M.,	Moran,	Thompson, R. L.,
Clapper,	Jones, P. F.,	Munley,	Tompkins,
Clendening,	Jones, T. H. W.,	Murray,	Toomey,
Cochran,	Jump,	Musto,	VanSant,
Cooper,	Kamyk,	Najaka,	Varner,
Corr,	Keller,	Naugle,	Verona,
Costa,	Kent,	Needham,	Wachhaus,
Dalrymple,	Kline,	Olsen,	Wargo,
Davis,	Kohl,	Petrosky,	Waterhouse,
Dennison,	Kornick,	Pichney,	Watkins,
Dowling,	Kratz,	Pitzer,	Weidner,
DuBois,	Kubacki,	Polaski,	Wescott,
Dunn,	Lafore,	Polen,	Westrick,
Erb,	Lelsey,	Price, H. W. Jr.,	Whalley,
Ewing,	Leonard, L.,	Price, R. A.,	Wheeler,
Fenrich,	Leonard, W. C.,	Readinger,	White,
Ferster,	Light,	Reagan,	Williams,
Filip,	Loftus,	Reese,	Wilt,
Filo,	Lopresti,	Reidenbach,	Wood,
Firmstone,	Lovett,	Reilly, J. M.,	Yeakel,
Flack,	Lutty,	Rigby,	Yester,
Frost,	Lyons,	Riley, R. L.,	Yetzer,
Gaffney,	Madden,	Robertson,	Young,
Geer,	Madigan,	Rovanssek,	Ziegler,
Gibson,	Markley,	Royer,	Sorg,
Gleason,		Rubin,	Speaker

NAYS—0

NOT VOTING—29

Amarando,	Hersch,	McGee,	Rose,
Byrne,	Hoggard,	Monroe,	Rosen,
Conway,	Jones, G. E.,	Muldowney,	Scanlon,
Coyle,	Kolankiewicz,	Penglase,	Taylor,
Dougherty,	Lederer,	Peta,	Toll,
Duffy,	Leven,	Pettigrew,	Varallo,
Guarnieri,	Limper,	Pfaff,	Welsh,
Hagerty,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 466, Printer's No. 174 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 491, as follows:

An Act to amend the title and further amend the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 733) entitled "An act to provide revenue in school districts of the first class by imposing a temporary tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county assessing authority board of revision of taxes receiver of school taxes county treasurer board of public education in such districts and courts providing for compensation to certain officers and employees and imposing penalties" by eliminating certain classes of taxable items providing that corporations limited partnerships and joint-stock associations holding certain taxable securities as mere custodian for the real owner shall not be taxed therefor and providing that the act shall apply only to school districts of the first class A

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 733) entitled "An act to provide revenue in school districts of the first class by imposing a temporary tax upon certain classes of personal property providing for its levy collection conferring and imposing powers and duties on the county assessing authority board of revision of taxes receiver of school taxes county treasurer board of public education in such districts and courts providing for compensation to certain officers and employees and imposing penalties" is hereby amended to read as follows

An Act

To provide revenue in school districts of the first class A by imposing a temporary tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county assessing authority board of revision of taxes receiver of school taxes [county] school treasurer board of public education in such district and courts providing for compensation to certain officers and employees and imposing penalties

Section 2 Section 1 and 2 subsections (c) and (b) of Section 3 Section 5 and 13 subsections (a) and (c) of Section 16 and Section 16.1 of said act as amended or added by the act approved the twelfth day of May one thousand nine hundred forty-nine (P. L. 1246) are hereby further amended to read as follows

Section 1 Definitions The following words terms and phrases when used in this act shall have the meanings ascribed to them in this section except where the context clearly indicates a different meaning

"Resident" A person copartnership or unincorporated association or company resident located or liable to taxation within a school district of the first class A levying a tax under the provisions of this act or a joint-stock company or association limited partnership bank or corporation formed created or incorporated by under or in pursuance of any law of this Commonwealth or of the United States or of any other state or government and liable to taxation within a school district of the first class A levying a tax under this act

"Board" The board of revision of taxes or other county assessing authorities of any county [coextensive with a school district of the first class or] in which a school district of the first class A is located

Section 2 Tax on Mortgages Judgments etc Imposition and Rate of Tax Exceptions All personal property of the classes hereinafter enumerated owned held or possessed by any resident whether such personal property be owned held or possessed by such resident in his her their or its own right or as active trustee agent attorney-in-fact or in any other capacity or by any resident as trustee agent or attorney-in-fact jointly with one or more trustees agents or attorney-in-fact domiciled in another state or within this Commonwealth but outside the school district levying the tax where such personal property is held and managed in such school district of the first class A except as executor or administrator of the estate of a non-resident decedent and except as trustee for a resident or non-resident religious charitable or educational organization no part of the net earnings of which inures to the benefits of any private stockholders or individuals for the use benefit or advantage of any other person copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation and the equitable interest in any such personal property of the classes hereinafter enumerated owned held or possessed by any resident where the legal title to such personal property is vested in a trustee agent or attorney-in-fact domiciled in another state or within this Commonwealth but outside the school district levying the tax or where the legal title to such personal property is vested in more than one trustee agent or attorney-in-fact one or more of whom are domiciled in another state or within this Commonwealth but outside the school district levying the tax and one or more of whom are domiciled within such school district such personal property is held and managed in another state or within this Commonwealth but outside the school district levying the tax and where such resident is entitled to receive all or part of the income therefrom is hereby made taxable annually for the year one thousand nine hundred forty-eight and annually thereafter for public school purposes in school districts of the first class A and shall be levied upon annually by the board of public education in every such school district at the rate of not less than one (1) nor more than four (4) mills on each dollar of the value thereof and no failure to assess or return the same shall discharge such owner or holder thereof from liability therefor that is to say

All mortgages all moneys owing by solvent debtors whether by promissory note or penal or single bill bond or judgment all articles of agreement and accounts bearing interest all public loans whatsoever except those issued by this Commonwealth or the United States and except the public loans and obligations of any county city borough town township school district and incorporated district of this Commonwealth and except the bonds and obligations of bodies corporate and politic of this Commonwealth known as municipal authorities all loans issued by any corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other state or government including car-trust securities and loans secured by bonds or any other form of certificate or evidence of indebtedness whether the interest be included in the principal of the obligation or payable by the term thereof [and all script bonds certificates and evidences of indebtedness issued and all scrip bonds certificates and evidences of indebtedness assumed or on which interest shall be paid by any and every private corporation incorporated or created under the laws of this Commonwealth or the laws of any other state or of the United States and doing business in any school district of the first class levying the tax except first class nonprofit corporations] except such loans as are made taxable for state purposes by Section 17 of the act approved the twenty-second day of June one thousand nine hundred thirty-five (P. L. 414) as reenacted and amended all shares of stock in any bank corporation association company or limited partnership created or formed under

the laws of this Commonwealth or of the United States or of any other state or government except shares of stock in any bank bank and trust company national banking association savings institution corporation or limited partnership liable to a tax on its shares or a gross premiums tax or liable to or relieved from the capital stock or franchise tax for State purposes under the laws of this Commonwealth and all moneys loaned or invested in other states territories the District of Columbia or foreign countries all other moneyed capital owing to individual citizens of the school district levying the tax Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company nor to loans shares of stock or other securities held by bankers or brokers solely for trading purposes nor to accounts or debit balances owing by customers of bankers or brokers in the usual courses of business nor to interest bearing accounts in any bank or banking institution savings institution employees' thrift or savings association whether operated by employees or the employer or trust company nor to personal property held in the commercial department and owned in its own right by a banking institution savings institution or trust company in liquidation by a receiver trustee or other fiduciary nor to personal property formerly held by a banking institution in its own right but assigned by it to one or more trustees for liquidation and payment to the creditors and stockholders of such banking institutions nor shall this act apply to the proceeds of any life insurance policy held in whole or part by the insurer nor the principal value of annuities nor to any personal property held in any trust forming part of a stock bonus pension or profit sharing plan of an employer for the exclusive benefit of his employees or their beneficiaries which trust under the latest ruling of the Commissioner of Internal Revenue is exempted from Federal income tax And provided further That the provisions of this act shall not apply to building and loan associations or to shares of stock issued by building and loan associations or to savings institutions having no capital stock and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the tax herein provided for or any part thereof or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the tax on any of such securities bonds or other evidences of indebtedness as may be held owned by or owing to the said savings institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief associations life casualty or fire insurance corporations having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions And provided further That corporations limited partnerships and joint-stock associations liable to tax on their shares or the aforesaid capital stock or franchise tax for State purposes shall not be required to make any report or pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint-stock associations holding such securities as trustees executors administrators guardians or in any other manner except a mere custodian for the real owner and except as executor or administrator of the estate of a nonresident decedent and except as trustee for a resident or nonresident religious charitable or educational organization no part of the net earnings of which inures to the benefit of any private stockholder or individual shall return and pay the tax imposed by this section upon all securities so held by them as in the case of individuals And provided further That the provisions of this section shall not apply to personal property of the classes hereinabove enumerated received or acquired

with proceeds of money or property received from any person or persons copartnership or unincorporated association or company nonresident in or not located within such school district or from any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth by any person or persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any person or persons copartnership or unincorporated association or company nonresident in or not located within such school district or for the use benefit or advantage of any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth nor shall the provisions of this section apply to personal property held for the use benefit or advantage of any resident who shall have in each of the ten preceding calendar years given or contributed all of his net income to any corporation organized or operated exclusively for religious charitable scientific literary or educational purposes

The value of the equitable interest in any personal property made subject to tax by this section shall be measured by ascertaining the value of the personal property in which such resident has the sole equitable interest or in case of divided equitable interests in the same personal property then by ascertaining such part of the value of the whole of such personal property as represents the equitable interest of such resident therein

Section 3 Returns of Tax

* * * * *

(c) Whenever any personal property taxable under the provisions of this act was owned by a decedent at the time of his death and is held by his executor or administrator return of such personal property shall be made and the tax paid if such decedent was domiciled at the time of his death in a school district of the first class A notwithstanding the residence or location of such executor or administrator or of any beneficiary or the place where such securities are kept

(d) Whenever any personal property taxable under the provisions of this act is held owned or possessed as trustee agent attorney-in-fact or in any other manner as hereinabove set forth by two or more persons copartnerships unincorporated associations companies limited partnerships joint-stock associations or corporations all of which are residents of the Commonwealth but not all of which are domiciled in the same school district levying this tax return of such personal property shall be made in a school district of the first class A where any of the same are domiciled and there shall be paid in each such school district that portion of the tax imposed upon such personal property so held owned or possessed as the number of such trustees agents or attorneys-in-fact domiciled therein bears to the total number thereof notwithstanding the residence of any beneficiary or the place where such personal property is kept

Section 5 Payment of the Tax The tax imposed by this act shall be due and payable at the same time and subject to the same conditions as to discounts penalties and interest as in the case of personal property taxes due and payable to the county [or city coextensive with the county] in which the school district of the first class A levying the tax is located

Section 13 Certificated Statement to Board of Public Education and Collecting Officers For the purpose of enabling the board of public education to levy the taxes imposed by this act for one thousand nine hundred forty-eight and for every year thereafter it shall be the duty of the board to furnish annually at the same time as it furnishes the valuation of real property to the boards of public education in school districts of the first class A and to the receiver of school taxes or in school districts in which there is no receiver of school taxes to the

school treasurer an estimate of the total valuation of all personal property taxable for school purposes

Section 16 Saving Clauses (a) Nothing contained in this act shall be construed to empower any school district of the first class A to impose levy and collect the taxes hereby levied upon any personal property of any of the classes hereinbefore enumerated not within the power of the General Assembly under the Constitution of the United States

* * * * *

(c) It is the intent of the General Assembly that the power vested in it to levy taxes shall not be delegated by any of the provisions of this act to any school district of the first class A in violation of the provisions of the Constitution of Pennsylvania If a court of competent jurisdiction shall hold that such power has nevertheless been so unconstitutionally delegated the rate of the tax herein imposed shall be four (4) mills on each dollar of the value of the personal property made taxable which rate the General Assembly under such circumstance intends to be imposed

Section 16.1 The provisions of this act shall apply only to school districts of the first class A [having a population of less than one million five hundred thousand (1,500,000) persons]

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—178

Andrews,	Good	Maxwell,	Sarra,
Banker,	Goodling,	Mazza,	Sax,
Barkdoll,	Graybill,	McConnell,	Schmidt,
Baumunk,	Greenwood,	McCormack,	Schuster,
Bear,	Greer,	McCullough,	Scott,
Beaver,	Gutendorf,	McDermitt,	Seyler,
Beech,	Guthrie,	McInroy,	Shoemaker,
Berkatresser,	Hall,	McKinney,	Shotwell,
Blair,	Hamilton, R. K.,	McMillen,	Smith,
Bloom,	Hamilton, W. H.,	McNally,	Snider,
Boles,	Harney,	Metz,	Sollenberger,
Bolton,	Haudenshield,	Mihm,	Spencer,
Bomberger,	Headlee,	Mikula,	Stank,
Boorse,	Helm,	Miller, H. G.,	Stimmel,
Bower,	Hewitt,	Miller, J. C.,	Stoner,
Breisch,	Hocker,	Mills,	Swartz,
Breth,	Hunter,	Mintess,	Swope,
Brown,	Jenkins,	Moore, C. E.,	Tahl,
Buccin,	Johnson,	Moore, H. A.,	Thompson, E. F.,
Cella,	Jones, J. M.,	Moran,	Thompson, R. L.,
Clapper,	Jones, P. F.,	Munley,	Tompkins,
Clendening,	Jones, T. H. W.,	Murray,	Toomey,
Cochran,	Jump,	Musto,	VanSant,
Cooper,	Kamyk,	Najaka,	Verner,
Corr,	Keller,	Naugle,	Verona,
Costa,	Kent,	Needham,	Wachhaus,
Dalrymple,	Kline,	Olsen,	Wargo,
Davis,	Kohl,	Petrosky,	Waterhouse,
Dennison,	Kornick,	Pichney,	Watkins,
Dowling,	Kratz,	Pitzer,	Weidner,
DuBols,	Kubacki,	Polaski,	Wescott,
Dunn,	Lafore,	Polen,	Westrick,
Erb,	Lelsey,	Price, H. W. Jr.,	Whalley,
Ewing,	Leonard, L.,	Price, R. A.,	Wheeler,
Fenrich,	Leonard, W. C.,	Readinger,	White,
Ferster,	Light,	Reagan,	Williams,
Fillp,	Loftus,	Reese,	Wilt,
Filo,	Lopresti,	Reidenbach,	Wood,
Firmstone,	Lovett,	Reilly, J. M.,	Yeakel,
Flack,	Lutty,	Rigby,	Yester,
Frost,	Lyons,	Riley, R. L.,	Yetzer,
Gaffney,	Madden,	Robertson,	Young,
Geer,	Madigan,	Rovansek,	Ziegler,
Gibson,	Markley,	Royer,	Sorg,
Gleason,		Rubin,	Speaker

NAYS—0

NOT VOTING—29

Amarando,	Hersch,	McGee,	Rose,
Byrne,	Hoggard,	Monroe,	Rosen,
Conway,	Jones, G. E.,	Muldowney,	Scanlon,
Coyle,	Kolankiewicz,	Penglase,	Taylor,
Dougherty,	Lederer,	Peta,	Toll,
Duffy,	Leven,	Pettigrew,	Varallo,
Guarnieri,	Limper,	Pfaff,	Welsh,
Hagerty,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 513, as follows:

An Act to amend section 2 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by providing that certain appeals may be taken to the court of common pleas of the county in which the aggrieved person resides

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 130) "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" is hereby amended to read as follows

Section 2 Sectary to Administer Act Appeal to Court

(a) The secretary shall administer and enforce the provisions of this act and may make rules and regulations necessary for its administration

(b) An person aggrieved by an order or act of the secretary under the provisions of sections four to eleven of this act may with [ten] thirty days after notice thereof file a petition in the court of common pleas of [Dauphin County] the county in which the aggrieved person resides for a trial de novo to determine whether such order or act is lawful and reasonable. The filing of such a petition shall not suspend the order or act of the secretary unless a stay thereof shall be allowed by a judge of said court pending final determination of the matter. The court shall summarily hear the petition and may make any appropriate order or degree

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—178

Andrews,	Good,	Maxwell,	Sarraf,
Banker,	Goodling,	Mazza,	Sax,

Barkdoll,	Graybill,	McConnell,	Schmidt,
Baumunk,	Greenwood,	McCormack,	Schuster,
Bear,	Greer,	McCullough,	Scott,
Beaver,	Gutendorf,	McDermitt,	Seyler,
Beech,	Guthrie,	McInroy,	Shoemaker,
Berkstresser,	Hall,	McKinney,	Shotwell,
Blair,	Hamilton, R. K.,	McMillen,	Smith,
Bloom,	Hamilton, W. H.,	McNally,	Snider,
Boles,	Harney,	Metz,	Sollenberger,
Bolton,	Haudenschild,	Mihm,	Spencer,
Bomberger,	Headlee,	Mikula,	Stank,
Boorse,	Helm,	Miller, H. G.,	Stimmel,
Bower,	Hewitt,	Miller, J. C.,	Stoner,
Brelsich,	Hocker,	Mills,	Swartz,
Breth,	Hunter,	Mintess,	Swope,
Brown,	Jenkins,	Moore, C. E.,	Tahl,
Bucchin,	Johnson,	Moore, H. A.,	Thompson, E. F.,
Cella,	Jones, J. M.,	Moran,	Thompson, R. L.,
Clapper,	Jones, P. F.,	Munley,	Tompkins,
Clendenning,	Jones, T. H. W.,	Murray,	Toomey,
Cochran,	Jump,	Musto,	VanSant,
Cooper,	Kamyk,	Najaka,	Varner,
Corr,	Keller,	Naugle,	Verona,
Costa,	Kent,	Needham,	Wachhaus,
Dalrymple,	Kline,	Olsen,	Wargo,
Davis,	Kohl,	Petrosky,	Waterhouse,
Dennison,	Kornick,	Pichney,	Watkins,
Dowling,	Kratz,	Pitzer,	Weidner,
DuBois,	Kubacki,	Polaski,	Wescott,
Dunn,	Lafore,	Polen,	Westrick,
Erb,	Lelsey,	Price, H. W. Jr.,	Whalley,
Ewing,	Leonard, L.,	Price, R. A.,	Wheeler,
Fenrich,	Leonard, W. C.,	Readinger,	White,
Ferster,	Light,	Reagan,	Williams,
Fillip,	Loftus,	Reese,	Wilt,
Filo,	Lopresti,	Reidenbach,	Wood,
Firmstone,	Lovett,	Reilly, J. M.,	Yeakel,
Flack,	Lutty,	Rigby,	Yester,
Frost,	Lyons,	Riley, R. L.,	Yetzer,
Gaffney,	Madden,	Robertson,	Young,
Geer,	Madigan,	Rovansek,	Ziegler,
Gibson,	Markley,	Royer,	Sorg,
Gleason,		Rubin,	Speaker

NAYS—0

NOT VOTING—29

Amarando,	Hersch,	McGee,	Rose,
Byrne,	Hoggard,	Monroe,	Rosen,
Conway,	Jones, G. E.,	Muldowney,	Scanlon,
Coyle,	Kolankiewicz,	Penglase,	Taylor,
Dougherty,	Lederer,	Peta,	Toll,
Duffy,	Leven,	Pettigrew,	Varallo,
Guarnieri,	Limper,	Pfaff,	Welsh,
Hagerty,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 708, as follows:

An Act requiring certain non-profit and cooperative associations and corporations to obtain the approval of the Pennsylvania Public Utility Commission before beginning to furnish telephone service on a cooperative or non-profit basis or to furnish such service in areas not theretofore served providing for regulation of such service after approval and conferring powers and imposing duties upon the Pennsylvania Public Utility Commission. The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following words and phrases shall have the meanings ascribed to them in this section unless the context clearly indicates otherwise

(1) "Association" shall mean any group of persons organized on a cooperative or non-profit basis providing telephone service to its own members only or to its own

members and others but shall not include any group serving less than ten telephones

(2) "Corporation" shall mean any legal entity organized under any statute of this Commonwealth or any other state or the United States on a cooperative or non-profit basis to provide telephone service to its own members or stockholders only to its own members or stockholders and others but shall not include any entity serving less than ten telephones

(3) "Telephone service" shall mean any service affording voice communication through the use of electricity and wire connection between the transmitting and receiving apparatus

Section 2 After the effective date of this act no association or corporation shall begin to engage in the furnishing of telephone service or shall extend its telephone service into any area not theretofore served unless such association or corporation shall first have obtained the approval of the Pennsylvania Public Utility Commission evidenced by its certificate of public convenience issued in the same manner and on the same findings of fact as is now provided by the act approved the twenty-eighth day of May one thousand nine hundred and thirty-seven (P. L. 1053) as amended known as the "Public Utility Law"

Section 3 Nothing in this act contained shall be construed as depriving any such association or corporation of any right power or privilege which it lawfully possessed and exercised on the effective date of this act

Section 4 Nothing in this act contained shall be construed as conferring upon any such association or corporation any rights powers or privileges not enjoyed on the effective date of this act

Section 5 Whenever the Pennsylvania Public Utility Commission shall have issued a certificate of public convenience to an association or corporation under the provisions of this act the telephone service thereafter furnished by such association or corporation shall be subject to and in conformity with the provisions of the "Public Utility Law" applicable to the furnishing of similar service by a public utility as defined in said law The Pennsylvania Public Utility Commission is hereby authorized and empowered to require such association's or corporation's compliance with such provisions of law

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—178

Andrews,	Good,	Maxwell,	Sarraf,
Banker,	Goodling,	Mazza,	Sax,
Barkdoll,	Graybill,	McConnell,	Schmidt,
Baumunk,	Greenwood,	McCormack,	Schuster,
Bear,	Greer,	McCullough,	Scott,
Beaver,	Gutendorf,	McDermitt,	Seyler,
Beech,	Guthrie,	McInroy,	Shoemaker,
Berkstresser,	Hall,	McKinney,	Shotwell,
Blair,	Hamilton, R. K.,	McMillen,	Smith,
Bloom,	Hamilton, W. H.,	McNally,	Snider,
Boles,	Harney,	Metz,	Sollenberger,
Bolton,	Haudenschild,	Mihm,	Spencer,
Bomberger,	Headlee,	Mikula,	Stank,
Boorse,	Helm,	Miller, H. G.,	Stimmel,
Bower,	Hewitt,	Miller, J. C.,	Stoner,
Breisch,	Hocker,	Mills,	Swartz,
Breth,	Hunter,	Mintess,	Swope,
Brown,	Jenkins,	Moore, C. E.,	Tahl,
Bucchin,	Johnson,	Moore, H. A.,	Thompson, E. F.,
Cella,	Jones, J. M.,	Moran,	Thompson, R. L.,
Clapper,	Jones, P. F.,	Munley,	Tompkins,
Clendening,	Jones, T. H. W.,	Murray,	Toomey,
Cochran,	Jump,	Musto,	VanSant,
Cooper,	Kamyk,	Najaka,	Varnier,
Corr,	Keller,	Naugle,	Verona,
Costa,	Kent,	Needham,	Wachhaus,
Dalrymple,	Kline,	Olsen,	Wargo,
Davis,	Kohl,	Petrosky,	Waterhouse,
Dennison,	Kornick,	Pichney,	Watkins,

Dowling,
DuBois,
Dunn,
Erb,
Ewing,
Fenrich,
Ferster,
Filtp,
Fllo,
Firmstone,
Flack,
Lutty,
Frost,
Gaffney,
Geer,
Gibson,
Gleason,

Kratz,
Kubacki,
Lafore,
Lelsey,
Leonard, L.,
Leonard, W. C.,
Light,
Loftus,
Lopresti,
Lovett,
Lyons,
Madden,
Madigan,
Markley,

Pitzer,
Polaski,
Polen,
Price, H. W. Jr.,
Price, R. A.,
Readinger,
Reagan,
Reese,
Reidenbach,
Reilly, J. M.,
Rigby,
Riley, R. L.,
Robertson,
Rovanssek,
Royer,
Rubin,

Weidner,
Wescott,
Westrick,
Whalley,
Wheeler,
White,
Williams,
Wilt,
Wood,
Yeakel,
Yester,
Ytzer,
Young,
Ziegler,
Sorg,
Speaker

NAYS—0

NOT VOTING—29

Amarando,
Byrne,
Conway,
Coyle,
Dougherty,
Duffy,
Guarnieri,
Hagerty,

Hersch,
Hoggard,
Jones, G. E.,
Kolankiewicz,
Lederer,
Leven,
Limper,

McGee,
Monroe,
Muldowney,
Penglase,
Peta,
Pettigrew,
Pfaff,

Rose,
Rosen,
Scanlon,
Taylor,
Toll,
Vallo,
Welsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 755, as follows:

An Act to further amend Section 1208 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the negligent operation of their motor vehicles imposing Commonwealth liability for damages caused by the penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by regulating jurisdiction of magistrates aldermen and justices of the peace in civil actions arising from use of vehicles

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1208 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the

subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 751) is hereby further amended to read as follows

Section 1208 Civil Actions for Damages All civil actions for damages arising directly or indirectly from the use and operation of any vehicle may at the discretion of the plaintiff be brought before any magistrate alderman or justice of the peace in the county wherein the alleged damages were sustained if the plaintiff has had said damage repaired and shall produce a receipted bill for the same properly sworn to by the said party making such repairs or his agent or action may be brought in the court of common pleas of said county and service of process in either case may be made by the sheriff of the county where the suit is brought deputizing the sheriff of the county wherein the defendant or his registered agent resides or where service may be had upon him under the existing laws of this Commonwealth in like manner as process may now be served in the proper county [No action involving more than one hundred (\$100) dollars shall be brought before any magistrate alderman or justice of the peace]

Magistrates aldermen and justices of the peace shall have the same jurisdiction in civil actions for damages arising from the use and operation of any vehicle as they have in other civil actions and in addition thereto shall have jurisdiction in civil actions for damages arising from the use and operation of any vehicle by an agent officer or employee of any party to said civil action

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—178

Andrews,	Good,	Maxwell,	Sarraff,
Banker,	Goodling,	Mazza,	Sax,
Barkdoll,	Graybill,	McConnell,	Schmidt,
Baumunk,	Greenwood,	McCormack,	Schuster,
Bear,	Greer,	McCullough,	Scott,
Beaver,	Gutendorf,	McDermitt,	Seyler,
Beech,	Guthrie,	McInroy,	Shoemaker,
Berkstresser,	Hall,	McKinney,	Shotwell,
Blair,	Hamilton, R. K.,	McMillen,	Smith,
Bloom,	Hamilton, W. H.,	McNally,	Snider,
Boles,	Harney,	Metz,	Sollenberger,
Bolton,	Haudenschild,	Mihm,	Spencer,
Bomberger,	Headlee,	Mikula,	Stank,
Boorse,	Helm,	Miller, H. G.,	Stimmel,
Bower,	Hewitt,	Miller, J. C.,	Stoner,
Breisch,	Hocker,	Mills,	Swartz,
Breth,	Hunter,	Mintess,	Swope,
Brown,	Jenkins,	Moore, C. E.,	Tahl,
Bucchin,	Johnson,	Moore, H. A.,	Thompson, E. F.,
Cella,	Jones, J. M.,	Moran,	Thompson, R. L.,
Clapper,	Jones, P. F.,	Munley,	Tompkins,
Clendening,	Jones, T. H. W.,	Murray,	Toomey,
Cochran,	Jump,	Musto,	VanSant,
Cooper,	Kamyk,	Najaka,	Varner,
Corr,	Keller,	Naugle,	Verona,
Costa,	Kent,	Needham,	Wachhaus,
Dalrymple,	Kline,	Olsen,	Wargo,
Davis,	Kohl,	Petrosky,	Waterhouse,

Dennison,	Kornick,	Pichney,	Watkins,
Dowling,	Kratz,	Pitzer,	Weldner,
DuBois,	Kubacki,	Polaski,	Wescott,
Dunn,	Lafore,	Polen,	Westrick,
Erb,	Leisey,	Price, H. W. Jr.,	Whalley,
Ewing,	Leonard, L.,	Price, R. A.,	Wheeler,
Fenrich,	Leonard, W. C.,	Readinger,	White,
Ferster,	Light,	Reagan,	Williams,
Fillip,	Loftus,	Reese,	Wilt,
Filo,	Lopresti,	Reidenbach,	Wood,
Firmstone,	Lovett,	Reilly, J. M.,	Yeakel,
Flack,	Lutty,	Rigby,	Yester,
Frost,	Lyons,	Riley, R. L.,	Yetzer,
Gaffney,	Madden,	Robertson,	Young,
Geer,	Madigan,	Rovansek,	Ziegler,
Gibson,	Markley,	Royer,	Sorg,
Gleason,		Rubin,	Speaker

NAYS—0

NOT VOTING—29

Amarando,	Hersch,	McGee,	Rose,
Byrne,	Hoggard,	Monroe,	Rosen,
Conway,	Jones, G. E.,	Muldowney,	Scanlon,
Coyle,	Kolankiewicz,	Penglase,	Taylor,
Dougherty,	Lederer,	Peta,	Toll,
Duffy,	Leven,	Pettigrew,	Varallo,
Guarnieri,	Limper,	Piaff,	Welsh,
Hagerty,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

Senate Bill No. 16, Printer's No. 82, and

Senate Bill No. 195, Printer's No. 49

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 318, entitled:

An Act authorizing counties of the second class to establish fire training schools for the paid and volunteer firemen of municipalities within the county.

On the question,

Will the House agree to the bill on third reading?

Mr. GOODLING. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 1, 1st line of title, by striking out the word "class" and inserting in lieu thereof "and fourth classes."

Amend Sec. 1, page 1, line 2, by striking out the word "class" and inserting in lieu thereof "and fourth classes."

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

RESOLUTIONS

Mr. HELM offered a resolution which was filed with the Clerk.

CONGRATULATIONS

Messrs. VAN SANT and STIMMEL offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, April 9, 1951.

Whereas, The Honorable Marian E. Markley, on Sunday, April 8, 1951, celebrated a birthday anniversary which marks another year of service to her community and to the Commonwealth; and

Whereas, Mrs. Markley has through her work in the past as secretary to the Honorable Franklin H. Lichtenwalter during his terms of office as speaker of this House and as a member of Congress shown a high degree of efficiency in the performance of her work and a rare capacity for friendship which have done much to facilitate and further the prompt and capable performance of Legislative tasks; and

Whereas, As representative of the second district of Lehigh County Mrs. Markley has brought her rare capabilities, conscientious attachment to the proper solution of Legislative problems, large experience in Legislation, and of the greatest importance, her warmth of personality and a deep spirit of friendship for all persons with whom she has had opportunities to share work and to collaborate in the performance of tasks often requiring a keen insight to many diverse problems requiring profound solution; and

Whereas, Mrs. Markley has distinguished herself as an outstanding citizen and as a capable member of this House of Representatives; therefore be it

Resolved, That this House of Representatives hereby extends to the Honorable Mrs. Marian E. Markley its felicitations on her celebration of her birthday anniversary, and that it expresses its desire to continue to enjoy her wise counsel and friendly spirit of cooperation as a source of inspiration and as an aid to the further performance of its many tasks for many years in the future.

The SPEAKER. The Chair recognizes the lady from Lehigh, Mrs. Markley.

Mrs. MARKLEY. Mr. Speaker, I appreciate very much this resolution. Everyone asks me, How do you like being in the House? Well, I like it very much, and one of the reasons that I like it is that it reminds me of a story, if I may . . .

The SPEAKER. The House will be in order.

Mrs. MARKLEY. The story is about a certain gentleman who was trying to find a church in which he thought he might be at home. He was going down the street one day and a church service was being held. He entered the church and the congregation and preacher were reading in unison, and this is what they read:

"We have left undone the things we should have done and we have done the things we should have left undone."

The gentleman slid in his seat and he said: "I have found my crowd at last."

That is the way I feel.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. EDWIN F. THOMPSON asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

COMMITTEE MEETINGS

Cities—Third Class, Mr. Dalrymple, Chairman, Room 521, Tuesday, April 10, at 11:30 a. m.

Education, Mr. Sollenberger, Chairman, Room 324, Tuesday, April 10, at 11:15 a. m.

Game and Forestry, Mr. Goodling, Chairman, Room 331, Tuesday, April 10, at 10:00 a. m.

The SPEAKER. The Chair wishes to direct the attention of the Members to the Federative Legislative Committee Field Day to be held at Zembo Temple tomorrow at 12:30 p. m. The Chair is informed that there will be buses in front of the Capitol Building at 12:00 noon. All the Members are cordially invited to be present.

ADJOURNMENT

Mr. EDWIN F. THOMPSON. Mr. Speaker, I move that this House do now adjourn until Tuesday, April 10, 1951, at 2:30 p. m.

The motion was agreed to, and (at 5:21 p. m.) the House adjourned.

Legislative Journal.

Session 1951.

139th of the General Assembly.

Vol. 32.

HARRISBURG, PA., TUESDAY, APRIL 10, 1951.

No. 35.

SENATE

TUESDAY, April 10, 1951.

The Senate met at 3:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

PRAYER

The Chaplain, Rev. GILBERT L. BENNETT, Pastor of the First Methodist Church, Huntingdon, Pennsylvania, offered the following prayer:

Almighty Father, Who art the strength of them that put their trust in Thee, we beseech Thee to arm us with power. With quietness and confidence refresh our souls. When our steps are slow and our fingers are slack, quicken us afresh with Thy spirit. Make us equal to life's most strenuous demands. We ask in the name of Him who overcame the world, even Jesus Christ our Lord. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. LETZLER, further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. HARE asked and obtained leave of absence for Mr. WOOD, for today only.

PRESENTATION OF SENIOR CLASS OF SPRING CITY HIGH SCHOOL

The PRESIDENT. The Chair is pleased to note the presence of the senior class of the Spring City High School, of Chester County, accompanied by the principal, Mr. Rothermeal. They are the guests of Senator Scarlett. Will they please rise in place and take a bow?

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate

do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 10, 1951.

Mr. PEELOR. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, April 10, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the dates shown:

To compute from date of confirmation.

ALLEGHENY COUNTY

R. H. Mueller, Snowden Twp., Library.
James T. Steele, Pittsburgh, 635 Ridge Av.
Miss Marion E. Thompson, Pittsburgh, 3875 Bigelow Blvd.

ARMSTRONG COUNTY

Mrs. Elizabeth B. Blom, Leechburg.
Bert W. Fleming, Ford City.

BEAVER COUNTY

W. B. Shanks, Patterson Twp., Beaver Falls.

BUCKS COUNTY

Mrs. Agnes E. McLean, Bensalem Twp., Bristol.

BUTLER COUNTY

Floyd Léventhal, Butler Twp., Butler.

CAMBRIA COUNTY

David E. Springer, Ebensburg.

COLUMBIA COUNTY

L. A. Zimmer, Bloomsburg.

DELAWARE COUNTY

John Bucci, Prospect Park.

ERIE COUNTY

Norman H. Albertson, Erie.
Cyril H. C. Clarke, Erie.

LACKAWANNA COUNTY

Michael A. Marhevka, Scranton.

LUZERNE COUNTY

John Grimes, Wilkes-Barre.

LYCOMING COUNTY

Miss M. Jane Hammer, Williamsport.

PHILADELPHIA COUNTY

Robert J. Beveridge, Phila., 8215 Torresdale Ave.
A. J. Feraco, Phila., S. W. Cor. Welsh & Verree Roads.

WASHINGTON COUNTY

Mrs. Cecelia Beck, Bentleyville.

WESTMORELAND COUNTY

Mrs. Marion Fiscus, Arnold.

To compute from the dates set opposite their names.

ALLEGHENY COUNTY

H. R. Friske, Pittsburgh, 304 Diamond St, April 14, 1951.

DELAWARE COUNTY

Edward J. Johns, Media, April 14, 1951.

SCHUYLKILL COUNTY

John G. Kehlor, Blythe Twp., Cumbola, April 14, 1951.

PHILADELPHIA COUNTY

Mrs. Victoria W. Montefusco, Phila., 2138 W. Indiana Ave., April 16, 1951.

LACKAWANNA COUNTY

Thomas A. Donahoe, Scranton, April 17, 1951.

SCHUYLKILL COUNTY

Miss Mary M. Boyle, Coaldale, April 19, 1951.

ALLEGHENY COUNTY

R. E. Malone, Pittsburgh, 201 N. Braddock Ave., April 24, 1951.

LEHIGH COUNTY

Mrs. Nell S. Williams, Allentown, April 28, 1951.

WASHINGTON COUNTY

Mrs. Gertrude D. Swallow, Washington, May 1, 1951.

ALLEGHENY COUNTY

Mrs. Virginia H. Rempert, Pittsburgh, 6th Fl. First Nat'l Bank Bldg, May 5, 1951.

BUCKS COUNTY

Mrs. Marguerite B. Gutshall, Springfield Twp., Sringtown, May 5, 1951.

PHILADELPHIA COUNTY

Otto L. Draeger, Phila., 704 Knorr St., May 5, 1951.

BUCKS COUNTY

Joseph L. Fewry, Bristol Twp., Bristol, May 6, 1951.

McKEAN COUNTY

James F. McVay, Bradford, May 6, 1951.

JOHN S. FINE.

Governor's Office, Harrisburg, April 10, 1951.

Commonwealth of Pennsylvania,

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the dates shown:

To compute from date of confirmation

ALLEGHENY COUNTY

Miss Enid E. Rantz, Pittsburgh, 7500 Thomas Blvd.
Mrs. Esther D. Stahlman, Pittsburgh, 6100 Centre Ave.
Mrs. Grace D. Suterlin, Pittsburgh, 1641 Oliver Bldg.
Mrs. Florence K. White, Pittsburgh, 437 Grant St.

BUTLER COUNTY

Miss Pauline I. Oswald, Butler.

CHESTER COUNTY

Mrs. Ann. E. Eberly, Atglen.

CUMBERLAND COUNTY

Richard S. Sides, New Cumberland.

FRANKLIN COUNTY

Miss Janice R. Baughman, Chambersburg.

LACKAWANNA COUNTY

Miss Veronica Elaine, Romanko, Scranton.

LANCASTER COUNTY

Glenn K. Finch, Lancaster.
Mrs. Jane E. Quinter, Lancaster.

LEHIGH COUNTY

Mrs. Betty N. Krause, North Whitehall Twp., Schnecs-ville.

MERCER COUNTY

R. A. Irvine, Sharon.

PHILADELPHIA COUNTY

John Raciti, Phila., 1130 S. 11th St.
Miss Marilyn Smith, Phila., 5699 Ogontz Ave.
Robert G. Young, Phila., 1326 Robbins St.

To compute from the dates set opposite their names.

ALLEGHENY COUNTY

Albert F. Yunker, Stowe Twp., McKees Rocks, April 21, 1951.

BERKS COUNTY

Anthony Zaffiro, Reading, April 22, 1951.

NORTHUMBERLAND COUNTY

John E. Martz, Mount Carmel, April 22, 1951.

ALLEGHENY COUNTY

Mrs. Clara Barnhart, Pittsburgh, 515 Sandusky St., May 8, 1951.

CAMBRIA COUNTY

Mrs. Ann M. Haid, Ebensburg, May 8, 1951.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. PEELOR, That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Snowden,
Barr,	Hare,	McPherson, Jr.,	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Bergar,	Kephart,	Neff,	Taylor,
Blass,	Kessler,	Pechan,	Toole,
Byrne,	Lane,	Peelor,	Wade,
Chapman,	Leader,	Probert,	Wagner,
Crowe,	Letzler,	Robinson,	Walker,
Dent,	Mahany,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreech,	Scarlett,	Wolfe,
Fleming,	McGinnia,	Silvert,	Yosko,
Freed,			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

MEMBERS OF COUNTY BOARDS OF ASSISTANCE

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, April 10, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of County Boards of Assistance:

DAUPHIN COUNTY

Mrs. Mary C. Stackpole (Republican), Clarks Valley, Dauphin R. D., to serve until December 31, 1952, and until her successor is duly appointed and qualified, vice Mrs. Bessie M. Poorman, Highspire, whose term expired.

E. R. Eckenrode (Democrat), 2929 North Second Street, Harrisburg, to serve until December 31, 1952, and until his successor is duly appointed and qualified, vice James H. Lane, Colonial Park, whose term expired.

Mrs. Rubye W. Kunkel (Republican), 27 North Front Street, Harrisburg, to serve until December 31, 1952, and until her successor is duly appointed and qualified, vice Mrs. Gabriella C. Gilbert, Harrisburg, deceased.

WYOMING COUNTY

Mrs. Esther Englemier (Republican), Osterhout, from January 1, 1950, until December 31, 1952, and until her successor is duly appointed and qualified.

Mrs. Mildred Forscht (Republican), Laceyville, from January 1, 1950, until December 31, 1952, and until her successor is duly appointed and qualified.

Forrest Sliker (Republican), 71 Maple Avenue, Tunkhannock, to serve until December 31, 1953, and until his successor is duly appointed and qualified, to fill a vacancy.

JOHN S. FINE.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, April 10, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate J. Walter Baer, R. D. No. 3, Fleetwood, Berks County, for appointment as Justice of the Peace in and for the Town-

ship of Richmond, Berks County, to serve until the first Monday of January 1952, vice Lawson G. Dietrich, deceased.

JOHN S. FINE.

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, April 10, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Nelson C. B. Kriebel, Worcester, Montgomery County, for appointment as Justice of the Peace in and for the Township of Worcester, Montgomery County, to serve until the first Monday of January 1952, vice Frank Hudnut, deceased.

JOHN S. FINE.

HOUSE MESSAGE

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 368, entitled:

An Act relating to the practice of professional nursing providing for the licensing of nurses and for the revocation and suspension of such licenses subject to appeal and for their reinstatement providing for the annual renewal of such licenses regulating nursing in general prescribing penalties and repealing certain laws.

Which was committed to the Committee on Education.

House Bill No. 369, entitled:

An Act to further amend Sections 202, 418 and 1310 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled: "Administrative Code of 1929" by changing the name of the State Board of Examiners for Registration of Nurses.

Which was committed to the Committee on Education.

House Bill No. 491, entitled:

An Act to amend the title and further amend the act, approved the twentieth day of June, one thousand nine hundred forty-seven (P. L. 733), entitled "An act to provide revenue in school districts of the first class by imposing a temporary tax upon certain classes of personal property; providing for its levy and collection; conferring and imposing powers and duties on the county assessing authority, board of revision of taxes, receiver of school taxes, county treasurer, board of public education in such districts and courts; providing for compensation to certain officers and employes and imposing penalties," by eliminating certain classes of taxable items, providing that corporations, limited partnerships and joint-stock associations holding certain taxable securities as mere custodian for the real owner shall not be taxed therefor, and providing that the act shall apply only to school districts of the first class A.

Which was committed to the Committee on Education.

House Bill No. 513, entitled:

An Act to amend section 2 of the act approved the first day of June, one thousand nine hundred forty-five (P. L. 1340) "Motor Vehicle Safety Responsibility Act," by providing that certain appeals may be taken to the court of common pleas of the county in which the aggrieved person resides.

Which was committed to the Committee on Judiciary General.

House Bill No. 708, entitled:

An Act requiring certain non-profit and cooperative associations and corporations to obtain the approval of the Pennsylvania Public Utility Commission before beginning to furnish telephone service on a cooperative or non-profit basis or to furnish such service in areas not theretofore served; providing for regulation of such service after approval; and conferring powers and imposing duties upon the Pennsylvania Public Utility Commission.

Which was committed to the Committee on Corporations.

House Bill No. 755, entitled:

An Act to further amend Section 1208 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled, "Vehicle Code," by regulating jurisdiction of magistrates, aldermen and justices of the peace in civil actions arising from use of vehicles.

Which was committed to the Committee on Judiciary General.

REPORTS FROM COMMITTEES

Mr. BLASS, from the Committee on Judiciary General reported as committed Senate Bill No. 404, entitled:

An Act to add Clause (15) to Section 14 of the act, approved the twenty-fourth day of April, one thousand nine hundred forty-seven (P. L. 89), entitled "An act relating to the form, execution, revocation, operation, and interpretation of wills; to nuncupative wills; to the appointment of testamentary guardians; to elections to take under or against wills and the procedure in reference thereto," by providing for a rule of construction with respect to cemetery lots owned by a testator or in which he has a right of interment.

Mr. WOLFE, from the Committee on Forests and Waters, Game and Fish, reported as committed, House Bill No. 484, entitled:

An Act to further amend subsection (a) of Section 704 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by permitting the use of semi-automatic shotguns for the hunting and killing of small game predators and unprotected birds.

He also, from the Committee on Forests and Waters, Game and Fish, reported as committed, Senate Bill No. 425, entitled:

An Act to further amend section four hundred eleven of the act, approved the third day of June, one thousand nine hundred thirty-seven, (P. L. 1225), entitled, "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating and changing the law relating thereto," by changing the shooting restrictions on regulated shooting grounds.

He also, from the Committee on Forests and Waters, Game and Fish, reported as committed, Senate Bill No. 479, entitled:

An Act to add subsection (e) to section 501 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by providing for an open season for hunting deer with bows and arrows, requiring a special permit therefor and fixing fees.

Mr. ROBINSON, from the Committee on Forests and

Waters, Game and Fish, reported as committed, Senate Bill No. 459, entitled:

An Act to further amend Section 1101 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by authorizing the payment of bounties for the destruction of rattlesnakes.

Mr. FREED, from the Committee on Forests and Waters, Game and Fish, reported as committed, Senate Bill No. 329, entitled:

An Act to amend Section 3 of the act approved the twenty-eighth day of May, one thousand nine hundred thirty-one (P. L. 202), entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream, artificial or natural body of water, or non-tidal waters of any river within the Commonwealth; conferring powers and imposing duties on certain police officers and the Board of Fish Commissioners, including the enforcement of certain existing laws; and prescribing penalties," by directing the Department of Revenue to authorize local agents, which may be county officers, to issue motor boat licenses.

Mr. MEADE, from the Committee on Judiciary General, reported as committed, House Bill No. 188, entitled:

An Act relating to the admissibility in evidence and the proof of official records documents and proceedings both domestic and foreign and of copies thereof and extracts therefrom and certificates in reference thereto.

He also, from the Committee on Judiciary General reported as committed, House Bill No. 247, entitled:

An Act to amend the title and the act, approved the sixth day of April, one thousand nine hundred forty-five (P. L. 164), entitled "An act authorizing and empowering minors seventeen years of age, or older, to contract for and to make loans in accordance with the provisions of the act of Congress, known as the "Service-men's Readjustment Act of 1944," or any agency of the Commonwealth hereafter created, and saving and relieving parents, guardians, and trustees of such minors from any liability therefor, unless joining therein," by extending the provisions thereof to include certain, adults and empowering the minor spouses of such persons to join in the execution of certain contracts; and validating the actions of minor spouses of such adults in heretofore joining in the execution of any such contracts under certain conditions.

Mr. CROWE, from the Committee on Forests and Waters, Game and Fish, reported as committed Senate Bill No. 426, entitled:

An Act to amend section seven hundred twenty-one of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals and amending, revising, consolidating and changing the law relating thereto," by changing the period for retriever trials.

Mr. PEELOR, from the Committee on Judiciary General reported as amended, Senate Bill No. 461, entitled:

An Act establishing a procedure by which the register of wills elected in counties of the first class shall execute record and file his bond to the Commonwealth and receive his commission and conferring powers and imposing duties upon the Secretary of the Commonwealth and the recorder of deeds.

He also, from the Committee on Judiciary General reported as amended, Senate Bill No. 480, entitled:

An Act relating to the discharge of joint and several tortfeasors in certain cases.

He also, from the Committee on Judiciary General reported as committed, House Bill No. 99, entitled:

An Act to improve and extend by reciprocal legislation the enforcement of duties of support and to make uniform the law with respect thereto.

Mr. LETZLER, from the Committee on Judiciary General reported as amended, Senate Bill No. 172, entitled:

An Act to amend the act, approved the fourth day of June, one thousand nine hundred forty-five (P. L. 1388), entitled "An act relating to the practice, procedure, regulations and adjudications of departments, departmental administrative boards and commissions, independent administrative boards and commissions, officers and other administrative agencies of this Commonwealth, and judicial review thereof; and preserving equitable jurisdiction in certain cases," by redefining "regulation"; changing provisions governing promulgation of regulations; imposing duties on the Department of State, providing for judicial review of regulations; requiring all appeals to be taken to the Superior Court; and enumerating the agencies affected and the extent to which they are affected.

Mr. BERGER, from the Committee on Judiciary General reported as committed, Senate Bill No. 303, entitled:

An Act relating to the apportionment of estate taxes and providing procedure for the enforcement of contribution or exoneration.

Mr. STEVENSON, from the Committee on Local Government reported as amended, Senate Bill No. 121, entitled:

An Act to further amend the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by authorizing the classification of real estate into buildings on land and land exclusive of the buildings for city assessment and tax-levying purposes at separate and different rates.

Mr. HOLLAND, from the Committee on State Government reported as amended, Senate Bill No. 306, entitled:

An Act to further amend section 1 and to amend section 5 of the act, approved the twentieth day of May, one thousand nine hundred thirty-seven (P. L. 728), entitled "An act providing for the creation of a Board of Arbitration of Claims arising from contracts with the Commonwealth; providing for and regulating the procedure in prosecuting claims before such board; defining the powers of the board; and fixing the compensation of members and employees thereof; providing that the awards of such board shall be final; providing for the payment of awards; and authorizing an appropriation," by increasing per diem wage of members of the board, allowing such members maintenance and traveling expenses, permitting hearings at such places within the Commonwealth as the board shall determine.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

WORKMEN'S COMPENSATION REFEREE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 26, 1951
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Gladstone A. Carmalt, Brookville, Jefferson County, for appointment as Workmen's Compensation Referee, to serve until the third Tuesday of January 1955, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 3, 1951.
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate: Rollin C. Littlehales, 114 East Centre Street, Ashland, Schuylkill County, for appointment as Justice of the Peace in and for the Borough of Ashland, Schuylkill County, until the first Monday of January 1952, vice A. R. Keim, deceased.

JOHN S. FINE.

MEMBER OF THE LAWRENCE COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 3, 1951.
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate: Ralph H. Ramsey (Democrat), 325 Park Avenue, New Castle, Lawrence County, for appointment as a Member of the Lawrence County Board of Assistance, to serve until December 31, 1952, and until his successor is duly appointed and qualified, vice L. Fred Vaughn, New Castle, deceased.

JOHN S. FINE.

MEMBERS OF THE BOARD OF TRUSTEES OF WEST CHESTER STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 3, 1951.
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Members of the Board of Trustees of West Chester State Teachers' College, to serve until the third Tuesday of January 1957, and until their successors shall have been appointed and qualified:

Dr. John L. Johnson, West Chester, Chester County
Mrs. Irma P. Knauer, R. D., Pottstown, Montgomery County
Frank F. Truscott, 929 Land Title Building, Philadelphia, Philadelphia County.

JOHN S. FINE.

MEMBERS OF THE ARMSTRONG COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 9, 1951.
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to

nominate for the advice and consent of the Senate the following persons for appointment as members of the Armstrong County Board of Assistance:

Paul R. Newcomb (Republican), Kittanning, from December 5, 1949, until December 31, 1951, and until his successor is duly appointed and qualified.

Quincy G. Vincent (Republican), 412 Thirteenth Street, Ford City, to serve until December 31, 1953, and until his successor is duly appointed and qualified, vice Earl D. Artman, Ford City, whose term expired.

JOHN S. FINE.

MEMBERS OF THE BUTLER COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 4, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Butler County Board of Assistance:

Clay C. Ruff (Republican), Slippery Rock, from January 1, 1950, until December 31, 1952, and until his successor is duly appointed and qualified.

Robert A. Young (Republican), West Sunbury, from January 1, 1951, until December 31, 1953, and until his successor is duly appointed and qualified.

Mrs. Daisy Riddle (Republican), Butler, from January 1, 1951, until December 31, 1953, and until her successor is duly appointed and qualified.

JOHN S. FINE.

BILLS INTRODUCED AND REFERRED

Messrs. CHAPMAN and STIEFEL read in place and presented to the Chair Senate Bill No. 485, entitled:

An Act making an appropriation to the Department of Welfare for the additional maintenance of certain hospitals in out-patient and dispensary service.

Which was committed to the Committee on Appropriations.

They also read in place and presented to the Chair Senate Bill No. 486, entitled:

An Act relating to and defining chiropractic and the right to practice chiropractic requiring licensure conferring powers and imposing duties upon the State Board of Medical Education and Licensure providing for the granting suspension and revocation of licenses issued by the board conferring jurisdiction upon the court of common pleas of Dauphin County and prescribing penalties.

Which was committed to the Committee on Education.

Mr. CHAPLAIN read in his place and presented to the Chair Senate Bill 487, entitled:

An Act to further amend clause (f) of Section 306 of the act, approved the second day of June, one thousand nine hundred fifteen (P. L. 736), entitled, as amended, "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," by requiring the employer to provide other forms of treatment if the employe so desires.

Which was committed to the Committee on Labor and Industry.

Mr. LETZLER read in his place and presented to the Chair Senate Bill No. 488, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by creating the State Board of Psychological Examiners and defining its powers and duties.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 489, entitled:

An Act relating to the practice of psychology; defining and providing for the licensing and registration of psychologists and psychological technicians, and for the revocation and suspension of such licenses and registration, subject to appeal, and for their reinstatement; defining the powers and duties of the State Board of Psychological Examiners and the Department of Public Instruction; and prescribing penalties.

Which was committed to the Committee on Education.

Mr. PECHAN read in his place and presented to the Chair Senate Bill No. 490, entitled:

An Act to further amend section two of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 216), entitled "An act relating to dentistry; defining and providing for the licensing and registration of dentists and dental hygienists, and for the revocation and suspension of such licenses and registrations, subject to appeal, and for their reinstatement; defining the powers and duties of the State Dental Council and Examining Board and the Department of Public Instruction; providing penalties; and repealing existing laws," by further defining the term "Practice of Dentistry."

Which was committed to the Committee on Public Health and Welfare.

Mr. McCREESH read in his place and presented to the Chair Senate Bill No. 491, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of the Salvation Army Booth Memorial Hospital, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Messrs. McMENAMIN, TOOLE and LANE read in place and presented to the Chair Senate Bill No. 492, entitled:

An Act to further amend Section 1 of the act, approved the fourth day of June, one thousand nine hundred thirty-seven (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employees' retirement system in counties of the third class; and imposing certain charges on counties," by defining "final salary" to mean the highest average annual salary for any five year of service.

Which was committed to the Committee on Local Government.

Mr. NEFF read in his place and presented to the Chair Senate Bill No. 493, entitled:

An Act to amend the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by providing for the issuance of farm fish pond licenses by the Pennsylvania Fish Commission; regulating the use of the pond and the terms of the license; and prescribing penalties.

Which was committed to the Committee on Forests and Waters, Game and Fish.

PETITIONS AND REMONSTRANCES

PERMISSION TO ADDRESS SENATE

Mr. YOSKO asked and obtained unanimous consent to address the Senate.

Mr. YOSKO. Yesterday, Mr. President, I said I was going to discuss to some extent the Department of Public Assistance as well as this report that was prepared by the Joint State Government Commission.

Yesterday we approved a deficiency appropriation for the Department of Public Assistance in the amount of ten million dollars, and I noticed that when the deficiency was approved I do not believe there was one vote against it. As long as we continue to approve these deficiencies for the departments of State government, so long we are going to continue to have these billion dollar budgets, so long are these departments going to continue to spend money at will and, frankly, after the money is spent, and I mean over and above what the Legislature allocates to these departments, so long as we do nothing about it, that is how long these departments are going to continue to spend over and above what we give them.

Mr. President, I hope that as the result of this bill that was introduced, setting up the Accountant General, that these deficiencies will be done away with through a procedure that will be set up in that bill, and in that connection I am on the subcommittee with Senator Diehm and Senator Wade, who are studying some amendments to the bill, and we are going to Trenton, New Jersey, on Friday to study the system down there, that I understand is pretty good.

Mr. President, for this biennium we gave the Department of Public Assistance \$163,000,000 to function for two years. In addition to that, we provided \$25,000,000 which the Department of Public Assistance was permitted to use from surpluses accumulated by the State. They used up the \$163,000,000, as well as the \$25,000,000, and yesterday came here and received another \$10,000,000, which I think made it \$198,000,000 from the State government, in addition to whatever was allocated to the

Department of Public Assistance by the Federal Government.

Mr. President, this report is a splendid report, and I only hope that we have a report similar to this dealing with every department, board and commission of the State government because I think it would be helpful to the Members of the Legislature while they are in Session to cure some of the evils and some of the inefficiency in the various departments of the state government.

I for one want to commend the Committee that functioned in connection with the investigation of the Department of Public Assistance and for the compilation of this report. Frankly, it does not cover all phases but it does a pretty good job. It is rather mild in its criticisms and what is lacking in it are recommendations to cure the evils that are outlined in this report and in the administrative procedure of the Department of Public Assistance. So, Mr. President, I want to take just a little bit of time here not to criticize the Committee or to criticize the report, but to make a few suggestions that I think will improve the Department of Public Assistance and, perhaps, at some future time during this Session, I may draft a bill to take care of some of these deficiencies in the Department of Public Assistance.

Mr. President, under the law the Department of Public Assistance is governed by what they call a State Board, and the functions and duties of the State Board are outlined in this report. I am not going to read them, but they are really responsible for the administrative procedure, for the rules and regulations that govern the Department of Public Assistance. It is a \$200,000,000 program and under the law there are nine members on this board, and the bad feature about it, as I see it, is the fact that these nine members do not get a nickel in compensation for serving. Now, how could we expect—how do we expect a board of nine people to run a \$200,000,000 project without getting paid? That, in my opinion, is a fallacy in itself.

Mr. President, how does this board function? This board meets once every month. Just imagine that; once every month it meets to run a \$200,000,000 project, and while I was attached to the Auditor General's Department, I represented the Auditor General, who is a member of the board, at, I think, one or two of these meetings, and if my memory serves me correctly I do not believe the meetings lasted more than three hours, and what happened? The board comes here to Harrisburg, not the whole complement of nine members. Some of them come and some of them do not come. They are scattered all over Pennsylvania, and before they get here there is an agenda laid out for them, and if it requires a resolution, a resolution is prepared for them and the person who prepares the agenda and the resolution, he does all the talking, and it is just a matter of somebody making a motion to go along with the contents of the resolution and somebody seconds the motion. They take a vote and they very seldom turn down anything that is presented on the agenda.

I do not know how many members of this Senate are in business, but I say to you, Mr. President, if you have a business and you only attended to that business once

a month, what would happen to it? It would not be long before you were out of business. I am sure about that and that, perhaps, can account for all of the inefficiency that this report outlines to the Legislature.

Mr. President, in my opinion I think this free service board ought to be abolished, and in my opinion I think we ought to appoint a paid board to do this job, somebody that will work at it five days a week, six days a week, concentrate on it, look after this \$200,000,000 project. I am sure if this were done we would not find all of the misgivings that we find there in this report, and we would not find that there was \$16,000,000 handed out to chiselers and in the form of overpayments. That is only a suggestion.

Now, Mr. President, let us take the next phase of it, take a look at the chart. We talk about bureaucrats in the Federal Government, and we talk about bureaucrats here in the State government, too, but you just take a look at this chart in this report on page 13, and take a look at the number of bureaus set up within a bureau. You have the State Board of Public Assistance, the Secretary of Public Assistance, the State Civil Service Commission, the Deputy Secretary, Public Relations—I do not know what the Public Relations fellow does but they got him down here—the County Administrator of Budgets—I do not know what he does—the Bureau of Finance, the Bureau of Assistance, Administrative Services, Assistance Policies, Employment Program—and I am going to touch on the Employment Program as I go along—Field Service, Medical Care, Correspondence and Reports, Claims Settlement, Audits and Accounts, Methods and Systems, Personnel, Research and Statistics, Office Management and Supply, Area Offices, General Accounting, Audits, another Audits, Regional Offices, County Boards of Assistance, County Staff, Social Service and Clerical Service. That is a monstrosity and if anything demands a public hearing it is this thing here, to see how many of these bureaus we can eliminate or consolidate.

I am assuming that for every bureau that is here, you have a director, and for every director you have a secretary and for every secretary you have clerks. They have all got to do something and, perhaps, that accounts for the multitude of literature that goes out from the Department of Public Assistance to these County Boards of Assistance. In that connection, Mr. President, yesterday I asked Mr. Wray, the Deputy Secretary of Public Assistance, to give me a compilation of the eligibility rules and regulations that are prepared over here by these bureaucrats in the Public Assistance Bureau, so that I could show you how voluminous those rules and regulations are.

Now, Mr. President, if you will turn to page 103, on page 103 you will find the rules of eligibility for general assistance, old age assistance, aid to dependent children and aid to permanently and totally disabled, and, frankly, it is in simple concise form but from this, from this, as I said before, from these bureaucrats over here, and they tell me in the local offices every lay in the week some kind of a change in regulation comes through, and it keeps the visitors that ought to be out on the job investigating these people to determine whether their eligibility is changed, it keeps them busy keeping up

with these changes, changes and more changes in rules and regulations and in rules of eligibility.

Mr. President, I asked for that yesterday, and Mr. Wray said to me, "Which one do you want? Do you want the big one or do you want the small one?" He said, "If you make me bring the big one over, you are going to make us look silly, but if you let me bring over the small one, you are going to make us look good," and I said, "Mr. Wray, I do not know how I could make you look any more silly than this book made you look. So, bring over the whole shebang so the Members of the Legislature can take a look at what you have over there and maybe we can help you to simplify it," and to this day I have nothing. The last I heard is that they were trying to get a set together for me. I would like to see what it is going to look like when I get it.

Mr. President, the next phase of it is the Auditor General's staff. Frankly, Mr. President, it has always been the theory of those that were interested in public assistance that it is the aim of the Department of Public Assistance to put people on the rolls, but there is not enough done to take them off, and what is it? It is nothing more than self-preservation. I do not know how many visitors they have; I do not know how many attorneys they have; I do not know how many clerks they have; I do not know how many stenographers they have; I do not know what the personnel setup is, but it is only common sense to believe that the more you reduce the rolls, the less need you will have for all of that personnel, and he who has a good job is not going to do himself out of a job by reducing the rolls. Nobody will. It is self-preservation. It is everybody taking care of himself, and that is the theory upon which this Auditor General's staff was organized. I do not say this for any other reason except that I was over in the Auditor General's Department at the time, and I organized this staff that functions out of that Department, with the approval of the Governor and with the opposition of the Department of Public Assistance. It was our theory that there ought to be some group functioning that would take these people off the rolls. It is their job to put them on. At least that is the theory they assume, and you would have to have some active body that would act counter to the Department of Public Assistance and go around and review and investigate these cases to take them off the rolls. So, this bureau was set up and I remember, and I think the same practice ought to be inaugurated at the present time, we would conduct a county investigation, we would send a man out to a county and we would pick out certain spots in the county where the recipient would have to call for his check instead of mailing the check to him; we would write that person a letter that was in that area and we would say to him, "Your check will not be mailed this time. You call at such and such a place, at such and such a time, and pick up your check, personally." Then we would send investigators to each one of these places in the county, they had to call for the checks, and then we had a uniform questionnaire that we completed to determine the eligibility of those that called for the checks, and you would be surprised. There were lots of them that did

not call for the checks, and when we went to their homes to find out why they did not call, they would say, "I am no longer eligible. I do not need it," but if that thing were not done, they would have stayed on those rolls on and on and on until something happened.

I think that same procedure ought to be adopted now to clear up whatever questions might exist by way of eligibility in these various counties of the State. I do not know what system the Auditor General is following now but from the latest reports I get, I am told that they knock off sufficient people from the rolls to more than justify the allocation that is made to the Department of the Auditor General to conduct these investigations, and I think it ought to be continued. As a matter of fact, I think a counter group ought to be set up either in the State Police, that I understand helped to compile this report, or in the Department of Justice, and they be given police powers, if necessary, so that they can do something to these chiselers, these leeches, that live off the Commonwealth illegally, and not just let them get by with it without doing anything to them. We have got to make an example of some of these leeches if we are to reduce these rolls and take care of the real honest to God deserving people of this Commonwealth of ours.

Now, Mr. President, we come to the budget allowance and this Department of Public Assistance, frankly, Members of the Senate, has worked this thing down to a science. In the incidentals they tell me they make an allowance to go to the hair dresser, they make an allowance for magazines, they make an allowance for the movies, they make an allowance for other luxuries. Why, between you and me, people who earn their bread and butter by the sweat of their brows cannot do some of the things that these people on public assistance do. Something has to be done about it and I understand Fred Hare is preparing some kind of a bill that will put a maximum on the amount of relief a recipient can get. I do not know whether it is the proper maximum or not. Those who deserve public assistance, those who are in need, ought to get what they are entitled to, but certainly these luxuries that are included in the amount of the budget that is given to a person on Public Assistance ought to be eliminated as much as possible.

Mr. President, I talked to a druggist back home the other day, and he told me that there was a relief recipient who comes in time and time again with a prescription, and the druggist went back this one time and he filled up a little envelope that they use with this medicine, these pills, and he brought it out to this fellow and the fellow said to him, "Are you giving me some more of those?" He said, "I've got more of those at home than you have got here." He said, "What do you say if I do not take them and you give me the money for them?" Of course, the druggist turned him down and he reported it to the doctor. Of course, I do not know what kind of doctors would do such a thing, but if there are too many of them around, what I think we ought to do is hail them in to show cause why their licenses should not be suspended. If it is a racket, we ought to try to break it up. I know you stick your chin out when you make a statement like that, but it is all right with me. If there are any doctors that stoop to

that sort of thing, then something ought to be done with them.

Then, Mr. President, we take the visitors. I read a newspaper account here a short time ago that said that probably there were not enough visitors in the State. I do not know whether there are enough or whether there are not enough visitors in the State, but I do say this, that if the visitors were given a job to do and that job was confined to visitors to investigate eligibility without being given a half a dozen other things to do that consume most of their time, perhaps they could make their visits on schedule and make them more frequently. I talked to a visitor just last week who told me that she has so many other things to do that she is just now in the process of visiting those recipients who were last visited in September of 1950. So, I said to her, "Well, what happens if you visit that person now and you find that they are ineligible since 1950?" The answer I got was just a shrug of the shoulder, and the remark, "What can you do?"

Mr. President, I think if these visitors were given a job and divided their duties so that certain of them just investigated general assistance, which is a little bit different from old-age assistance, and the old-age assistance confined to another group and the aid to dependent children to another group, and they were kept on the roll and it was checked to see whether or not they make their regular periodic visits, a lot of these ineligible people that are now on the rolls could be taken off the rolls.

Now, Mr. President, I want to say just a little bit about the employment of those on public assistance. In my opinion, I think they ought to establish a placement bureau within the Department of Public Assistance, and I frankly believe that before a person is placed on assistance every effort ought to be made to get him some kind of a job. I know it is going to be said that all relief cases are reported to the Department of Labor and Industry. I checked with that, too, and the person in charge of the employment service will tell you that he has enough to do to take care of his own cases without bothering with public assistance cases. I think, too, Mr. President and Members of this Senate, that industry ought to interest itself and employ these people on public assistance. I mean those that are employable. We can say, as a matter of argument, that industry is paying the bill for them. Industry says that it is paying forty-one per cent of the taxes here in Pennsylvania. Two hundred million dollars of that goes to public assistance, and I understand twenty-seven per cent of the general fund expenditures represent that two hundred million dollars. Now, if that is true, I think industry ought to try to absorb some of these people on public assistance and relieve the Commonwealth of this heavy load. As a matter of fact, I think the Department of Public Assistance ought to call a meeting of all of the public relations people employed by industry and see if they cannot set up some kind of a program to absorb as many of these people as is possible. I am sure if that were done, we could reduce the relief rolls in Pennsylvania to a great extent which would result in a huge saving. I think also the Commonwealth ought to try to absorb

some of the people that are employable on the public assistance rolls. I think the city governments and the county governments ought to do it, but there has got to be some kind of a system inaugurated whereby these local political subdivisions, as well as the State, will have a list or some sort of a record and characterization of those on public assistance to see which of them they can draw from the rolls and give employment to.

I also think, Mr. President, and these are just suggestions, that at least once a month when a check is mailed to a relief recipient, they ought to be compelled to file a questionnaire under oath to determine whether or not their eligibility has changed since the time they filed the last statement, and I think it ought to be made perjury for them to falsify that affidavit. I think it would be a deterrent to telling lies and I think it would help to get some of these people off the rolls.

Now, Mr. President, with reference to restitution, this report does not cover one phase. I do not know how many thousands of judgments are on record against relief recipients. I do not know what efforts are being made to satisfy those judgments. I do not know how many of those judgments are satisfied by compromise with the recipients. I expect to ask for a list of them, but I think if there are attorneys on the pay roll or if they do have a restitution department, then I think that they ought to do something about collecting the judgments or wipe them off through legislation, one or the other, and not let them stay on record and nothing be done about them.

Mr. President, I would also like to know how many properties, for instance, were taken over by the Department of Public Assistance. I would like to know what procedure they followed in disposing of those properties. I would like to know who bought them and how much they paid for them. There are a lot of things I would like to know about this restitution end of it that this report does not talk too much about.

I realize, Mr. President and Members of this Senate, that there are other things that could be discussed to improve this Department of Public Assistance, and I would certainly be happy to cooperate with anybody in this chamber or with the Department to get something together that will improve the administrative procedure that is now in effect, to the end that we might cut our expenditures for public assistance to a minimum and only take care of those who are legally entitled to help from this great Commonwealth of ours.

PRESENTATION OF STUDENTS FROM THE PENNSYLVANIA STATE COLLEGE

Mr. LETZLER. Mr. President, may I interrupt the business of the Senate to present a group of visitors in the gallery?

Mr. President, I am happy to present the class in advanced reporting from the School of Journalism at Pennsylvania State College. The class is under the leadership of its teacher of journalism, Professor Frederick B. Marbut. I am happy to be able to present this group of future legislative correspondents to the Senate this afternoon.

The PRESIDENT. Will the guests of Senator Letzler please rise in place and take a bow?

PERMISSION TO ADDRESS SENATE

Mr. WALKER asked and obtained unanimous consent to address the Senate.

Mr. WALKER. Mr. President, I certainly do not want to prolong this ex parte debate on the Department of Public Assistance. The very honorable gentleman, who represents the Minority side, last week made a speech on the Department. If my memory serves me rightly, one of the phrases used by the gentleman from Westmoreland was that we should eliminate the Department. It looks like that idea is slowly growing popularity.

Mr. President, I can remember back when we were going through what they call the administration of Gifford Pinchot, the second, when we had a variety of assistance records or statutes on the books, and then we came into the administration of the very distinguished Governor, Mr. George Earle, and there was a study made under the direction of the then administration on this question of public assistance or relief, which was a very prominent subject at that time because of the economic instability of this Commonwealth and the other forty-seven states of the Republic. As a result of that study, there was presented to the General Assembly the Goodrich Report, which was adopted and which created the Department of Public Assistance.

Now, Mr. President, those of us who happen to come from western Pennsylvania are very proud of the fact that on that committee was a very distinguished gentleman from Allegheny County, a statesman, a renowned jurist, a student of public affairs, a very courageous young man by the name of Ralph Smith, who served on that committee and who published a minority report in which he pointed out, Mr. President, just what would happen if this centralization of assistance was created in this Department of Public Assistance under this Goodrich Report. He was in the minority in that report, and his warnings went unheeded. The Department was created and in the Department, Mr. President, there were things set up such as civil service to protect the common people, and we set up civil service in such a way that it is twice as hard to get somebody off the pay roll as it is to get them on. We set up a routine that must be followed so that justice will be triumphant, and we set this Department of Public Assistance up and, as the gentleman has just said, although the relief rolls go down, it seems as though the number of employees never diminishes, and although the appropriations, while we try to hammer them down, it looks as though we are spending more money now for public assistance than we did when we were in the middle of the depression.

Now, Mr. President, as to the report which is before the General Assembly and which was prepared by this committee of Legislators, acting under the jurisdiction of the Joint State Government Commission, that committee has done a marvelous job. As the gentleman has just said, there is very little in the discussion that is not in this report. There are recommendations here, some of them expressed and some of them implied, which show what the General Assembly can do if they are serious in approaching this problem.

Now, Mr. President, I want to emphasize, if I can, for the benefit of the gentlemen of the Senate, that more and more and more money is being appropriated to this De-

partment of Public Assistance, and it will grow and grow and grow unless we do something practical and tangible about it. All of the speeches on the floor of the Senate will not reduce this appropriation one iota, will not reduce this bureau that the gentleman discusses and which has been inflicted on us since 1937. When there is talk about abolishing the Department, when there is talk on the floor of the Senate that, perhaps, we should return relief to the local political subdivisions, when there is talk of trying to restore employment among the recipients of relief, as the gentleman has suggested, the distinguished gentleman from Somerset, Senator Hare, has at this time in his desk a bill which he is preparing to introduce which will put a ceiling on public assistance. As the gentleman from Westmoreland said last week, if there is a citizen in this Commonwealth who by the sweat of his brow is supporting a family of five, six, seven, eight children and he is hurt in an industrial accident, the most compensation that that gentleman can receive as a result of that injury is twenty-five dollars a week, and yet a hale and hearty individual, who is just too lazy to go to work, with the same number of children, is getting two hundred, two hundred fifty, three hundred dollars a month from public assistance, and I think it is about time that the gentlemen of the Senate get together and do something that will stop this type of relief in Pennsylvania.

Now, Mr. President, you cannot do it by making speeches. I wish if the gentlemen of the Senate did nothing else, they would take a look at the distinguished members of this body who served on this committee. Then you will understand the serious, constructive thought that was put into this report, and it was put into this report, not to publish another volume of statistics, it was put into this report in the fervent hope that we would have courage enough to do something about it.

PREMISSION TO ADDRESS SENATE

Mr. McGINNIS asked and obtained unanimous consent to address the Senate.

Mr. McGINNIS. Mr. President, I want to dispel from the mind of the esteemed Majority Leader that there is anybody on this side of the chamber, and I do not think on the other side, who has got the idea in his mind to abolish the Bureau of Assistance. To my mind, it is one of the greatest pieces of legislation that was ever passed in this chamber.

Mr. President, I can remember years ago when what haunted everybody, I do not care how well-to-do they were, was that some day they would lose their jobs, or the banks would fail or they would foreclose on their mortgages, and they would go over the hills to the poorhouse. That is one thing that this Bureau of Assistance has done. It has abolished the poorhouse in Pennsylvania, and I am sure that there is not a person on this floor that wants the poorhouse to come back.

Now, Mr. President, it is all right. I approve of what Senator Yosko has done here. I think every department ought to stand an investigation. I think it is good for the department and good for the Commonwealth. I want to say this to them. My experience with the Bureau of Assistance in Allegheny County has convinced me, maybe I am wrong, but in Allegheny County I think it is administered in very good shape and I know they are

checked and examined, and the visitors examine these people who are on relief.

I can remember the Senate from Cambria many a time on this floor got up here and protested the activity of the Bureau of Assistance in trying to sell out a man's home, and I am sure that there is a lot of sympathy with that idea. I do not think any administration should be too tough in selling a home, if it is the last thing that an old couple has got.

Now, I realize that there are people on relief that could work, but they cannot get a job. I want to say that I know in my County if a person is over forty or forty-five years of age, man or woman, they do not want them in any industry, and even on the public pay roll they would rather have younger people than people above forty-five years of age. I do not know what you are going to do with those people if they are willing to work and cannot get it. They have got to be taken care of, and so, I merely want to conclude with this remark, that I am glad that Senator Yosko has given a lot of study to this problem. It probably requires more study, but if there is any movement here to abolish it, I will assure you I will fight it as long as I can.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President and Members of the Senate, one can easily see how you can cook up a very fine debate on public assistance by just everyone expressing their personal viewpoints, and maybe that is the way it ought to be. I know that where there is so much smoke, there must be some fire.

Mr. President, for the benefit of those who have not the time to look at the monthly sheets that are sent out, or rather the weekly sheets sent out by the Department of Public Assistance, it might be interesting to note some of the figures that come from that Department covering relief. For instance, in the month of January 1951, we find a total expenditure for relief of \$11,605,000. Of this amount we have \$7,421,000 of State monies and Federal Funds of \$4,184,000. You can easily see that this is the proportionate figure, as it runs somewhere near that throughout the year, because in December of last year we find that out of a total of \$11,628,000, there is \$7,149,000 of State moneys and \$4,478,000 of Federal. A year ago, 1950, the month of January, we find a total of \$14,360,000, with a State grant of \$9,901,000 and a Federal grant of \$4,459,000. You will find that it is roughly around fifty per cent—it fluctuates between forty-five and fifty-five per cent of the moneys that are expended come from Federal funds.

Now, Mr. President, the Federal funds up until this Session of the Legislature have been allocated to the four categorical reliefs, old-age assistance, aid to dependent children, aid to widowed mothers and blind pensions. Rather, that amount of money from the Federal Government covers only the general assistance and not the categorical reliefs. However, we expect to get from the Federal Government this year, this biennium, some eight millions of dollars which had not been accounted for in the Budget. I think that you ought to look into that very seriously when you start adding the figures in the Budget,

to find whatever might be termed fat, that name being very popular with one ex-Governor of the Commonwealth who is making quite a reputation talking about fat in the Federal Budget, and I want to say that he is an expert at it, too, because I have read some of his budgets and he ought to know where to look for fat in the Federal Budget. However, getting back to this relief problem, Senator Walker very ably said that we cannot do anything about it by making speeches but we can air it out. We can get the opinions of the Members of the Senate, we can crystallize those different opinions and maybe we can do something about it.

Mr. President, I agree in part with what Senator McGinnis said that originally it was said that this was a great piece of legislation, but we have come so far along the line in civilization and in government that we now believe that the old political patronage proposition is passe. We must not use it anymore, we must not appoint persons to office because they are friends of political job holders or elected public officials. We now give them their jobs because they are friends of the people that have the jobs. In other words, you have destroyed that enemy of public government that they used to call political patronage, and in its place you have put private patronage, if you please. If you do not believe that, just try to get a job in the various Civil Service Departments, both Federal and State government, and I for one very frankly say, whatever the result may be of this statement, that we had better government before than we have today, because (and this is something that should be very interesting to the Members of the Senate) out of the \$11,605,000 spent for public assistance in Pennsylvania, the total of the grant to the recipients of this relief was \$9,858,000. Out of \$11,605,000, \$1,037,000 went for administrative costs or a percentage of eight and nine-tenths, and the balance of that money went into the so-called incidentals that Senator Yosko talked about.

Now, Mr. President, if you create a monstrosity there is only one way to destroy it. They have tried curing cancer by giving medicine, but it will not work and they have to use the knife. So far, the only effective cures that I have heard about have been those where they have had surgical operations, and I think that this Department of Public Assistance is ripe for a grand surgical operation performed by politicians, if you please. You see, the only difference between politicians and statesmen is that politicians are still breathing. Mind you when I say this to you, that unless we do something about public assistance in this Session of the Legislature, the cancerous growth will, as Senator Walker so ably said, keep growing and become a fester upon the body politic that will require more than a major operation to cure. You cannot do what we are doing in Pennsylvania. I have looked at the figures for my county. We have approximately three hundred twenty thousand souls living in Westmoreland County, and I find that a very interesting item. Do you know how many persons in Westmoreland County are on the so-called general assistance?? There are three hundred seventy-five. I cannot get through my mind the figure of \$266,000,000 a biennium for relief in Pennsylvania during the 1949-1951 biennium, and then tie that in with three hundred seventy-five people from Westmoreland County receiving general assistance. In the minds of the

people, and I know that in the minds of some of my colleagues, when I make an attack upon public assistance in Pennsylvania they believe that I have joined the ranks of those who would have the needy go without. I am not in that group, but I do not think that we ought to waste public funds taking care of parasites, and I do not think that we ought to waste twenty-six million dollars, roughly, in administrative costs when the twenty-six million ought to pretty near pay the whole bill. Do the people of Pennsylvania know that roughly we spend ten per cent of every relief dollar for administrative cost? Then they say that they do not have enough help as it is. How can we spend any more? I have said it before and I am going to say again and again that If we keep up the program that we have in vogue at this moment in the Commonwealth of Pennsylvania, regardless of its source, regardless of where it started or who is to blame for the start, we are going to make the fit in Pennsylvania unfit taking care of the unfit. Do you realize that we have come from an appropriation, a total appropriation budget in Pennsylvania of some two hundred eighty odd millions of dollars to one billion four hundred and some millions of dollars in this Commonwealth?

Mr. President, I have said, too, that the more buildings you build for mental institutions, the more people you will find to put in them. Back in 1937, when we created the Authority and spent one hundred million dollars for public buildings for the insane institutions and so forth, I said then—they thought they had a program that would last five generations—I told them that the more buildings you build, the quicker you fill them, and that is what you are going to do now, because the old family responsibility has disappeared. It is disappearing in Pennsylvania every day. As soon as a child is born that happens to be a little backward or a little shy, it seems that the old family responsibility, the mother and father love, has been discarded now for county and State institutions. I do not know where Senator McGinnis got the idea that we had destroyed the poor homes and the poorhouse. We have destroyed them by name, we do not call them that any more, Senator. We now call them county institutions and the doors are just as big, the beds are just as hard and the cockroaches just as rampant. I think the time has come when a bipartisan committee, without any special creation by resolution, but just a committee of Senators, ought to spend a few evenings together and perform this operation on the Department of Public Assistance, and we ought to do it now.

Mr. President, I agree with Senator Hare that some ceiling ought to be placed on public assistance, and I do not think that there ought to be a ceiling that is one cent greater than what you give an injured workman or an unemployed workman in Pennsylvania who became unemployed or injured through no fault of his own. It ought not to be one cent more.

I have a letter before me from a school teacher in Pennsylvania, and as a matter of the record, if it is so desired, her name will be given for the record, because she said I can use her name. She is teaching in her room today children of persons that she taught years ago who were on relief then and are on relief now. What kind of a system is that? I do not care what kind of public indignation may be raised at the Members of the Senate

who have the courage to do it, but it must be destroyed. You cannot have generations of Americans being born into relief and continuing on in relief. No right thinking person wants that as a part of our government, and the fire that we have set in here ought to be kept going. Speeches will not do it, but at least let us get it aired out in the open where people can see what is happening to us in Pennsylvania—Appropriations of \$266,000,000 a biennium, more than the total cost of government in this Commonwealth a decade or so ago. We have got to stop it and we have got to stop the political handling of it, too.

Mr. President, here is something that may interest the Members of the Senate. The percentage cost in January of 1951, was eight and nine-tenths per cent. The percentage costs in January of 1950, was six and seven-tenths per cent. Do you want to know how that happened? I will tell you. Right before the election, the visitors were added to the staff. They were promised raises. Whether they got them or not, I cannot say. I would have to go back and see the records, if we can ever get them through Senator Yosko's request I have a newspaper article in my possession which shows that the then Acting Secretary of Welfare, a man by the name of Wray, promised the Philadelphia relief workers a definite raise if they would work and contribute to the Fine-Duff campaign. That is a matter of record, and the reason the piece got into the paper at all was that they were glad, it said the relief visitors and workers in the Department in the Philadelphia area were glad that Mr. Wray was not made the Secretary of Public Assistance because he had fallen down on his promise to give them the raise after they had contributed to the campaign. Now, I do not object to them contributing. I might object because they contributed to the Republican Party, but if a person wants to contribute to a political campaign for good government, it is perfectly all right with me. I do not see anything wrong with it, but I do not want any pressure applied; I have never tried to apply pressure, and I have never belonged to a group that allowed it to be applied but that is not the point. The point is that we are festering and fostering upon the body politic a growth that will become more and more of a problem as the years go by. We cannot afford to have children born into relief and living on relief until they die. With Social Security becoming more effective everyday, with the new opening of the Social Security Law and more and more citizens coming under the coverage of Social Security, with the millions of dollars that are contributed through the special community funds and the drives for cancer, drives for bleeding hearts, drives for crippled children, drives for tuberculosis seals, drives for Easter seals, drives for Christmas seals, drive for Halloween seals and all the other drives going on, I venture to say that relief, public and private, is the greatest cost to the people of the United States of any other cost, barring none, including the Army, Navy and Air Corps. We have got to stop this business. Rome was destroyed because there were not enough persons to raise corn to give to those who were out getting corn free without working. Regardless of what some historians say, that is what killed Rome. Public relief killed Rome. Public relief will kill this civilization of ours quicker than any communist will. You have got to stop somewhere. There ought to be a tying up of public and

private relief. There ought to be a division between general assistance, private assistance and categorical assistance. We have got to do it now and I stand ready to give any amount of time and what little intelligence I can devote to it, and whatever experience I have had in the years I have been here to sign and join with any committee of this Senate to save the people of Pennsylvania at least a hundred million dollars in the next biennium in relief.

PERMISSION TO ADDRESS SENATE

Mr. HALUSKA asked and obtained unanimous consent to address the Senate.

Mr. HALUSKA. Mr. President, I am somewhat amazed and I might say angry when I hear so much talk about those on relief. It is true that the appropriation is out of this world, possibly, but we are hitting at the wrong place, at the root of misery. I would like to know how many of my colleagues, forty-nine of them sitting here, can point to one specific case in their county where any one family is getting too much in relief, or if any one family has money to go to the theatre or buy any luxuries. There is so much talk about these poor people. I would like to have one specific case. I have devoted a great portion of my life privately, socially and politically, to determine the needs of relief. I conducted, I believe, the first State-wide investigation back in 1935, trying to determine then what was wrong with our setup. Nothing is said about the fifty-eight thousand State jobs we have, thousands upon thousands of roads and highways, every department on the Hill, nothing at all about salaries, five thousand, seven thousand, twelve thousand. I have not heard a colleague of mine complain about those positions, but day in and day out we find fault with the poor man and woman who cannot get a job, who is over the hill. Industry does not want him, so he has the last recourse. He must apply for relief and it is our duty to take care of him. That is why we meet here. We must keep body and soul together, and as long as we have society we must take care of the man who cannot take care of himself. That is our job.

Mr. President, we have not gone far enough. Rather than criticize the people receiving relief, I find fault with our system, because the poor man who has devoted his life to procuring a little home and has a small home amounting to a thousand or two thousand dollars, you say to him, "Now, because you have been conservative, you must sign on the dotted line. We want that property. You must sign a two thousand dollar bond or you will starve," but on the other hand the man who has been a public drone all his life, he may have lost out in politics or gambling, barroom, pool room, he comes to relief. He has no property. He signs nothing. He gives nothing back whatsoever. So, I say we have not gone far enough.

Mr. President, Senator Walker said, let us do something. I have had a bill in every Session since 1937. There is one in the hopper now dealing with the subject. Can I find anyone who will agree with me? Oh, they think it is fine, but will the bill come out of committee? No. They feel that man should not have his property confiscated because he has been a good citizen, but now because he is old and crippled and sick, you say, "Let us take that property away from him." So, week in and week out we get up on the floor and find fault. I would like to have

one of my colleagues point out to me—again I say—one specific case in any of the sixty-seven counties where any one family is receiving more than his budget allows and then compare that budget and see what it does allow, a mere pittance, just enough to keep body and soul together. So, if we are going to find fault about economy in government, let us not start with the poor people. Let us start in the Highway Department, the Department of Commerce, Labor and Industry and down the line. Let us find out whether we have any drones, but let us forget about those that are hungry.

PERMISSION TO ADDRESS SENATE

Mr. NEFF asked and obtained unanimous consent to address the Senate.

Mr. NEFF. Mr. President, it ill behooves me or other Members of the Senate to prolong this discussion in regard to relief that was instituted here today in regard to a bill that was passed upon by this body yesterday, but I am moved, after hearing the last two speakers, to add just a little bit to what has been said here today and give the Members of the Senate the benefit of at least my impressions and reflections as to what has been said here on this problem.

First, Mr. President, I want to disagree with Senator Dent, my distinguished colleague from Westmoreland, when he said that the only difference between a politician and a statesman is that the politicians are still breathing. Secondly, I want to answer Senator Haluska's inquiry as to whether or not there is any Member here who can bring to his attention cases that are unworthy. I can, and will do so on the floor if requested.

Mr. President, going back to Senator Dent's statement that statesmen, in effect, are dead, I think we have some statesmen in this body. I have heard Senator Dent on several occasions speak out against the corruption, the leeches, the racketeers living off of public assistance, living off of the taxpayers of this State, and that takes courage. The ordinary politician does not have the kind of courage that he and Senator Yosko have displayed here today, and he as of other days in speaking out against this octopus that is devouring the tax monies, and the well-being of the citizens of our State. I agree in toto with what he has said. I agree with what Senator Yosko has said. This commission or this agency, administrative body, certainly needs investigation. I think the Joint State Government Commission has pointed that out and certainly it ill behooves any member of the Senate, without deep and sincere reflection and review of this report, to get on the floor and in a purely political vein seek to uphold these chiselers, hoodlums and people in this State who will never work, who will never contribute their pittance to society, if something is not done.

PERMISSION TO ADDRESS SENATE

Mr. YOSKO asked and obtained unanimous consent to address the Senate.

Mr. YOSKO. Mr. President, I do not want to take issue with Senator Haluska if he wants to stand up here and talk about some one specific case that we know about. I know of some specific cases, but I do not want to take time to discuss them here, because that is not going to cure what is in the report here. If the Senator wants some specific

cases, here is sixteen million dollars worth of them and that is only a spot check. I am sure the Senator is not going to say that every person on the assistance rolls today is deserving to be on the rolls. I am complaining solely about the chiselers and the leeches that are on the rolls, and I am trying to work out or suggest some kind of a procedure to get them off the rolls, and I am sure, Mr. President, that if we went into a public hearing on this and called in some of the visitors who do not agree with the entire administrative procedure of the Department of Public Assistance, I am sure if we got former Senator Heyburn, the Auditor General who is sitting here, in at this hearing, and he brought in his investigators to this hearing, he would point out plenty of cases of ineligibility on the public assistance rolls.

Mr. President, we are not complaining about those that are legally entitled to assistance, those who need assistance. I think everybody in this chamber is for helping those people out, to help tide them along, but I think we are against the idea that once they go on assistance, they stay on assistance forever, and if you take a look at this report you will see where some of them have been on the rolls as high as twelve years, and that is what we are against and what all of us should be against. We are all for helping the poor and the needy, but let us confine it to the poor and the needy, and let us get those off the rolls that are eating up the funds that ought to go to the poor and the needy.

PERMISSION TO ADDRESS SENATE

Mr. HALUSKA asked and obtained unanimous consent to address the Senate.

Mr. HALUSKA. Mr. President, I am not speaking of generalities. I am not talking politically. I have no friends or no relatives on relief. I have no friends or relatives on jobs handing out relief. When I speak here, as my good friend from Beaver said or inferred, I want him to know that when I get to the floor I speak my mind whether it is good politically or bad to me. It makes no difference, and I have no fear and I want no favors.

Mr. President, again I say if any Senator knows of any chiselers, he is not doing his sworn duty if he has not reported that case to his department back in his county. I am against chiselers and I have reported a number of cases that I thought were chiseling and most of them I was wrong in. In a few cases I was right. They got a few pennies more than they were entitled to according to the budget. Senator Yosko points out, look at the red book, and again I say I would like to have from Senator Yosko, or Senator Walker, or Senator Neff or any other Senator by next Monday to give me a specific case from any of the sixty-seven counties that they know of that is receiving more than what they are entitled to, or is able to get a job and would not take it, and then I will agree with them. I will lock arms with them and join their crusade, but up until the time they speak on generalities and refer to the book, that is no criteria. That does not satisfy my cause. I want a case where someone is chiseling on relief in the Commonwealth of Pennsylvania and for every one they give me, I will give you fifty cases of people who are chiseling on the pay roll by huge expense accounts, working for the Commonwealth of Pennsylvania.

DELEGATION OF REPUBLICAN WOMEN LEADERS PRESENTED TO SENATE

The PRESIDENT. The Chair is pleased to observe that we have with us today a delegation of ladies under the leadership of Mrs. Sara G. Leffler, Vice-Chairman of the Republican State Committee. They are Vice-Chairmen from the various counties, members of the Republican State Committee and young Republican women leaders here to attend an institute of politics.

Will they please rise in place and take a bow?

DAUGHTERS DIVISION OF ALLENTOWN WOMENS CLUB PRESENTED TO SENATE

The PRESIDENT. The Chair is also pleased to observe the presence of the Daughters Division of the Allentown Womens Club. Miss Marilyn Schaad is the President. They are the guests of Senator Freed.

Will they please rise in place and take a bow?

REPORT FROM COMMITTEE

Mr. KEPHART. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KEPHART, from the Committee on Judiciary General, re-reported as amended, Senate Bill No. 176, entitled:

A Supplement to the act approved the twelfth day of June, one thousand nine hundred thirty-one (P. L. 575) entitled "An act providing for joint action by Pennsylvania and New Jersey in the development of the ports on the lower Delaware River, and the improvement of the facilities for transportation across the river; authorizing the Governor, for these purposes, to enter into an agreement with New Jersey; creating the Delaware River Joint Commission and specifying the powers and duties thereof, including the power to finance projects by the issuance of revenue bonds; transferring to the new commission all the powers of the Delaware River Bridge Joint Commission; and making an appropriation," authorizing the Governor on behalf of the Commonwealth of Pennsylvania to enter into a supplemental compact or agreement with the State of New Jersey amending Articles I, II, IV, XI and VII of, and adding Article XIII, to the compact and agreement between the Commonwealth of Pennsylvania and the State of New Jersey, authorized and made pursuant to the act herein supplemented, by changing the name of The Delaware River Joint Commission to The Delaware River Port Authority, and the method of appointment of commissioners; removing the present Pennsylvania members of the commission, extending the jurisdiction, powers and duties of the Delaware River Port Authority and defining such additional jurisdiction, powers and duties; to take effect upon the enactment of substantially similar legislation by the State of New Jersey embodying the supplemental agreement between the two States in this act set forth and authorizing the Governor to apply on behalf of the Commonwealth to the Congress of the United States for its consent thereto.

SENATE RESOLUTION

FELICITATING TEMPLE UNIVERSITY SCHOOL OF PHARMACY ON ITS FIFTIETH ANNIVERSARY

Mr. DrSILVESTRO offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 10, 1951.

Whereas, The School of Pharmacy of Temple University has completed half a century of fruitful service to our Nation, to the citizenry of the Commonwealth of Pennsylvania and to the City of Brotherly Love; and

Whereas, The School of Pharmacy of Temple University from its inception under the aegis of the incomparable Minehart progressed "per Aspera ad Astra," through decades of sustained and expanding scientific pursuits under the guiding hand of its late Dean Everett Kendig, reached now a position of leadership in the very vanguard of modern research in the various fields of pharmacological endeavor with the indefatigable and progressive Dean Joseph Sprowls at its helm; now therefore be it

Resolved, That the Senate of the General Assembly of Pennsylvania extend to Temple University its heartfelt felicitations on the fiftieth anniversary of the establishment of its School of Pharmacy; and be it further

Resolved, That felicitations be conveyed to Dean Joseph Sprowls and the faculty of the School of Pharmacy of Temple University; and be it further

Resolved, That the Senate of the General Assembly of Pennsylvania express its fondest hope that the School of Pharmacy of Temple University will prosper and flourish long into the future and will continue with accelerated pace its inestimable service to the medical profession and the citizenry of Pennsylvania; and be it further

Resolved, That the Secretary of the Senate be directed to forward copies of this Resolution upon its passage to Dr. Robert L. Johnson, President of Temple University, and to Dr. Joseph Sprowls, Dean of the School of Pharmacy of Temple University.

HOUSE MESSAGE

SENATE CONCURS IN HOUSE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, presented an extract from the Journal of the House of Representatives, which was twice read, considered and agreed to:

THE GENERAL ASSEMBLY EXTENDS ITS SINCERE GREETINGS TO GOVERNOR JOHN S. FINE ON HIS FIFTY-EIGHTH BIRTHDAY ANNIVERSARY

In the House of Representatives, April 10, 1951.

The proverbial showers of April that carry life-giving moisture to the winter-scarred land also brought to this Commonwealth fifty-eight years ago an individual who was destined to invest its governmental structure with grace and vitality.

Although Governor Fine was born in Luzerne County and his youthful experiences were restricted to its confines, yet on attaining man's estate his vision broadened and his interests soon encompassed the welfare and prosperity of every section of the Commonwealth.

As a young lawyer, his zeal for social justice always took precedence over any desire for personal advantage or legal prestige.

As a judge, he envisaged the numerous problems that came before him, along with their sources and background, in this selfsame impartial manner that became the basis for many fair and objective decisions.

Although a judicial sanctuary is a prize of security that many a man would covet, yet Governor Fine in spite of the hazards of political existence and his abandonment of an assured career courageously responded to the call of the people to serve them in the capacity of their Chief Magistrate.

Since the anniversary of his birthday falls in the midst of unusual legislative activity; therefore be it

Resolved, That the General Assembly (if the Senate concur) extend to Governor John S. Fine its heartfelt and sincere greetings on the occasion of his fifty-eighth birthday anniversary; and be it further

Resolved, That the General Assembly express its fondest hope that the Governor will be privileged to move along the pathway of many more milestones of sustained health, increasing prosperity, and expanding governmental service and opportunity to the end that the people of this Commonwealth may become the beneficiaries of his administrative skill and sagacity into the indefinite future; and be it further

Resolved, That the Chief Clerk be instructed to transmit a copy of this resolution to His Excellency, Governor John S. Fine.

Ordered, That the Clerk inform the House of Representatives accordingly.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. WATSON asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. KEHART,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's session.

Which was agreed to.

NOMINATIONS TAKEN FROM TABLE

Mr. WATSON. Mr. President, I call from the table the nominations of the Members of the Butler County Board of Assistance; Members of the Armstrong County Board of Assistance; Members of the Board of Trustees of West Chester State Teachers' College; Member of the Lawrence County Board of Assistance, and Rollin C. Littlehales for appointment as Justice of the Peace.

The Clerk read the nominations as follows:

MEMBERS OF THE BUTLER COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 4, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Butler County Board of Assistance:

Clay C. Ruff (Republican), Slippery Rock, from January 1, 1950, until December 31, 1952, and until his successor is duly appointed and qualified.

Robert A. Young (Republican), West Sunbury, from January 1, 1951, until December 31, 1953, and until his successor is duly appointed and qualified.

Mrs. Daisy Riddle (Republican), Butler, from January 1, 1951, until December 31, 1953, and until her successor is duly appointed and qualified.

JOHN S. FINE.

MEMBERS OF THE ARMSTRONG COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 9, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate

the following persons for appointment as members of the Armstrong County Board of Assistance:

Paul R. Newcomb (Republican), Kittanning, from December 5, 1949, until December 31, 1951, and until his successor is duly appointed and qualified.

Quincy G. Vincent (Republican), 412 Thirteenth Street, Ford City, to serve until December 31, 1953, and until his successor is duly appointed and qualified, vice Earl D. Artman, Ford City, whose term expired.

JOHN S. FINE.

MEMBERS OF THE BOARD OF TRUSTEES OF WEST CHESTER STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 3, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Members of the Board of Trustees of West Chester State Teachers' College, to serve until the third Tuesday of January 1957, and until their successors shall have been appointed and qualified:

Dr. John L. Johnson, West Chester, Chester County.

Mrs. Irma P. Knauer, R. D., Pottstown, Montgomery County

Frank F. Truscott, 929 Land Title Building, Philadelphia, Philadelphia County.

JOHN S. FINE.

MEMBER OF THE LAWRENCE COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 3, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Ralph H. Ramsey (Democrat), 325 Park Avenue, New Castle, Lawrence County, for appointment as a Member of the Lawrence County Board of Assistance, to serve until December 31, 1952, and until his successor is duly appointed and qualified, vice L. Fred Vaughn, New Castle, deceased.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 3, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Rollin C. Littlehales, 114 East Centre Street, Ashland, Schuylkill County, for appointment as Justice of the Peace in and for the Borough of Ashland, Schuylkill County, until the first Monday of January 1952, vice A. R. Keim, deceased.

JOHN S. FINE.

Whereupon,

A motion was made by Mr. WATSON and Mr. SCARLETT,

That the Senate do advise and consent to the nominations just read.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bano,	Haluska,	McMenamin,	Snowden,
Barr,	Hare,	McPherson, Jr.,	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Taylor,
Blass,	Kessler,	Pechan,	Toole,
Byrne,	Lane,	Peelor,	Wade,
Chapman,	Leader,	Probert,	Wagner,
Crowe,	Letzler,	Robinson,	Walker,
Dent,	Mahany,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

CONSIDERATION OF WORKMENS' COMPENSATION REFEREE

Mr. WATSON. Mr. President, I call from the table the nomination of Gladstone A. Carmalt for appointment as Workmen's Compensation Referee.

The Clerk read the nomination as follows:

WORKMENS' COMPENSATION REFEREE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 26, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Gladstone A. Carmalt, Brookville, Jefferson County, for appointment as Workmen's Compensation Referee, to serve until the third Tuesday of January 1955, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

Whereupon,

A motion was made by Mr. WATSON and MR. PEELOR,

That the Senate do advise and consent to the nomination just read.

On the question.

Will the Senate agree to the motion?

Mr. LANE. Mr. President, I rise this afternoon for the purpose of opposing the confirmation of Gladstone A. Carmalt as a Workingmen's Compensation Referee. I oppose him on the basis of his own record in office and not from a personal standpoint. I have had the pleasure of meeting this gentleman just once. However, the United Mine Workers of America, of the Fourth District, which comprises about seven counties in Western Pennsylvania, has supplied me with a number of cases that this gentleman has acted on in his official capacity as a Workmen's Compensation Referee, and in which, Mr. President, he has definitely demonstrated that he is not in sympathy with the cause of the injured working men and women of this Commonwealth.

Mr. President, one case in particular with which I have personal knowledge concerns the case of Alex Stefan vs. Jones and Laughlin Steel Corporation. In this case, Mr. President, the claimant lost the industrial use of an eye due to traumatic detachment of the retina. The referee disallowed compensation. The Workmen's Compensation Board reversed, remanding record for appointment of

impartial doctor, and the case was won on the basis of the testimony of the impartial doctor. The claimant was paid in this particular case, Mr. President, for the loss of an eye; and now, Mr. President and Members of the Senate, in reviewing this record I have a copy of the referee's decision and his findings of fact. I am not going to burden the Members of the Senate by reading in detail each and every case, but in this one particular his conclusions at law were as follows:

First, that Article III of the Workmen's Compensation Act applied to the contract of employment existing between the claimant and the defendant on March 19, 1946. As a matter of fact, he agreed to that and, second, since the claimant had failed to establish by clear, conclusive and positive proof the happening of an injury by accident, in the course of his employment with the defendant on March 19, 1946, he was not entitled to the benefits of the Workmen's Compensation Act as amended. However, Mr. President, the Board of Review awarded this claimant the sum of two thousand five hundred dollars. Now, I know that in the minds of quite a few Members of the Senate the possibility exists that they are thinking, well, these may be isolated cases. I do not agree with that theory because I had a number of conversations with the representatives of the United Mine Workers in the Pittsburgh district, and they have assured me these are cases they picked from random for the purpose of showing that this man is not qualified and not learned in the Workmen's Compensation Law.

After this came to my attention, Mr. President, I introduced Senate Bill No. 25, which sets up the procedure whereby every other year your Workmen's Compensation referees would appear before the Board of Review for the purpose of proper examination as to their knowledge of the Workmen's Compensation Act which is passed and amended at each and every Session of this Legislature.

Mr. President, I have another case here. As a matter of fact, I have quite a few of them and I just want to point out to you the decisions of this individual that seeks the confirmation of two-thirds of the Members of this Senate. We have another case here of Alfred Dent vs. Pittsburgh Coal Company. In this case the referee found the claimant had a thirty-five per cent disability which did not, under law, give the claimant any compensation. The referee ordered suspension of compensation payments. The Workmen's Compensation Board reversed the referee and granted the claimant compensation for the permanent loss of the use of his hand. The compensation awarded, Mr. President and Members of the Senate, was three thousand one hundred fifty dollars.

Now, Mr. President and Members of the Senate, I have a case here of Frank Oloff vs. Industrial Collieries Corporation. In this case, Mr. Carmalt, the referee, disallowed compensation, finding that the claimant did not sustain accidental injury. The Workmen's Compensation Board reversed the referee, remanding the record, and the claimant was awarded on a total disability basis at the rate of \$20 per week. Compensation is to continue so long as disability remains the same. However, not to exceed the five hundred week statutory limit as required by law.

Now, Mr. President, for the information of those mem-

bers in the western Pennsylvania area, in this particular case Samuel Krimsly, Esquire, represented the claimant and Rufus S. Marriner, Esquire, was also a co-attorney in this particular case. Rufus Marriner is well known in western Pennsylvania and practices law in the County of Washington, at Washington, Pennsylvania.

Mr. President, I have personal knowledge of this case which I am about to speak about. It is in regard to a claimant by the name of John Zayakosky vs. Jones and Laughlin Steel Corporation. In this case, Mr. President, the claimant sustained accidental injury to his eye, which did not result in industrial loss of vision nor decreased his earning capacity. Under the Compensation laws of the Commonwealth he was not entitled to any compensation but should have had future protection if the injury sustained resulted in either complete loss of vision or decreased earning capacity. The claimant reported the accident and was treated by a company doctor. In order to secure future protection in eye cases, it is necessary to establish accidental injury either by an agreement with the employer or an order of a referee. In this case the defendant refused to enter into such an agreement. At the time of the hearing, the only testimony offered was that of the claimant, who testified that he met with an accident and was having considerable trouble with his injured eye.

The referee, however, refused to make a finding that there was an accident although not denied by the defendant. This claim was not even denied by the company. The Workmen's Compensation Board found on December 26, 1950, that this claimant sustained an accident in the course of his employment, but did not award any compensation inasmuch as the claimant did not sustain any loss in earning capacity. In this particular case, Mr. President, the referee definitely demonstrated to me and to the people in the western end of the State that he is not in sympathy with the cause of the working men and women of this Commonwealth. No other testimony was offered other than the claimant, and he still disallowed the claimant's petition that he did receive an injury during the course of his employment.

Mr. President, in this case, it is a fellow by the name of Fati Maliq vs. Jones and Laughlin Steel Corporation, and in this case the defendant agreed that the claimant had a twenty per cent disability from accidental injury sustained in the course of his employment. Counsel for the defendant argued that computation of a weekly wage following the accident should be based on a five-day week. The contention of the Workmen's Compensation Department of the United Mine Workers of America was that since the claimant was unable to work steadily, that his weekly wage should have been computed on the actual time worked. The Workmen's Compensation referee agreed with the position of the defendant, and found that the claimant was twenty per cent disabled but refused to award compensation, suspending future payments of compensation. The Workmen's Compensation Board on February 14, 1951, awarded compensation to the claimant on the basis of a loss of two-thirds wages before and after the accident.

Mr. President, I could go on and on and on. I have

quite a number of cases here. However, I am not going to take up the time of the Senate. I do not know just what the members of the Senate are going to do on this case. You have listened to a lot of debate this afternoon on the relief subject, and I am just going to say this, that it is very easy to get on the floor of the Senate and denounce people who cannot defend themselves. I do agree that the administrative costs are out of line, but getting back to this confirmation, I ask the members of the Senate to take into consideration the record of this individual. If you feel that he has done a good job in the execution of his duties, then you can vote for him. If you feel that he has been unjust and unfair, and I believe that I have demonstrated that here this afternoon, I ask that you support my position and vote against the confirmation of this individual. That alone will teach these other referees, with whom I have no quarrel, that they must take into consideration the facts of each and every case and decide the case on its merits alone.

Mr. HALUSKA. Mr. President, while we may agree or disagree on various subjects here, I certainly wish to uphold the position taken by my colleague from Washington County, Senator Lane, and I am going to vote "No" on the confirmation of Mr. Carmalt. However, I do not want to leave the inference here that the Democratic Party is in any way not united. We have taken the position, as the Minority Party, that all confirmations would be acted upon by Caucus and up until today that has been our position, and that will be our position in the future. We have taken the steadfast position where a person seeking confirmation from a county or a district represented by a Democratic Senator, if that Senator has objection, we uphold him. In this case, Mr. Carmalt does not come from such a district. We had no Caucus action. Each member is privileged to vote as he wishes. We have proven once again that we are the liberal party, that we have no bosses. We serve the people.

And the question recurring,

Will the Senate agree to the motion?

(During the calling of the roll the following occurred:)

Mr. LANE. Mr. President, I ask for a verification of the roll.

Mr. NEFF. Mr. President, I ask that the roll be verified.

The PRESIDENT. Request has been made to have the roll verified.

The Clerk will call the names of those having voted in the affirmative.

The Clerk read the names of those having voted in the affirmative as follows:

Bane,	Hare,	Peelor,	Taylor,
Berger,	Kephart,	Probert,	Toole,
Blam,	Kemler,	Robinson,	Wade,
Chapman,	Letzler,	Rosenfeld,	Wagner,
Crowe,	Mahany,	Ruth,	Walker,
Diehm,	Mallery,	Scarlett,	Watkins,
DiSilvestro,	McPherson, Jr.,	Snowden,	Watson,
Fleming,	Meade,	Stevenson,	Wolfe,
Freed,	Pechan,	Stiefel,	Yosko,

The PRESIDENT. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk read the names of those recorded as having voted in the negative as follows:

Barr, Barrett, Dent,	Haluska, Holland, Lane,	Leader, McCreesh, McGinnis.	Neff, Silvert,
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The PRESIDENT. Are there any corrections?

Mr. SILVERT. Mr. President, I desire to be recorded as voting "aye."

The PRESIDENT. The gentleman from Philadelphia will be so recorded.

Are there any further corrections? The Chair hears none. The negative roll will stand as corrected.

The vote on the confirmation: Ayes 37, nays 10.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37

Bane, Berger, Blas, Chapman, Crowe, Diehm, DiSilvestro, Fleming, Freed,	Hare, Kephart, Kessler, Letzler, Mahany, Mallery, McPherson, Jr., Meade, Pechan,	Peelor, Propert, Robinson, Rosenfeld, Ruth, Scarlett, Silvert, Snowden, Stevenson,	Stiefel, Taylor, Toole, Wade, Wagner, Walker, Watkins, Watson, Wolfe, Yosko,
-------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------

NAYS—10

Barr, Barrett, Dent,	Haluska, Holland, Lane,	Leader, McCreesh, McGinnis,	Neff, Silvert,
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Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. SCARLETT. Mr. President, I second the motion. The motion was agreed to.

INTERROGATION

Mr. YOSKO. Mr. President, I desire to interrogate the Chairman of the Executive Nominations Committee, Senator Watson.

The PRESIDENT. Will the gentleman from Bucks, Mr. Watson, permit himself to be interrogated?

Mr. WATSON. I will be glad to, Mr. President.

Mr. YOSKO. Senator Watson, a short time ago we had a hearing with Mr. Draemel, the Secretary of Forests and Waters, before the Committee on Executive Nominations, at which time Mr. Draemel agreed to answer a series of questions. I called Mr. Draemel today to determine whether he had answered the questions and had submitted them to the Committee as he had promised he would do, and he told me that he had prepared the answers to the questions and submitted them to the Secretary to the Governor, Mr. McCallum, for delivery to you. I now ask you, Senator Watson, has the Secretary to the Governor, Mr. McCallum, delivered the answers to the questions submitted to Mr. Draemel to you?

Mr. WATSON. Mr. President, he has not.

Mr. YOSKO. Thank you very much.

INTERROGATION

Mr. LANE. Mr. President, I would like to interrogate

the Chairman of the Committee on Executive Nominations, Senator Watson.

The PRESIDENT. Will the gentleman from Bucks, Mr. Watson, permit himself to be further interrogated?

Mr. WATSON. I will, Mr. President.

Mr. LANE. Senator Watson, have you planned on bringing out the name of Mr. Draemel in the near future for consideration by the Members of this Senate?

Mr. WATSON. Mr. President, that is entirely up to the Committee on Executive Nominations. I am only the Chairman.

Mr. LANE. Well, Mr. President, I wish to advise the Chairman of the Committee on Executive Nominations that he advise this Committee to bring Mr. Draemel's name out and he will get some votes over on this side.

Mr. WATSON. Thank you.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 77, on concurrence in House amendments, reading, entitled:

An Act to further amend Section 319 of the act, approved the second day of June, one thousand nine hundred fifteen (P. L. 736), entitled, as amended "An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," by providing for the proration of attorney's fees and expenses in subrogation cases

go over in its order.

The PRESIDENT. Is there objection- The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 6, as follows:

An Act relating to the administration and distribution of incompetents' estates both as to real and personal property and the procedure relating thereto including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a guardian in certain cases the appointment bond removal and discharge of guardians of such estates their powers duties and liabilities the rights of persons dealing with such guardians and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees and containing provisions concerning the determination of incompetency and the powers duties and liabilities of foreign guardians and also generally dealing with the jurisdiction powers and procedure of the common pleas court relating to incompetents' estates

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The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Article I

Preliminary Provisions

Section 101 Short Title This act shall be known and may be cited as the Incompetents' Estates Act of 1951

Section 102 Definitions The following words when used in this act unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

(1) "Prothonotary" means the prothonotary of the court of common pleas having jurisdiction

(2) "Court" means the court of common pleas having jurisdiction of the appointment of the guardian

(3) "Incompetent" means a person who because of mental infirmities of old age mental illness mental deficiency drug addiction or inebriety is unable to manage his property or is liable to dissipate it or become the victim of designing persons it includes a person heretofore declared to be a lunatic an habitual drunkard insane or weakminded

(4) "Guardian" means a fiduciary appointed by a court of competent jurisdiction to have the care and management of the estate of an incompetent it includes committees and guardians heretofore appointed for incompetents

(5) "Foreign guardian" means a guardian or one performing the function of a guardian who is subject primarily to the control of the court of another jurisdiction and has not received ancillary authority in the Commonwealth

Section 103 Title to Real and Personal Estate Legal title to all real estate and personal property of an incompetent shall remain in him subject however to all the powers granted to his guardian by this act and to all orders of the court

Section 104 Effective Date This act shall take effect on the first day of January one thousand nine hundred fifty-two

Section 105 Severability If any provision of this act or the application thereof to any person or circumstances is held invalid the remainder of this act and the application of such provision to other persons or circumstances shall not be affected thereby and to this end the provisions of this act are declared to be severable

Article II

Small Estates

Section 201 When Guardian Unnecessary When the entire real and personal estate wherever located of a resident or nonresident incompetent has a gross value of one thousand dollars or less all or any part of it may be received and held or disposed of by the person or institution maintaining the incompetent without the appointment of a guardian or the entry of security in any of the following circumstances

(1) Award from Decedent's Estate or Trust When the court having jurisdiction of a decedent's estate or of a trust in awarding the interest of the incompetent shall so direct

(2) Interest in Real Estate When the court having jurisdiction to direct the sale or mortgage of real estate in which the incompetent has an interest shall so direct as to the incompetent's interest in the real estate

(3) Other Circumstances In all other circumstances when the court which would have had jurisdiction to appoint a guardian of the estate of the incompetent shall so direct

Section 202 Power of Person or Institution Maintaining

Incompetent The court may authorize or direct the person or institution maintaining the incompetent to execute as natural guardian any receipt deed mortgage or other appropriate instrument necessary to carry out a decree entered under Section 201 and in such event may require the deposit of money in a savings account or the care of securities in any manner considered by the court to be for the best interests of the incompetent The decree so made except as the court shall expressly provide otherwise shall constitute sufficient authority to all transfer agents registrars and others dealing with property of the incompetent to recognize the persons named therein as entitled to receive the property and shall in all respects have the same effect as an instrument executed by a duly appointed guardian under court decree

Article III

Guardian Appointment Bond Removal and Discharge Evidence

A Appointment

Section 301 Petition and Hearing

(a) Resident The court upon petition and a hearing at which good cause is shown may find a person domiciled in the Commonwealth to be incompetent and appoint a guardian or guardians of his estate The petitioner may be the alleged incompetent's spouse a relative a creditor a debtor or any person interested in the alleged incompetent's welfare Notice of the petition and hearing shall be given in such manner as the court shall direct to the alleged incompetent to all persons residing within the Commonwealth who are sui juris and would be entitled to share in the estate of the alleged incompetent if he died intestate at that time and to such other parties as the court may direct The alleged incompetent shall be present at the hearing unless (1) the court is satisfied upon the presentation of positive testimony that because of his physical or mental condition his welfare would not be promoted by his presence or (2) it is impossible for him to be present because of his absence from the Commonwealth It shall not be necessary for the alleged incompetent to be represented by a guardian ad litem in the proceeding

(b) Nonresident The court may find a person not domiciled in the Commonwealth having property in the Commonwealth to be incompetent and may appoint a guardian of his estate The appointment may be made after petition hearing and notice as in the case of a person domiciled in the Commonwealth or upon the submission of an exemplified copy of a decree establishing his incompetency in another jurisdiction The court shall give preference in its appointment to the foreign guardian of the nonresident incompetent unless it finds that such appointment will not be for the best interests of the incompetent

Section 302 County of Appointment

(a) Resident Incompetent A guardian of the estate of an incompetent may be appointed by the court of the county in which the incompetent is domiciled

(b) Nonresident Incompetent A guardian of the estate within the Commonwealth of an incompetent domiciled outside of the Commonwealth may be appointed by the court of the county having jurisdiction of a decedent's estate or of a trust in which the incompetent has an interest When the nonresident incompetent's estate is derived otherwise than from a decedent's estate or a trust within the Commonwealth a guardian may be appointed by the court of any county where an asset of the incompetent is located

(c) Exclusiveness of Appointment When a court has appointed a guardian of an incompetent's estate pursuant to sub-sections (a) (b) no other court shall appoint a similar guardian for the incompetent within the Commonwealth

Section 303 Nonresident Guardian When a guardian is or becomes a nonresident of the Commonwealth the acceptance of his appointment or the act of becoming a

nonresident as the case may be shall constitute the Secretary of the Commonwealth his attorney-in-fact upon whom service of process and notices may be made as to all causes of action relating to the incompetent's estate

B Bond

Section 311 Necessity Form and Amount Except as hereinafter provided every guardian of the estate of an incompetent shall execute and file a bond which shall be in the name of the Commonwealth with sufficient surety in such amount as the court considers necessary having regard to the value of the personal estate which will come into the control of the guardian and conditioned in the following form

(1) When One Guardian The Condition of this obligation is that of the said guardian shall well and truly administer the estate according to law this obligation shall be void but otherwise it shall remain in force

(2) When Two or More Guardians The condition of this obligation is that if the said guardians or any of them shall well and truly administer the estate according to law this obligation shall be void as to the guardian or guardians who shall so administer the estate but otherwise it shall remain in force

Section 312 Fiduciary Estate The court in its discretion upon the application of any party in interest in addition to any bond required for the incompetent's individual estate may require a separate bond in the name of the Commonwealth with sufficient surety in such amount as the court shall consider necessary for the protection of the parties in interest in an estate of which the incompetent is a fiduciary and conditioned in the following form

(1) When One Guardian The condition of this obligation is that if the said guardian shall well and truly account for property held by the incompetent as fiduciary according to law this obligation shall be void but otherwise it shall remain in force

(2) When Two or More Guardians The condition of this obligation is that if the said guardians or any of them shall well and truly account for property held by the incompetent as fiduciary according to law this obligation shall be void as to the guardian or guardians who shall so account but otherwise it shall remain in force

Section 313 When Bond not Required

(a) Corporate Guardian No bond shall be required of a bank and trust company or of a trust company incorporated in the Commonwealth or of a national bank having its principal office in the Commonwealth unless the court for cause shown deems it advisable

(b) Nonresident Corporation A nonresident corporation or a national bank having its principal office out of the Commonwealth otherwise qualified to act as guardian in the discretion of the court may be excused from giving bond

(c) Other Cases In all other cases the court may dispense with the requirement of a bond when for cause shown it finds that no bond is necessary

Section 314 Requiring or Changing Amount of Bond The court for cause shown and after such notice if any as it shall direct may require a surety bond or increase or decrease the amount of an existing bond or require more or less security therefor

C Removal and Discharge

Section 321 Grounds for Removal The court shall have exclusive power to remove a guardian when

(1) He is wasting or mismanaging the estate is or is likely to become insolvent or has failed to perform any duty imposed by law or

(2) He has been adjudged incompetent or

(3) He has become unable to discharge the duties of his office because of sickness or physical or mental incapacity and his disability is likely to continue to the injury of the estate or

(4) He has removed from the Commonwealth or has ceased to have a known place of residence therein with-

out furnishing such security or additional security as the court shall direct or

(5) For any other reason the interests of the estate are likely to be jeopardized by his continuance in office or

(6) The incompetent of whose estate he is guardian is adjudged incompetent

Section 322 Procedure for and Effect of Removal The court on its own motion may and on the petition of any party in interest alleging adequate grounds for removal shall order the guardian to appear and show cause why he should not be removed or when necessary to protect the rights of creditors or parties in interest may summarily remove him Upon removal the court may appoint a substituted guardian and may by summary attachment of the person or other appropriate orders provide for the security and delivery of the assets of the estate together with all books accounts and papers relating thereto Any guardian summarily removed under the provisions of this section may apply by petition to have the decree of removal vacated and to be reinstated and if the court shall vacate the decree of removal nad reinstate him it shall thereupon make any orders which may be appropriate to accomplish the reinstatement

Section 323 Adjudication of Competency The court upon petition and after such notice as it shall direct may find after a hearing at which good cause is shown that a person previously adjudged incompetent has become competent

Section 324 Discharge of Guardian and Surety After confirmation of his final account and distribution to the parties entitled a guardian and his surety may be discharged by the court from future liability

D Evidence

Section 331 Evidence of Mental Condition In any hearing relating to the mental condition of a person whose competency is in question the deposition of or sworn statement by a superintendent manager physician or psychiatrist of any state-owned mental hospital or veterans administration hospital shall be admissible in evidence as to the condition of an inmate of such hospital in lieu of his appearance and testimony unless by special order the court directs his appearance and testimony in person

Article IV

Guardian Powers Duties and Liabilities

A In General

Section 401 Possession of Real and Personal Property The guardian of the estate of an incompetent until it is distributed or sold shall have the right to and shall take possession of maintain and administer each real and personal asset of the incompetent collect the rents and income from it and make all reasonable expenditures necessary to preserve it He shall also have the right to maintain or defend any action with respect to such real or personal property of the incompetent

Section 402 Inventory Every guardian within three months after real or personal estate of his ward comes into his possession shall verify by oath and file with Prothonotary (1) an inventory and appraisal of such personal estate (2) a statement of such real estate and (3) a statement of any real or personal estate which he expects to acquire thereafter

Section 403 Abandonment of Property When any property is so burdensome or is so encumbered or is in such condition that it is of no value to the incompetent the court may authorize the guardian to abandon it

Section 404 Liability Insurance The guardian at the expense of the estate may protect himself his employees and the incompetent by insurance from liability to third persons arising from the administration of the estate

Section 405 Continuation of Business The court aided by the report of a master if necessary may authorize the guardian to continue any business of the incompetent The order may be with or without notice If prior notice is not given to all persons residing within the Commonwealth who are sui juris and would be entitled to share in the estate of the incompetent if he died intestate at

that time and to any other persons directed by the court it shall be given to all such persons within five days after the order or within such extended time as the court for cause shown shall allow. Any person to whom notice is required to be given may at any time petition the court to revoke or modify the order. The order may provide:

(1) For the conduct of the business by the guardian alone or jointly with the others or as a corporation to be formed.

(2) The extent of the liability of the estate or any part thereof or of the guardian for obligations incurred in the continuation of the business.

(3) Whether liabilities incurred in the conduct of the business are to be chargeable solely to the part of the estate set aside for use in the business or to the estate as a whole.

(4) The period of time the business may be conducted and.

(5) Such other regulations including accountings as the court shall deem advisable.

Section 406 Incorporation of Business. After notice to all persons residing within the Commonwealth who are sui juris and would be entitled to share in the estate of the incompetent if he died intestate at that time and to any other persons directed by the court, the court aided by the report of a master if necessary may authorize the guardian alone or jointly with others to organize a corporation to carry on a business held in the estate whether the business is owned solely by the incompetent or with others and may contribute for stock of the corporation as capital all or part of the property of the estate which was invested in the business.

Section 407 Claims Against Co-Guardian. When one of two or more guardians shall be individually liable to the incompetent, the other or others shall take any legal action against him necessary to protect the incompetent.

Section 408 Proceeding Against Guardian. Any proceeding may be brought against a guardian or the surety on his bond in the county of the court having jurisdiction of the incompetent's estate and if the guardian or surety does not reside in that county process may be served on either of them personally or as follows:

(1) When Resident of Another County. By a duly deputized sheriff of any other county of the Commonwealth in which he shall be found.

(2) When a Nonresident of the Commonwealth. By the sheriff of the county of the court having jurisdiction of the estate sending by registered mail return receipt requested a true and attested copy of the process to the secretary of the Commonwealth accompanied by the fee prescribed by law and to the guardian or surety at his last known address with an endorsement thereon showing that service has been so made upon the Secretary of the Commonwealth.

Section 409 Revival of Judgment Against Guardian. When the incompetent holds a judgment which is a lien on real estate owned by the guardian individually any party in interest may suggest his interest in the judgment upon the record thereof and bring an appropriate action to revive it and to continue its lien. Any judgment so revived shall remain for the use of all parties in interest.

Section 410 Liability of Guardian on Contracts. Unless he expressly contracts otherwise in writing a guardian shall not be personally liable on any written contract hereafter entered into which is within his authority as guardian and discloses that he is contracting as guardian of a named incompetent. Any action on such a contract shall be brought against the guardian in his fiduciary capacity only or against his successor in such capacity and execution upon any judgment obtained therein shall be had only against property of the incompetent.

Section 411 Investments. The powers and duties of guardians in making retaining and managing investments shall be as prescribed by law generally for fiduciaries.

Section 412 Power of Attorney. A guardian may convey real estate transfer title to personal estate or perform any other act of administration by an attorney or attorneys-in-fact. Provided that this provision shall not authorize him to delegate the exercise of any discretionary power.

Section 413 Voting Stock by Proxy. The guardians or a majority of them either in person or by proxy may vote stock owned by the incompetent.

Section 414 Nominee Registration Corporate Fiduciary As Attorney-in-Fact.

(a) **Corporate Guardian.** A bank and trust company or a trust company incorporated in the Commonwealth or a national bank with trust powers having its principal office in the Commonwealth may keep investments or fractional interests in investments held by it either as sole guardian or as co-guardian in the name or names of the guardians or in the name of a nominee of the corporate guardian. Provided the consent thereto of the co-guardians if any is obtained. And provided further that all such investments shall be so designated upon the records of the corporate guardian that the estate to which they belong shall appear clearly at all times.

(b) **Individual Guardian.** A guardian serving jointly with a bank and trust company or a trust company incorporated in the Commonwealth or with a national bank having its principal office in the Commonwealth may authorize or consent to the corporate guardian having exclusive custody of the assets of the incompetent and to the holding of such investments in the name of a nominee of such corporate guardian to the same extent and subject to the same requirements that the corporate guardian if it were the sole guardian would be authorized to hold such investments in the name of its nominee.

(c) **Corporate Fiduciary As Attorney-in-Fact.** An individual guardian may employ a bank and trust company or a trust company incorporated in the Commonwealth or a national bank with trust powers having its principal office in the Commonwealth to act as his attorney-in-fact in the performance of ministerial duties including the safe-keeping of estate assets. Such attorney-in-fact when so acting may be authorized to hold such investments in the name of its nominee to the same extent and subject to the same requirements that such attorney-in-fact if it were the guardian would be authorized to hold such investments in the name of its nominee.

Section 415 Acceptance of Deed in Lieu of Foreclosure. The guardian may take for the incompetent from the owner of property encumbered by a mortgage owned by the incompetent a deed in lieu of foreclosure in which event the real estate shall be considered personally to the same extent as though title had been acquired by foreclosure at sheriff's sale.

Section 416 Compromise of Controversies. Whenever it shall be proposed to compromise or settle any claim whether in suit or not by or against an incompetent or to compromise or settle any question or dispute concerning property of the incompetent the court on petition of the guardian or by any party in interest setting forth all the facts and circumstances and after such notice as the court shall direct aided if necessary by the report of a master may enter a decree authorizing the compromise or settlement to be made.

Section 417 When Guardian Dies or Becomes Incompetent. The fiduciary of the estate of a deceased or incompetent guardian by reason of such position shall not succeed to the administration of or have the right to possess any asset of an incompetent which was being administered by the deceased or incompetent guardian except to protect it pending its delivery to the person entitled to it. The account of the deceased or incompetent guardian may be filed by the fiduciary of his estate and it shall be filed if the court shall so direct.

Section 418 Surviving or Remaining Guardians or remaining guardians shall have all the powers of the original guardians.

Section 419 Disagreement Among Guardians.

(a) **Decision of Majority.** If a dispute shall arise among guardians the decision of the majority shall control. A dissenting guardian shall join with the majority to carry out a majority decision requiring affirmative action and may be ordered to do so by the court. A dissenting guardian shall not be liable for the consequences of any majority decision even though he joins in carrying it out if his dissent is expressed promptly to all the other

co-guardians Provided that liability for failure to join in administering the estate or to prevent a breach of trust may not be thus avoided

(b) When No Majority When a dispute shall arise among guardians as to the exercise or non-exercise of any of their powers and there shall be no agreement of a majority of them the court upon petition filed by any of the guardians or by any party in interest aided if necessary by the report of a master in its discretion may direct the exercise or non-exercise of the power as the court shall deem for the best interest of the incompetent

Section 420 Inherent Powers and Duties Except as otherwise provided in this act nothing in this act shall be construed to limit the inherent powers and duties of a guardian

B Sales Mortgages Leases Options and Exchanges

Section 441 Power to Sell Personal Property A guardian may sell at public or private sale any personal property of the incompetent

Section 442 Power to Lease A guardian may lease any real or personal property of the incompetent for a term not exceeding five years after its execution

Section 443 Order of Court Whenever the court finds it to be for the best interests of the incompetent a guardian may for any purpose of administration or distribution and on the terms with the security and after the notice directed by the court (1) Sell at public or private sale pledge mortgage lease or exchange any real or personal property of the incompetent (2) grant an option for the sale lease or exchange of any such property (3) join with the spouse of the incompetent in the performance of any of the foregoing acts with respect to property held by the entireties or (4) release the right of the incompetent in the property of his spouse and join in the deed of the spouse in behalf of the incompetent

Section 444 Restraint of Sale The court on its own motion or upon application of any one in behalf of the incompetent in its discretion may restrain a guardian from selling or carrying out any contract of sale of any personal property of the incompetent The order may be conditioned upon the applicant giving bond for the protection of the incompetent's estate

Section 445 Purchase by Guardian A guardian in his individual capacity may bid for purchase take a mortgage on lease or take by exchange real or personal property belonging to the incompetent subject however to the approval of the court and under such terms and conditions and after such reasonable notice to relatives of the incompetent or to persons having an interest in the welfare of the incompetent as the court shall direct When the purchaser mortgagee lessee is the sole guardian the court may make an order directing the prothonotary to execute a deed or other appropriate instrument to him

Section 446 Title of Purchaser If the guardian has given the bond if any required in accordance with this act any sale pledge mortgage or exchange by him whether pursuant to a decree or to a power under this act shall pass the full title of the incompetent therein free of any right of his spouse unless otherwise specified Persons dealing with the guardian shall have no obligation to see to the proper application of the cash or other assets given in exchange for the property of the incompetent Any sale or exchange by a guardian pursuant to a decree under Section 443 shall have the effect of a judicial sale as to the discharge of liens but the court may decree a sale or exchange freed and discharged from the lien of any mortgage otherwise preserved from discharge by existing law if the holder of such mortgage shall consent by writing filed in the proceeding No such sale mortgage exchange or conveyance shall be prejudiced by the subsequent removal of the guardian

Section 447 Collateral Attack No decree entered pursuant to this act shall be subject to collateral attack on account of any irregularity if the court which entered it had jurisdiction to do so

Section 448 Record of Proceedings County where Real Estate Lies Certified copies of proceedings of any court of the Commonwealth relating to or affecting the real

estate of any incompetent may be recorded in the office of the recorder of deeds in any county in which the real estate lies

Article V

Property Rights and Obligations of Estates of Incompetents

A Control of Actions

Section 501 Substitution of Guardian in Pending Action or Proceedings

(a) **Voluntary Substitution** The guardian of the estate of an incompetent party to a pending action or proceeding in the orphans' court may become a party thereto by filing of record a statement of the material facts on which the right to substitution is based

(b) **Compulsory Substitution** If the guardian does not voluntarily become a party the clerk of The Orphan's Court upon the praecipe of an adverse party setting forth the material facts shall issue a citation upon the guardian to show cause why he should not be substituted as a party

(c) **Status of Guardian Continuance** If the guardian voluntarily becomes a party to the action or proceeding or if the citation upon him is made absolute he shall have all the rights and liabilities of a party to the action or proceedings The court may order such continuances and extensions as may be necessary to afford him a reasonable opportunity to appear and prosecute or defend the action or proceeding

Section 502 Death or Removal of Guardian An action or proceeding in the orphans' court to which a guardian is a party is not abated by his death or resignation or by the termination of his authority The successor of the guardian may be substituted in the action or proceeding in the same manner as though the incompetent were a party

B Claims Rights of Creditors

Section 511 Effect of Determination of Incompetency An incompetent shall be incapable of making any contract or gift or any instrument in writing after he is adjudged incompetent and before he is adjudged to have regained his competency This section shall not impair the interest in real estate acquired by a bona fide grantee of or bona fide holder of a lien on real estate in a county other than that in which the decree establishing the incompetency is entered unless the decree or a duplicate original or certified copy thereof is recorded in the office of the recorder of deeds in the county in which the real estate lies before the record or entering of the instrument or lien under which the grantee or lienholder claims

Section 512 Specific Performance of Contracts

(a) **Application to Court** If any person makes a legally binding agreement to purchase or sell real or personal estate and is adjudged incompetent before its consummation his guardian shall the power to consummate it but if he does not do so the court on the application of any party in interest and after such notice and with such security if any as it may direct in its discretion may order specific performance of the agreement if it would have been enforced specifically had there been no adjudication of incompetency

(b) **Execution and Effect of Deed or Transfer** Any necessary deed or transfer shall be executed by the guardian or by such other person as the court shall direct The title of any purchaser under an agreement in which the incompetent was the vendor shall be the same as though the incompetent had conveyed or transferred such property while competent

(c) **Indexing in Judgment Index** When any petition for specific performance of an agreement to purchase or sell real estate is filed the prothonotary of the court of common pleas where the real estate or any part of it lies upon the receipt of a certificate of such fact by the prothonotary of the court where the petition was filed shall enter the petition upon the judgment index against the defendants and shall certify it as *lis pendens* in any

certificate of search which he is required to make by virtue of his office

Section 513 Notice to the Commonwealth and Political Subdivisions When the Commonwealth or a political subdivision thereof has a claim for maintaining an incompetent in an institution the guardian within three months of his appointment shall give notice thereof to the Department of Revenue or to the proper office of such political subdivision as the case may be

Article VI

Accounts Audits Reviews Distribution Rights of Incompetent and Distributees

A Accounts

Section 601 Accounting Required A guardian shall file an account of his administration of real and personal property promptly at the termination of his guardianship or at such earlier time or times as shall be directed or authorized by the court

Section 602 Where Filed All accounts of guardians shall be filed in the office of the prothonotary

Section 603 Notice to Parties in Interest The guardian shall give written notice of the filing of his account and of its call for audit or confirmation to the former ward if he has been declared competent and otherwise to his succeeding guardian or personal representative and to such other persons as the court by general rule or special order shall direct

B Audits

Section 611 Confirmation of Accounts The account of a guardian shall be confirmed by the court or by the prothonotary as local rules shall prescribe if no objections are presented within a time fixed by general rule of court If any party in interest shall object to the account or shall request its reference to an auditor the court in its discretion may appoint an auditor

Section 612 Recognition of Claims Upon the audit of the account of the guardian of a person who has died during incompetency the auditing judge or auditor passing on the account shall not pass upon any claims against the estate of the incompetent other than necessary administration expenses including compensation of the guardian and his attorney All claims remaining unpaid at the incompetent's death shall be presented to the personal representative

Section 613 Statement of Proposed Distribution A guardian filing an account shall file a statement of proposed distribution or a request that distribution be determined by the court or by an auditor as local rules may prescribe The statement of proposed distribution shall be in such form and such notice thereof shall be given by advertisement or otherwise and objections thereto may be made as local rules prescribe

Section 614 Decree of Distribution No account shall be confirmed or statement of proposed distribution approved until an adjudication or a decree of distribution is filed in conformity with local rules by the court or by the prothonotary of the court expressly confirming the account or approving the statement of proposed distribution and specifying or indicating by reference to the statement of proposed distribution the names of the persons to whom the balance available for distribution is awarded and the amount or share awarded to each

C Review

Section 621 Rehearing Relief Granted If any party in interest shall within five years after the final confirmation of any account of a guardian file a petition to review any part of the account or of an auditor's report or of the adjudication or of any decree of distribution setting forth specifically alleged errors therein the court shall give such relief as equity and justice shall require Provided that this section shall not authorize review as to any property distributed by the guardian in accordance with a decree of court before the filing of the petition The court or master considering the petition may include

in his adjudication or report findings of fact and of laws as to the entire controversy in pursuance of which a final order may be made.

D Distribution

Section 631 Award Upon Final Confirmation of Account A guardian shall be relieved of liability with respect to all real and personal estate distributed in conformity with a decree of court or in accordance with rule of court after confirmation of an account

Section 632 Recording and Registering Decrees Awarding Real Estate A certified copy of every adjudication or decree awarding real estate or an appropriate excerpt from either of them may be recorded at the expense of the estate in the deed book in the office of the recorder of deeds of each county where the real estate so awarded lies and if recorded shall be indexed by the recorder in the grantor's index under the name of the incompetent and in the grantee's index under the name of the distributee and shall be registered in the survey bureau or with the proper authorities empowered to keep a register of real estate in the county Provided that no adjudication or decree awarding real estate subject to the payment of any sums by the distributee shall be recorded or registered unless there is offered for recording concurrently therewith written evidence of the payment of such sum

E Rights of Incompetent and Distributees

Section 641 Liability of Guardian for Interest A guardian who has committed a breach of duty with respect to estate assets shall in the discretion of the court be liable for interest not exceeding the legal rate on such assets

Section 642 Disposition of Trust Income Except as otherwise provided by the trust instrument the trustee of an inter vivos or testamentary trust with the approval of the court having jurisdiction of the trust may pay income distributable to an incompetent beneficiary for whose estate no guardian has been appointed directly to the incompetent or expend and apply it for his care and maintenance or the care maintenance and education of his dependents

Section 643 Distributions of Income and Principal During Incompetency All income received by a guardian of the estate of an incompetent in the exercise of a reasonable discretion may be expended in the care and maintenance of the incompetent without the necessity of court approval The court for cause shown may authorize or direct the payment or application of any or all of the income or principal of the estate of an incompetent for the care maintenance or education of the incompetent his spouse children or those for whom he was making such provision before his incompetency or for the reasonable funeral expenses of the incompetent's spouse child or indigent parent In proper cases the court may order payment of amounts directly to the incompetent for his maintenance or for incidental expenses and may ratify payments made for these purposes

Article VII

Foreign Guardians

A Powers and Duties

Section 701 In General A foreign guardian may institute proceedings in the Commonwealth (subject to the conditions and limitations imposed on nonresident suitors generally) and may exercise all the other powers of a local guardian Except in the case of powers with respect to securities for which special provision is made in Section 702 the maintenance of a proceeding or the exercise of any other power by a foreign guardian shall be subject to the following additional conditions and limitations

(1) Copy of Appointment The foreign guardian shall file with the register of the county where the power is to be exercised or the proceeding is instituted or the property concerning which the power is to be exercised is located an exemplified copy of his appointment or other qualification in the foreign jurisdiction

(2) Affidavit The foreign guardian shall execute and file an affidavit with the register of said county stating that after diligent search and inquiry the estate of which he is guardian is not to his knowledge or so far as he has been able to discover indebted to any person in the Commonwealth and that he will not exercise any power which he would not be permitted to exercise in the jurisdiction of his appointment The affidavit shall be attached to the copy of appointment

(3) Taxes When the foreign guardian exercises a power to sell or mortgage any Pennsylvania real estate all taxes due thereon to the Commonwealth or to any subdivision thereof must be paid or provided for

Section 702 Security Transfers When there is no guardianship in the Commonwealth a foreign guardian upon submission of a certificate of his appointment shall have all the powers of a similar local guardian with respect to stock bonds and other securities of a Pennsylvania corporation or a federal corporation located in Pennsylvania and shall not be required to comply with the conditions and limitations of Section 701

Section 703 Service of Process The acceptance by a foreign guardian of the privilege extended by the laws of the Commonwealth of exercising any of his powers within the Commonwealth shall constitute the Secretary of the Commonwealth his attorney-in-fact upon whom service of process and notices may be made in any suit or proceeding instituted in the courts of the Commonwealth arising out of or by reason of the exercise of any of his powers or the performance or nonperformance of any of his duties as such fiduciary

Section 704 Proof of Authority in Court Proceedings Upon commencing any proceeding in any court of the Commonwealth the foreign guardian in addition to the requirements of Section 701 shall file with the court in which the proceeding is commenced an exemplified copy of his official bond if he has given a bond If the court believes that he should furnish security or additional security in the Commonwealth or in the domiciliary jurisdiction it may at any time order the action or proceeding stayed until sufficient security is furnished

Section 705 Effect of Local Proceedings No person who before receiving actual notice of local administration or of application therefor has changed his position by relying on the powers granted to foreign guardians by this act shall be prejudiced by reason of the application for or grant of local administration

B Distribution to Foreign Fiduciaries

Section 711 To Foreign Personal Representative When a share of an incompetent's estate administered in the Commonwealth is distributable to a deceased nonresident creditor or other distributee the court may award it to his domiciliary personal representative or to some other person performing the function of a personal representative unless it shall appear that the rights of any resident of the Commonwealth may be adversely affected or the court shall determine that for any reason ancillary administration within the Commonwealth is advisable

Section 712 To Foreign Trustee Guardian or Committee When a share of an incompetent's estate administered in the Commonwealth is distributable to a nonresident minor a trustee subject to the jurisdiction of a foreign court or a nonresident incompetent the court may award it to the guardian or committee of the nonresident appointed in the foreign jurisdiction or to such trustee Provided that the court shall be satisfied that adequate security or other protection has been provided in the domiciliary jurisdiction by the domiciliary law for the protection of the persons beneficially interested in the same so awarded

C Transfer of Administration

Section 721 Award to Foreign Guardian When Incompetent Becomes a Nonresident When the incompetent for whose estate a guardian has been appointed by the court is or becomes a nonresident of the Commonwealth the court upon satisfactory proof that it will be for the best interests of the incompetent and that on rights of a resi-

dent of the Commonwealth will be adversely affected and that removal of the property will not conflict with any limitations upon the right of the incompetent to such property may direct the locally appointed guardian to transfer the assets of the incompetent within his control to a duly qualified guardian or guardians in the jurisdiction where the incompetent resides

Article VIII

Repealer

Section 801 (a) Specific Repeals The following acts and parts of acts and all amendments of each are hereby repealed as respectively indicated

(1) The act approved the thirteenth day of June one thousand eight hundred thirty-six (P. L. 589) entitled "An act relating to lunatics and habitual drunkards" absolutely

(2) Section one of the act approved the sixteenth day of April one thousand eight hundred and forty-nine (P. L. 663) entitled "A supplement to the act relating to lunatics and habitual drunkards to punish aldermen and justices of the peace for misdemeanors relating to arbitrations in the district court in the city and county of Philadelphia relative to deeds of assignment relative to judgment liens relating to limitation of actions and relating to liens and terre tenants and for the more effectual punishment of the crime of arson" absolutely and section two thereof insofar as it affects estates of incompetents

(3) Section 7 of the act approved the fifteenth day of April one thousand eight hundred and fifty-one (P. L. 713) entitled "An act to annul the marriage contract between William Mead and Eliza his wife to the uniformed militia of Perry and Luberne Counties to the Cumberland Valley Railroad to the sale of the real estate of John Berge deceased to lunatics and habitual drunkards and to the Susquehanna Canal Company" insofar as it affects estates of incompetents

(4) The act approved the twenty-second day of March one thousand eight hundred sixty-five (P. L. 31) entitled "An act relating to the committees of the estates of lunatics and habitual drunkards" absolutely

(5) Section one of the act approved the twentieth day of February one thousand eight hundred sixty-seven (P. L. 30) entitled "An act to confer upon the committee of a lunatic or a habitual drunkard the power to institute actions of partition and prosecute those already commenced" absolutely

(6) The act approved the thirteenth day of April one thousand eight hundred sixty-eight (P. L. 94) entitled "An act respecting the estates of nonresident lunatics" absolutely

(7) The act approved the eighth day of May one thousand eight hundred seventy-four (P. L. 122) entitled "An act limiting the time within which inquisitions of lunacy or habitual drunkenness may be traversed" insofar as it affects estates of incompetents

(8) The act approved the twenty-fifth day of May one thousand eight hundred seventy-eight (P. L. 154) entitled "An act to enable married women whose husbands are lunatics to dispose of their separate estates" absolutely

(9) The act approved the twenty-eighth day of March one thousand eight hundred and seventy-nine (P. L. 14) entitled "An act enabling wives of lunatics to release their right of dower in the real estate of their husbands" absolutely

(10) The act approved the tenth day of June one thousand eight hundred and ninety-seven (P. L. 137) entitled "An act giving priority in the trial of lunacy cases traversing inquisitions of sheriff's juries in the courts of this Commonwealth" insofar as it affects estates of incompetents

(11) The act approved the tenth day of June one thousand eight hundred and ninety-seven (P. L. 138) entitled "An act providing for the taking filing and reviewing of the testimony taken before sheriff's juries in inquisitions of lunacy in and by the several courts of this Commonwealth" insofar as it affects estates of incompetents

(12) The act approved the fifteenth day of July one thousand eight hundred and ninety-seven (P. L. 301) entitled "An act regulating applications for commissions to inquire into the lunacy or habitual drunkenness of inmates of any soldiers' and sailors' home almshouse home for the friendless or other charitable institution" insofar as it affects estates of incompetents

(13) The act approved the twenty-seventh day of April one thousand nine hundred and three (P. L. 325) entitled "An act entitled an act providing for the sale of real estate of lunatics at private sale and empowering courts of common pleas to order direct and approve such private sales" absolutely

(14) The act approved the twenty-eighth day of May one thousand nine hundred and seven (P. L. 292) entitled "An Act to provide for the protection of insane persons feeble-minded persons and epileptics and the appointment of a guardian for the said insane persons feeble-minded persons and epileptics unable to care for their own property authorizing the guardian to support the wife and children of the said insane persons feeble-minded persons and epileptics defining the powers of the guardian and authorizing the sale of real estate of the ward" absolutely

(15) The act approved the twenty-seventh day of April one thousand nine hundred and nine (P. L. 185) entitled "A supplement to an act entitled 'An act for the protection of persons unable to care for their property' approved the twenty-fifth day of June Anno Domini one thousand eight hundred and ninety-five authorizing the appointment of guardians of the estates of weak-minded persons non resident of this Commonwealth and extending to said guardians the powers conferred upon guardians of weak-minded persons by the said act approved June twenty-fifth one thousand eight hundred and ninety-five and its supplements so far as relates to the real and personal property of said non-resident weak-minded persons situate in the Commonwealth of Pennsylvania" absolutely

(16) The act approved the twenty-eighth day of May one thousand nine hundred thirteen (P. L. 358) entitled "An act relating to the competency as evidence of certain findings in proceedings in lunacy" absolutely

(17) Clauses 1 and 8 of Subsection (a) of Section 2 of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 388) entitled "An act relating to the jurisdiction powers and procedure of the orphans' court and the court of common pleas as to sales mortgages conveyances on ground-rent leases extinguishment of ground-rents partition exchange squaring and adjusting of lines between adjoining owners consolidation and combination of mining lands and the leasing thereof the joining by owners of undivided interests in making and taking conveyances in order to change the route or location of any right of way or passage over adjoining or other lands and the subdivision of premises so as to command the highest price or greatest rents and for such purpose the laying out or dedication of roads streets and alleys or the vacation of such as have not been accepted by the public authorities where the court shall be of opinion that such decree will be to the interest and advantage of all those interested and where the legal title is held by minors lunatics habitual drunkards or weak-minded persons a married person whose spouse is a lunatic or has abandoned him or her for one year or has been absent and unheard of for seven years by corporation having no capacity to convey or by any unincorporated association by any religious beneficial or charitable society or association incorporated or unincorporated and the title is subject to forfeiture if real estate is held in excess of the amount prescribed by its charter or by law by a corporation or individual or individuals and is subject to a trust of any description whatever by any person as to whom a presumption of death may have arisen or any interest wherein is held by any person under legal disability to dispose thereof where the legal title is an estate tail or is subject to the lien of debts of a decedent not of record contingent remainders executory devises

or remainders to a class some or all of whom may not be in being or ascertained where estates shall have been devised or granted for special or limited purposes where there is a power of sale but the time may not have arrived for its exercise any preliminary act may not have been done to bring it into exercise the time limited for its exercise may have expired or any one or more persons required to consent or join in its exercise may be non compos mentis have removed out of the state have died refuse to act unreasonably withhold consent or be absent and unheard of where there has been or shall be a defective appointment in any deed or will and the necessary power is not given to the executor devises or appointee to make sale and conveyance where a trust has been created and no power conferred on the trustee to do any of the acts which the court is hereby empowered to authorize or confirmed and to the effects of such decrees" insofar as they apply to estates of incompetents

(b) General Repeal All other acts and parts inconsistent herewith are hereby repealed

(c) Saving Clause This act shall not repeal or modify any of the provisions of the following acts or parts of acts or any of their amendments

(1) The act approved the eleventh day of April one thousand eight hundred sixty-six (P. L. 780) entitled "An act authorizing persons whose wives or husbands are non compos mentis to sell mortgage lease for years and convey upon ground rental real estate held in their own right"

(2) The act approved the sixth day of April one thousand nine hundred twenty-one (P. L. 99) entitled "An act relating to the jurisdiction powers and procedure of the court of common pleas as to sale mortgage conveyance upon ground rent and lease for years of real estate where the legal title is held by a married person whose spouse is an habitual drunkard and providing for the disposition of the proceeds thereof"

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. BARR. Mr. President, while I realize Senate Bill No. 6 has many fine features, I am going to vote "no" on this bill as a protest to the fact that they took out the transfer of the incompetents' estates from the Common Pleas Court to the Orphans Court. In every county, with the exception of Philadelphia, the Common Pleas Court Judges though that incompetents' estates should be turned over to the Orphans Court. Unfortunately, we find ourselves in this position due to the fact that a few men in Philadelphia have made us amend the bill.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Bane,
Barger,
Blam,
Chapman,
Crowe,
Diehm,

Hare,
Kephart,
Kessler,
Letzler,
Mahany,
Mallery,

Pechan,
Peelot,
Probert,
Robinson,
Rosenfeld,
Ruth,

Stiefel,
Taylor,
Toole,
Wade,
Wagner,
Walker,

DiSilvestro,
Fleming,
Freed,
Haluska,

McCreesh,
McPherson, Jr.,
Meade,
Neff,

Scarlett,
Silvert,
Snowden,
Stevenson,

Watkins,
Watson,
Wolfe,
Yosko,

NAYS—7

Barr,
Barrett,

Dent,
Holland,

Lane,
Leader,

McGinnis,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 17, as follows:

An Act relating to the jurisdiction powers and duties of registers of wills and regulating proceedings before them and the costs thereof the effects of their acts and appeals therefrom

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The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

ARTICLE I

Preliminary Provisions

Section 101 Short Title This act shall be known and may be cited as the Register of Wills Act of 1951

Section 102 Definitions The following words when used in this act unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

(1) "Register" means the register of wills having jurisdiction

(2) "Court" means the orphans' court having jurisdiction

(3) "Clerk" means the clerk of the orphans' court having jurisdiction

(4) "Personal representative" means an executor or administrator of any description

(5) "Letters" means letters testamentary or letters of administration of any description

(6) "Will" means a written will codicil or other testamentary writing and a nuncupative will

Section 103 Effective Date This act shall take effect on the first day of January one thousand nine hundred and fifty-two

Section 104 Severability If any provision of this act or the application thereof to any person or circumstances is held invalid the remainder of this act and the application of such provision to other persons or circumstances shall not be affected thereby and to this end the provisions of this act are declared to be severable

ARTICLE II

Jurisdiction and Powers

Section 201 Register's Jurisdiction Within the county for which he has been elected or appointed the register shall have jurisdiction of the probate of wills the grant of letters to a personal representative and any other matter as provided by law

Section 202 Deputy Register Every register shall appoint a deputy or two deputies who shall have power to perform the duties of the office in his behalf and for whose conduct he and his surety shall be accountable In case of a vacancy in the office of register the first deputy shall exercise all the powers of the register until a successor is appointed or elected

Section 203 Witnesses Testimony The register shall have power to

(1) Subpoenas Issue a subpoena to any person in any county of the Commonwealth to appear or produce papers or records before him

(2) Administering Oaths Administer oaths and affirmations to parties and witnesses appearing before him and

to designate any clerk or clerks in his employ to administer such oaths and affirmations to parties and witnesses appearing before them

(3) Depositions Issue commissions or rules to take the depositions of witnesses in another county or outside of the Commonwealth. The practice relating thereto shall conform to the practice in the local orphans' court.

Section 204 Witness Fees Witnesses appearing before the register in obedience to the register's subpoena shall be entitled to the same fees and mileage as are allowed by law to witnesses in the orphans' court.

Section 205 Enforcement of Subpoenas Orders and Costs Should any person refuse to comply with any subpoena or order of the register or to pay all costs the register shall forthwith certify the record of the proceedings to the court. The court upon petition of any party in interest shall compel payment of the costs and shall enforce obedience to the subpoena or order in the same manner as in cases of subpoenas and orders issued or made by the court.

Section 206 Caveat

(a) Bond When a caveat has been filed the register shall not delay the probate of a will or the grant of letters for more than ten days after the filing of the petition for probate or for grant of letters or after the filing of the caveat which ever shall be later unless within such ten-day period a party in interest shall file with the register his bond in the name of the Commonwealth with sufficient surety in such amount not less than five hundred dollars or more than five thousand dollars as the register considers necessary conditioned for the payment of any costs which may be decreed against the caveator.

(b) Failure to Give Bond If no bond is filed within the ten-day period the caveat shall be considered abandoned except as the register for cause shown shall extend the time.

(c) Costs The register or the court upon appeal shall determine the amount of costs occasioned by a caveat and direct by whom they shall be paid. If all or part of the costs shall be finally decreed to be paid by the caveator any party interested in the costs may bring suit on the caveator's bond as provided by law.

Section 207 Certification of Records to Court Whenever a caveat shall be filed or a dispute shall arise before the register concerning the probate of a will the grant of letters or the performance of any other function by the register he may certify or the court upon petition of any party in interest may direct the register at any stage of the proceeding to certify the entire record to the court which shall proceed to a determination of the issue in dispute. No letters of administration pendente lite shall be granted by the register after proceedings have been removed to the court except by leave of court.

Section 208 Appeals

(a) When Allowed Any party in interest who is aggrieved by a decree of the register or a fiduciary whose estate or trust is so aggrieved may appeal therefrom to the court within two years of the decree provided that the executor designated in an instrument shall not by virtue of such designation be deemed a party in interest who may appeal from a decree refusing probate of it. The court upon petition of a party in interest may limit the time for appeal to six months.

(b) Bond Anyone appealing from a decree of the register shall within ten days after filing his appeal file with the register his bond in the name of the Commonwealth with sufficient surety in such amount not less than five hundred dollars or more than five thousand dollars as the register considers necessary conditioned for the payment of any costs that may be decreed against him. If no bond is filed within the ten-day period the appeal shall be considered abandoned.

(c) Effect of Appeal No appeal from a decree of the register shall suspend the powers or prejudice the acts of a personal representative to whom letters have been granted.

(d) Excepted Appeals This section shall not apply to

appeals for inheritance tax purposes nor to appeals specially regulated by law.

Section 209 Bill of Costs The court may establish a bill of costs to be charged for the services of the register not otherwise provided by law.

ARTICLE III

Probate

Section 301 Place of Probate The will of a decedent domiciled in the Commonwealth at the time of his death shall be probated only before the register of the county where the decedent had his last family or principal residence. If the decedent had no domicile in the Commonwealth his will may be probated before the register of any county where any of his property is located.

Section 302 Manner of Probate All wills shall be proved by the oaths or affirmations of two competent witnesses and

(1) Will Signed by Testator In the case of a will to which the testator signed his name proof by subscribing witnesses if there are such shall be preferred to the extent that they are readily available and proof of the signature of the testator shall be preferred to proof of the signature of a subscribing witness.

(2) Will Signed by Mark or by Another In the case of a will signed by mark or by another in behalf of the testator the proof must be by subscribing witnesses except to the extent that the register is satisfied that such proof cannot be adduced by the exercise of reasonable diligence. In that event other proof of the execution of the will including proof of the subscribers' signatures may be accepted and proof of the signature of a witness who has subscribed to an attestation clause shall be prima facie proof that the facts recited in the attestation clause are true.

(3) Nuncupative Will In the case of a nuncupative will the witnesses shall have been present when the will was declared and shall have reduced it to writing or directed it to be reduced to writing.

Section 303 Limit of Time for Probate

(a) Original Probate A will other than a nuncupative will may be offered for probate at any time.

(b) Conclusiveness of Original Probate The probate of a will shall be conclusive as to all property real or personal devised or bequeathed by it unless an appeal shall be taken from the probate as provided in Section 208.

(c) Effect Upon Grantee or Mortgagee A will offered for original or subsequent probate more than two years after the decedent's death shall be void against a bona fide grantee or mortgagee of real estate of the decedent if the conveyance or mortgage is recorded before the will is offered for probate. This subsection shall not apply to a will of a person dying before the effective date of this act offered for original probate within three years after the decedent's death.

Section 304 Nuncupative Wills A nuncupative will shall not be admitted to probate nor shall letters thereon be issued unless notice has first been given to those who would be entitled to the estate in case of intestacy.

Section 305 Wills in Foreign Language A writing not in English shall not be filed for probate or for any other purpose in the office of the register unless there is attached to it and filed with it a translation into English sworn to be correct. The register shall attach the translation to the original and shall file them in his office and in all cases where a recording is now or hereafter may be required both the original and the translation shall be recorded. A writing filed in violation of this section shall not constitute notice to any person.

Section 306 Wills Probated Outside the Commonwealth A duly authenticated copy of a will proved outside of the Commonwealth according to the law of the place of probate may be offered for probate before any register having jurisdiction and letters testamentary or of administration with a will annexed may be granted thereon as though the original will had been offered before such register. If in addition to such copy there shall be produced a duly authenticated copy of the record of the probate proceeding of the original instrument the will

shall be entitled to probate in this Commonwealth and appropriate letters shall be issued thereon without the production or examination of the witnesses to prove such will unless the record shows or it is satisfactorily proved that an essential requirement of Pennsylvania law for a valid will has not been met. In such event the probate proceedings may be supplemented by the submission of additional evidence to the register.

Section 307 Enforcing Production of Will The register at the request of any party in interest shall issue a citation to any person alleged to have possession or control of a will of a decedent requiring him to show cause why it should not be deposited with him. In the absence of good cause shown the register shall order the will to be deposited with him.

ARTICLE IV

Letters—Accounts

Section 401 Bonds of Personal Representatives If any register shall grant letters without having taken such bond as may be required by law he and his surety shall be liable to pay all damages which shall accrue to any person by reason thereof. Nothing herein stated shall be deemed to relieve the personal representative from liability which would otherwise be imposed upon him by law.

Section 402 Revocation of Letters

(a) **When No Will** The register may revoke letters of administration granted by him whenever it appears that the person to whom letters were granted is not entitled thereto.

(b) **When A Will** The register may amend or revoke letters testamentary or of administration granted by him not in conformity with the provisions of a will admitted to probate.

Section 403 Transmission of Accounts to the Court All accounts filed with the register shall be transmitted to the court for audit and confirmation on dates fixed by the court by general rule or special order and shall be advertised as required by law.

ARTICLE V

Records and Certified Copies

Section 501 Wills All probated wills shall be indexed and recorded by the register and shall remain in his office except for the period required to be in the custody of a higher court. The recording may be accomplished by photographic or other mechanical process.

Section 502 Inventories and Appraisements The register shall index and record all inventories and appraisements filed with him. The recording may be accomplished by photographic or other mechanical process.

Section 503 Certified Copies Every register upon the request of any person paying the fee therefor shall make and certify under the seal of his office true copies of his records or of papers filed with him or of proceedings before him. Such certified copies shall be as good evidence as the original in any judicial proceeding in the Commonwealth.

Section 504 Recording Proceedings in Another County Copies of wills and probate proceedings duly certified by the register may be filed in the office of the register in any county where real estate of the testator is located. The register with whom such papers are filed shall forthwith record the same and the record thereof shall be as valid and effectual in law as the original will after probate or its duly certified copy or its record would be for all purposes of vesting title of evidence and of notice.

ARTICLE VI

Repealer

Section 601 (a) Specific Repeals The following acts and parts of acts and all amendments of each are hereby repealed as respectively indicated:

(1) **Section 37** of the act approved the fifteenth day of March one thousand eight hundred thirty-two (P. L. 135) entitled "An Act relating to Registers and Registers' Courts" absolutely.

(2) **Section 7** of the act approved the second day of April one thousand eight hundred sixty-eight (P. L. 3) entitled "An Act to ascertain and appoint the fees to be received by the several officers of this Commonwealth" absolutely.

(3) **Section 1** of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 415) entitled "An Act relating to the qualification jurisdiction powers and duties of registers of wills and regulating proceedings before said registers and the costs thereof the effects of their acts and appeals therefrom" except insofar as it applies to counties of the first class and Sections 2 to 23 both inclusive of the same act absolutely.

(4) **Section 224** of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An Act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" insofar as it applies to registers of wills and Section 233 of the same act absolutely.

(b) **General Repeal** All other acts and parts of acts inconsistent herewith are hereby repealed.

(c) **Saving Clause** This act shall not repeal or modify the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 933) entitled "An Act prescribing the fees to be received by registers of wills in counties of the fifth sixth seventh and eighth class."

And said bill having been read at length the third time, and agreed to,

An the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Snowden,
Barr,	Hare,	McPherson, Jr.,	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Taylor,
Blass,	Kessler,	Pechan,	Toole,
Byrne,	Letzler,	Peelor,	Wade,
Chapman,	Lane,	Propert,	Wagner,
Crowe,	Leader,	Robinson,	Walker,
Dent,	Mahany,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silver,	Yosko,
Freed,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 25 as follows:

An Act relating to the orphans' courts conferring exclusive jurisdiction on such courts over the administration and distribution of decedents' estates trust estates minors' estates absentees' estate and incompetents' estates providing for the organization of orphans' courts the procedure therein the powers and duties of the judges thereof and appeals therefrom.

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The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Article I

Preliminary Provisions

Section 101 Short Title This act shall be known and may be cited as the Orphans' Court Act of 1951

Section 102 Definitions The following words when used in this act unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

(1) "Clerk" means the clerk of the orphans' court having jurisdiction

(2) "Court" means the orphans' court having jurisdiction

(3) "Register" means the register of wills having jurisdiction to grant letters testamentary or of administration

(4) "Fiduciary" includes personal representatives guardians and trustees whether domiciliary or ancillary individual or corporate subject to the jurisdiction of the orphans' court

(5) "Trust" means any trust whether testamentary or inter vivos subject to the jurisdiction of the orphans' court

(6) "Inter vivos trust" means an express trust other than a trust created by a will taking effect during the lifetime or at or after the death of the settlor It includes

(i) A life insurance trust

(ii) A trust created under a deed agreement or declaration except as hereinafter excluded

(iii) A common trust fund or mortgage investment fund created by a corporate fiduciary for the investment of funds held by it as fiduciary or co-fiduciary

(iv) A tentative trust and

(v) Similar trusts

It does not include

(vi) A resulting or constructive trust created by operation of law

(vii) A trust for creditors

(viii) An escrow relationship

(ix) A temporary trust to hold disputed property

(x) A principal and agent relationship

(xi) A trust primarily for the benefit of business employees their families or appointees under a stock bonus pension disability or death benefit profit-sharing or other employee benefit plan

(xii) A trust for bondholders

(xiii) A mortgage in possession relationship and

(xiv) Similar trusts or fiduciary relationships

Section 103 Effective Date This act shall take effect on the first day of January one thousand nine hundred and fifty-two

Section 104 Severability If any provision of this act or the application thereof to any person or circumstances is held invalid the remainder of this act and the application of such provision to other persons or circumstances shall not be affected thereby and to this end the provisions of this act are declared to be severable

Article II

Organization of Orphans' Court

Section 201 Orphans' Court in Every County In each county of the Commonwealth there shall continue to exist as heretofore a court of record which shall be called "The Orphans' Court of County"

Section 202 Counties Having Separate Orphans' Courts The separate orphans' courts heretofore established shall continue to exist in the Counties of Allegheny Berks Cambria Dauphin Delaware Erie Fayette Lackawanna Lancaster Lehigh Luzerne Montgomery Philadelphia Schuylkill Washington Westmoreland and York Each separate orphans' court shall have the number of judges provided by law

Section 203 Counties Having No Separate Orphans' Courts The orphans' court of each county in which no separate orphans' court is established shall be composed

of the judges of the court of common pleas of that county

Section 204 Court of Record Seal The orphans' court of each county whether separate or not shall be a court of record with all the qualities and incidents of a court of record at common law Its proceedings and decrees in all matters within its jurisdiction shall not be reversed or avoided collaterally in any other court but they may be reversed modified or altered on appeal Each orphans' court shall have a seal engraved with the same device as is on the great seal of the Commonwealth and with the name of the court

Section 205 Sessions Terms Each orphans' court shall be in session as often as its judges shall think necessary or proper There shall be no terms of the orphans' court

Section 206 Rules Rules and forms of procedure not inconsistent with the Constitution and laws of the Commonwealth and with rules of the Supreme Court may be made and prescribed by each orphans' court for the conduct of proceedings before it

Article III

Jurisdiction

Section 301 Exclusive Jurisdiction The orphans' court shall have exclusive jurisdiction of

(1) Decedents' Estates The administration and distribution of the real and personal property of decedents' estates

(2) Testamentary Trusts The administration and distribution of the real and personal property of testamentary trusts whether created before or after the effective date of this act except any testamentary trust created before the effective date of the Fiduciaries Act of 1917 jurisdiction of which already has been acquired by another Pennsylvania court Another court which has acquired jurisdiction of the trust may transfer it to the orphans' court

(3) Inter Vivos Trusts The administration and distribution of the real and personal property of inter vivos trusts whether created before or after the effective date of this act except any inter vivos trust created before the effective date of this act jurisdiction of which already has been acquired by another Pennsylvania court Another court which has acquired jurisdiction of the trust may transfer it to the orphans' court

(4) Minors Estates The administration and distribution of the real and personal property of minors' estates

(5) Absentees' and Presumed Decedents' Estates The administration and distribution of the real and personal property of absent persons and of presumed decedents

(6) Fiduciaries The appointment control settlement of the accounts of removal and discharge of and allowance to the allocation of compensation among all fiduciaries of estates and trusts of which the court has jurisdiction except that the grant of letters testamentary and of administration to personal representatives shall remain within the jurisdiction of the register as heretofore

(7) Guardian of Person of Minors The appointment control and removal of the guardian of the person of any minor

(8) Custody of Minors The determination of the right to the custody of a minor in connection with any proceeding for his adoption or for the appointment of a guardian of his person

(9) Specific Performance of Contracts To enforce specifically the performance by either party of any agreement made by a decedent or by a person adjudged incompetent to purchase or sell real or personal property

(10) Legacies Annuities and Charges Proceedings for the enforcement of legacies annuities and charges placed on real or personal property by will inter vivos trust or orphans' court decree or for the discharge of the lien thereof

(11) Construction of Administrative Power The construction of an administrative power as to real estate proposed to be exercised by a fiduciary subject to the jurisdiction of the orphans' court

(12) Disposition of Title to Real Estate to Render It Freely Alienable The disposition of any interest in real estate of one disabled from dealing with it when title to

it has been acquired by descent or will or is in an estate or trust subject to the jurisdiction of the orphans' court

(13) Title to Personal Property The adjudication of the title to personal property in the possession of the personal representative or registered in the name of the decedent or his nominee or alleged by the personal representative to have been in the possession of the decedent at the time of his death

(14) Appeals and Proceedings from Registers Appeals from and proceedings removed from registers

(15) Birth Records Matters relating to birth records as provided by law

(16) Adoptions Adoptions as provided by law

(17) Marriage Licenses Marriage licenses as provided by law

(18) Inheritance and Estate Taxes Matters relating to inheritance and estate taxes as provided by law

Section 302 Concurrent Jurisdiction Title to Real Estate The orphans' court shall have concurrent jurisdiction of the determination of the persons to whom the title to real estate of a decedent or of the creator of an estate or trust subject to the jurisdiction of the orphans' court has passed by devise or descent or by the terms of the trust instrument provided that nothing herein shall be construed to restrict the exclusive jurisdiction of the orphans' court to distribute real estate in an estate or trust within its jurisdiction

Section 303 Conflict of Laws Nothing contained in this act shall be construed to interfere with the rules of law applicable to the determination of the question whether Pennsylvania courts have jurisdiction of the subject matters enumerated in this act

Section 304 Incidental Powers The orphans' court shall have all legal and equitable powers required for or incidental to the exercise of its jurisdiction

Section 305 Venue of Decedents' Minors' and Incompetents' Estates When a Pennsylvania orphans' court has jurisdiction of a decedent's or a minor's estate except as otherwise provided by law the venue for all purposes shall be as follows

(1) Decedents' Estates In the case of a decedent's estate in the county where the letters are granted to the personal representative and in the absence of such letters then where the decedent had his last family or principal residence and if the decedent had no domicile in the Commonwealth then in any county where any of his property is located

(2) Minors' Estates In the case of a guardian of a minor appointed by the court in the county whose court appointed the guardian In the case of a guardian of a minor not appointed by the court or when there is a minor's estate but no guardian in the county whose court which at the time proceedings are first initiated would have jurisdiction to appoint a guardian of the estate

Section 306 Venue of Trust Estates When a Pennsylvania orphans court has jurisdiction of any trust testamentary or inter vivos, except as otherwise provided by law the venue for all purposes shall be in the county where at the time being is the situs of the trust The situs of the trust shall remain in the county of the court which first assumed jurisdiction of the trust unless and until such court shall order a change of situs under the provisions of this act

Section 307 Situs of Testamentary Trust The situs of a testamentary trust shall be in the county where letters were granted to the personal representative and in the absence of such letters then in a county where such letters could have been granted and if no such letters could have been granted then in a county in which any trustee resides or is located

Section 308 Situs of Inter Vivos Trust

(a) When Provided For in Trust Instrument If the trust instrument expressly provides for the situs of the inter vivos trust its situs shall be at the place within or without the Commonwealth which is in accord with such provision

(b) Not Provided For in Trust Instrument If the trust

instrument does not expressly provide for the situs of the inter vivos trust its situs shall be

(1) Resident Settlor In the case of an inter vivos trust whose settlor is domiciled in the Commonwealth (i) in the settlor's lifetime either in the county of his principal residence or in the county in which any of the trustees resides or is located and (ii) after the settlor's death either in the county in which letters have been granted to his personal representative or in a county in which letters could have been granted or in a county in which any trustee resides or is located

(2) Nonresident Settlor In the case of an inter vivos trust whose settlor (i) is not domiciled in the Commonwealth at the time when during his lifetime the first application is made to a court concerning the trust or (ii) was not domiciled in the Commonwealth at his death if the first application to a court concerning the trust was made thereafter in a county in which any trustee resides and if there is no such trustee then in a county where property of the trust is located

Section 309 Change of Situs Order of Court A court having jurisdiction of a testamentary or inter vivos trust on application of a trustee or of any party in interest after such notice to all parties in interest as it shall direct and aided if necessary by the report of a master and after such accounting and such provision to insure the proper payment of all taxes to the Commonwealth and any political subdivision thereof as the court shall require may direct notwithstanding any of the other provisions of this act that the situs of the trust shall be changed to any other place within or without the Commonwealth if the court shall find the change necessary or desirable for the proper administration of the trust Upon such change of situs becoming effective by the assumption of jurisdiction by another court the jurisdiction of the court as to the trust shall cease and thereupon the situs of the trust for all purposes shall be as directed by the court

ARTICLE IV

JUDGES

Section 401 Powers Any judge of an orphans' court learned in the law whether or not the court is separate and whether or not it consists of more than one judge may hear and determine all matters of which the court has jurisdiction His determination thereof shall be a final decree unless exceptions thereto are authorized by rule of court or the decree discloses that it is not intended as such

Section 402 Sitting in Other Courts Subject to regulation by the Supreme Court any judge of an orphans' court may hear and determine any matter in any court of record except an appellate court with Statewide jurisdiction on call by the president judge of the court in which he is to sit and any judge of a court of common pleas may hear and determine any matter in an orphans' court on call by its president judge A judge shall not be required to accept any such call

Section 403 Powers When the Court Is Not in Session Any judge of an orphans' court learned in the law shall have power whether or not the court is in session to administer ex parte business and to issue process

Section 404 When President Judge Unable to Act Whenever the president judge of an orphans' court is unable to act the judge next oldest in commission who is able to act shall have the powers of the president judge

ARTICLE V

CLERK SHERIFF

A Clerk

Section 501 Duties The clerk shall have custody of the records and of the seal of the court shall faithfully perform under the direction of the court all the duties of his office and may appoint an assistant clerk or clerks but only with the consent and approval of the court He shall attest in the name of the president judge alone all

process subpoenas certificates copies of records and other documents which shall be issued out of the court

Section 502 Dockets The clerk shall keep in the dockets provided for that purpose a record of all proceedings of the court Local rules may prescribe the recording of all or parts of instruments filed with the court or the clerk or may prescribe that any instrument be filed in duplicate and that the duplicates be bound into volumes and preserved in lieu of recording or may prescribe that any instrument be copied by photographic or other mechanical process

Section 503 Bill of Costs Each orphans' court may establish a bill of costs to be charged for the services of the clerk not otherwise provided for by law

Section 504 Translation of Foreign Language Documents A writing not in English shall not be filed in the court or in the office of the clerk unless there is attached to it and filed with it a translation into English sworn to be correct. A writing filed in violation of this section shall not constitute notice to any person

Section 505 Advertisement of Accounts

(a) Requirement of Notice Contents of Notice The clerk shall give notice by advertisement of the time when accounts filed with him and with the register will be presented to the court for confirmation stating in the advertisement the names and capacities of the respective accountants

(b) Manner of Advertisement The notice shall be advertised at least once a week during the four weeks immediately preceding the time for presentation of the accounts to the court in the case of accounts filed with the register and at least once a week during the two weeks immediately preceding the time for presentation of the accounts to the court in the case of accounts filed with the clerk

(1) In the legal publication if any designated by rule of court for the publication of legal notices and

(2) In at least one newspaper of general circulation published within the county and if no such newspaper is published in that county then in one such newspaper published nearest to that county

(c) Cost of Advertisement The expense of the advertisement and of the proof thereof shall be charged to the estate or trust and allowed to the clerk who shall pay the publication costs to the newspapers upon delivery of the proofs of publication

Section 506 Money Paid Into Court The clerk shall have custody of all funds paid into court Pending the distribution thereof the clerk may invest the funds but shall have no duty to do so Any such investment except as the court shall otherwise direct shall be restricted to obligations of the United States or the United States Treasury or of the Commonwealth

B Sheriff

Section 511 Powers and Duties The sheriff shall serve process and execute orders directed to him pursuant to the provisions of this act

Section 512 Fees The fees and allowances of the sheriff shall be as provided by law or in the absence thereof as fixed by rule of court

ARTICLE VI

MASTERS AUDITORS EXAMINERS GUARDIANS AD LITEM AND TRUSTEES AD LITEM

Section 601 Appointment Purpose The court may appoint

(1) Masters A master to investigate any issue of fact and to report his findings of fact conclusions of law and recommendations to the court

(2) Auditors of Accounts of Fiduciaries Except in the circumstances prohibited by law an auditor to examine and audit an account and to determine distribution

(3) Auditors to State Accounts An auditor to state an account when a proper account cannot be obtained from a fiduciary or other person required to state an account

(4) Examiners of Assets By general rule or special

order an examiner or examiners to make periodic or special examination of assets of estates or trusts and to require all persons in whose custody or control such assets may be held to present them for examination

(5) Guardians and Trustees Ad Litem On petition or on its own motion a guardian or a trustee ad litem to represent the interest not already represented by a fiduciary of (i) a person not si juris or (ii) an absentee or (iii) a presumed decedent or (iv) an unborn or unascertained person

Section 602 Compensation Any person appointed by the court as master auditor examiner guardian ad litem or trustee ad litem shall be compensated by reasonable fees fixed by the court and paid from such source as the court shall direct

Section 603 Subpoenas Master auditors and examiners shall have the power to issue subpoenas with or without a clause of duces tecum to witnesses to appear before them when necessary for the performance of any of their duties If any person who has been duly subpoenaed fails to obey the subpoena the master auditor or examiner issuing the subpoena may report the neglect or refusal to the court The court upon receiving such report shall have over to issue an attachment in the same manner as is provided in the case of subpoenas issued by it

Section 604 Power to Administer Oaths Masters auditors and examiners shall have the power to administer oaths to parties and witnesses

ARTICLE VII

PROCEDURE

A Institution of Proceedings and Original Process

Section 701 Petitions All applications to the court shall be by petition in the form prescribed by rules of the Supreme Court

Section 702 Accounts The court may decide or dispose of any question relating to the administration or distribution of an estate or trust and exercise any of its powers in respect thereof upon the filing of an account or in any other appropriate proceeding The account may be a complete accounting of the estate or trust or of only the transactions which raise the question to be determined

Section 703 Writs of Habeas Corpus In any proceeding for the adoption of a minor or for the appointment of a guardian of his person the court may award a writ of habeas corpus

Section 704 Citation Jurisdiction of the person shall be obtained by citation to be awarded by the court upon application of any party in interest The citation shall direct the party named therein to file a complete answer under oath to the averments of the petition on or before a day certain which shall be not less than ten days after the service thereof and to show cause as the decree of the court shall provide

Section 705 Service of Citation A citation to obtain jurisdiction of a person may be served by any adult person or by the sheriff of the county wherein the citation issued or by deputization of the sheriff of the county where the service may be had in any county of the Commonwealth in the same manner as a writ of summons in an action of assumpsit in the court of common pleas When no other time is specifically fixed by the court the order awarding the citation shall be void unless the citation is issued within six months

Section 706 Proof of Service Proof of service shall be by affidavit of the person or the return of the sheriff making service and shall set forth the same information as a sheriff's return in an action of assumpsit

B Notice

Section 711 Manner of Service Proof Notice of any proceeding in the court may be given within or outside the Commonwealth by personal service by registered mail by publication or otherwise as the court shall direct by general rule or special order Notice may be in the form of a citation served as provided in this section

C Action Upon Default of Respondent

Section 721 Power of Court Should the respondent fail to comply with the requirements of any citation or notice the court upon proof of service thereof shall have the power to make such order as may be just and necessary

D Summary Decree Injunction

Section 731 Decree Without Prior Hearing Attachment Sequestration The court without a prior hearing may allow the issuing of a writ of attachment of the person or a writ of sequestration or both against any one who the court is satisfied is about to leave the Commonwealth or conceals his whereabouts to the prejudice of the complainant or to an estate or trust within the jurisdiction of the court On the return of the writ the court may proceed as on the return of a citation or make such order as it shall deem appropriate An attachment or sequestration issued without a prior hearing may be dissolved at any time by the court upon the respondent's giving security to the satisfaction of the court for his appearance on a day certain to answer the petition and to abide the orders and decrees of the court in the premises

Section 732 Injunctions The court may issue injunctions for the protection of property within its jurisdiction in the same manner as the court of common pleas of the same county

E Witnesses Evidence Hearings Trials

Section 741 Subpoenas The court may issue subpoenas with or without a clause of duces tecum into any county of the Commonwealth to witnesses to appear before it or any master auditor or examiner appointed by it

Section 742 Depositions and Discovery The court by general rule or special order may prescribe the practice relating to depositions discovery and the production of documents To the extent not provided for by general rule or special order the practice relating to such matters shall conform to the practice in the local court of common pleas

Section 743 Perpetuation of Testimony and Court Records The court by general rule or special order may prescribe the practice relating to the perpetuation of testimony and to the perpetuation of lost or destroyed court records When proved such court records shall have the same legal effect as original records would have had Notice of proceedings for the perpetuation of testimony and for the perpetuation of lost or destroyed court records shall be given in such manner as the court shall direct

Section 744 Testimony in Proceedings Removed From Register On appeal from the register or in a proceeding removed from the register the court may find upon the testimony taken before the register that a substantial dispute of fact exists and require a jury to decide the issue of fact In all other cases the court shall hear the testimony de novo unless all parties appearing in the proceeding agree that the case be heard on the testimony taken before the register In any event the court may require witnesses already examined and other witnesses to appear before it

Section 745 Jury Trial

(a) Will Contest When a substantial dispute of fact shall arise concerning the validity of a writing alleged to be testamentary any party in interest shall be entitled to a trial of this fact by a jury

(b) Title to Property When a substantial dispute of fact shall arise concerning the decedent's title to property real or personal any party in interest shall be entitled to a trial of this fact by a jury

(c) Waiver of Right A person entitled to a trial by jury may make demand in writing therefor prior to the hearing of the issues of fact The right to trial by jury is waived if such a demand is not so made or if the person claiming the right fails to appear at the hearing or fails to object to trial by the court before the introduction of evidence is commenced

(d) When Not of Right When there is no right to trial

by jury or when the right is waived the court in its discretion may require a jury to decide any issue of fact and the verdict in such case shall have the same effect as though a trial by jury had been allowed as a matter of right to a party in interest

Section 746 Trials in the Orphans' Court

(a) Jury Jury trials in any case begun before or certified or appealed to the orphans' court shall be tried in the orphans' court The court shall draw a jury and preside at the trial of the issue and shall have all the powers of a judge in trials by jury in cases at law in the court of common pleas The panel of jurors drawn for service in the common pleas court of the county in which the orphans' court is located shall be available for such service in the orphans' court when required and in counties where there is a separate orphan's court the orphans' court and the court of common pleas shall by appropriate rules provide for and regulate the manner in which the jurors shall be made available and sent to the orphans' court when required for the trial of issues therein

(b) Rules of Court Unless and until the orphans' court otherwise directs, the appropriate rules of the common pleas court of the same county shall apply to jury trials of issues in the orphans' court, and matters relating to such trials shall be heard and disposed of by the orphans' court

(c) Effect of Verdict The verdict of the jury in the orphans' court shall have the same effect as the verdict of a jury in a case at law in a court of common pleas

F Enforcement of Orders and Decrees

Section 751 Methods of Enforcement Compliance with an order or decree of the court may be enforced by

- (1) attachment of the person
- (2) sequestration of real or personal property
- (3) execution on personal property
- (4) attachment execution or
- (5) execution on real estate

Section 752 Procedure on Attachment of the Person

(a) Direction of Writs A writ of attachment of the person shall be directed to and executed by the sheriff of the county in which the court is located or of any county where the person to be attached is located

(b) Discharge of Person Attached for Contempt Any person attached for contempt may be discharged from custody by the court upon purging himself of contempt to the satisfaction of the court by whose order he was attached

Section 753 Procedure on Sequestration of Real or Personal Property A writ of sequestration of real or personal property of an estate or trust or of the respondent to enforce an order or decree of the court in the administration of the estate or trust shall be allowed by the court as fully as in any court of equity and shall be directed to and executed by the sheriff of the county in which the court is located or of any county where property to be sequestered is located The court by general rule or special order may prescribe the practice relating to sequestration of real and personal property To the extent not provided for by general rule or special order the practice relating to sequestration shall conform to the practice in the local court of common pleas

Section 754 Procedure on Execution on Personal Property Writs of execution on personal property shall be allowed by the court and directed to and executed by the sheriff of the proper county The proceedings thereon shall be the same as on execution on personal property issued out of the court of common pleas of the same county

Section 755 Procedure on Attachment Execution Writs of attachment execution shall be allowed by the court and directed to and executed by the sheriff of the proper county The proceedings thereon shall be the same as attachment executions issued out of the court of common pleas of the same county

Section 756 Procedure on Execution on Real Estate

(a) Filing in Common Pleas The prothonotary of any court of common pleas shall on demand of the fiduciary

or of any party in interest file and docket a certified transcript or extract from the record showing that an orphans' court has adjudged an amount to be due by any person and such transcript or extract shall constitute a judgment against such person from the time of its filing with the same effect as if it had been obtained in an action in the court of common pleas. If the amount adjudged to be due shall be increased or decreased on appeal the prothonotary shall if the decree of the appellate court is certified to him change his records accordingly and if the appellate court has increased the amount the excess shall constitute a judgment from the time when the records are so changed.

(b) Satisfaction and Discharge If the orphans' court shall order such person to be relieved from any such judgment the prothonotary shall on demand of any party in interest enter on his records a certified copy of such order which shall operate as a satisfaction of the judgment.

(c) Executions Execution may be issued on the judgment out of the court of common pleas against the real estate of such respondent by any interested party for the recovery of so much as may be due to him in the same manner as upon a judgment rendered by the court of common pleas.

G Costs

Section 761 Allowance and Allocation The allowance and allocation of costs incident to proceedings before the court or to the administration of estates or trusts within the jurisdiction of the court shall be as now or hereafter provided by law and in the absence thereof as fixed by the court by general rule or special order.

H Appeals

Section 771 Right of Appeal Any party in interest who is aggrieved by a final order or decree of the orphans' court or a fiduciary whose estate or trust is so aggrieved may appeal therefrom to the proper appellate court. An appeal in like manner may be taken from a decree of distribution of the orphans' court which is not final within the meaning of this section provided the orphans' court shall certify that the decree is sufficiently definite to determine the substantial issues between the parties.

Section 772 Effect of Appeal No appeal from an order or decree of an orphans' court concerning the validity of a will or the right to administer shall suspend the powers or prejudice the acts of a personal representative acting thereunder. The reversal or modification of any decree of an orphans' court in a proceeding in which the court has jurisdiction of the sale mortgage exchange or conveyance of real or personal estate shall not divest any estate or interest acquired thereunder by a person not a party to the appeal.

Section 773 Disposition of Cases on Appeal The Supreme and Superior Courts of the Commonwealth shall in all cases of appeal from a decree of the orphans' court hear try and determine the same as to right and justice may belong and decree according to the equity thereof and may place or allocate the record costs including printing costs upon the party in interest who appeals or upon the estate or trust.

Article VIII

Repealer

Section 801 (a) Specific Repeals The following acts and parts of acts and all amendments of each are hereby repealed as respectively indicated:

(1) Section four of the act approved the eleventh day of April one thousand eight hundred forty-eight (P. L. 506) entitled "An act to establish a uniform line along the river Delaware in front of the incorporated districts of the Northern Liberties and Kensington in reference to county bridges changing the name of Andrew Jackson Glarke to Andrew G Jackson to issuing subpoenas for witnesses by auditors exempting the real estate of the Pennsylvania society for promoting the abolition of slavery from taxation in reference to fees of constables in

Schuylkill County in reference to the removal of the barn of Amos George in the township of Blockley county of Philadelphia and to change the name of Dallas township Lehigh county to Washington and relative to the commissioners of Kensington and Richmond in Philadelphia county" insofar as it applies to auditors appointed by orphans' courts.

(2) Section six of the act approved the second day of April one thousand eight hundred sixty-eight (P. L. 3) entitled "An act to ascertain and appoint the fees to be received by the several officers of this Commonwealth" absolutely.

(3) The act approved the twenty-seventh day of March one thousand eight hundred seventy-three (P. L. 49) entitled "An act to further provide for the enforcement of decrees in the orphans' court" absolutely.

(4) The act approved the twenty-fifth day of May one thousand eight hundred seventy-eight (P. L. 156) entitled "An act to authorize the investment of money paid into court pendente lite" insofar as it applies to monies paid into the orphans' court.

(4) The act approved the seventh day of June one thousand nine hundred seventeen (P. L. 363) entitled "An act relating to the organization jurisdiction and procedure of the orphans' courts the powers and duties of the judges thereof and appeals therefrom" absolutely except the part of the last paragraph of section nine thereof which was added by the act approved the second day of July one thousand nine hundred forty-one (P. L. 227) entitled "An act to further amend section nine of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 363) entitled 'An act relating to the organization jurisdiction and procedure of the orphans' courts the powers and duties of the judges thereof and appeals therefrom' by imposing liability on executors administrators or trustees for real estate broker's commissions in certain cases" which is not repealed hereby.

(6) Section twenty-four of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" except insofar as it saves the jurisdiction of other courts in actions which were pending at the time of the approval of said act and subsections (b) (d) (g) and (i) of section forty-six and subsection (a) of section forty-seven thereof absolutely.

(b) General Repeal All other acts and parts of acts

inconsistent herewith are hereby repealed

(c) Saving Clause This act shall not repeal or modify any of the provisions of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 963 entitled "An act prescribing the fees to be received by the clerks of orphans' courts of counties of the fifth sixth seventh and eighth class" or its amendment

And said bill having been read at length the third time, and agreed to,

An the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Freed	McMenamin	Snowden,
Barr,	Haluaka,	McPherson, Jr.,	Stevenson,
Barrett,	Hare,	Meade,	Stiefel,
Berger,	Holland,	Neff,	Taylor,
Blann,	Kephart,	Pechan,	Toole,
Byrne,	Kessler,	Peelor,	Wade,
Chapman,	Leader,	Probert,	Wagner,
Crowe,	Letzler,	Robinson,	Walker,
Dent,	Mahany,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yosko,

NAYS—1

Lane,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 25, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Pennsylvania Historical and Museum Commission to acquire on behalf of the Commonwealth certain land buildings and appurtenances located in the Township of Manheim Lancaster County and certain personal property therein and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Pennsylvania Historical and Museum Commission is hereby authorized and empowered to acquire by gift on behalf of the Commonwealth of Pennsylvania all the land buildings and appurtenances known as the Landis Valley Museum in the Township of Manheim Lancaster County and to acquire on such terms as it shall agree with the owners thereof the personal collections and personal property of Henry K Landis and George D. Landis in the Museum The exact amount of land buildings and appurtenances and personal property shall be determined by the Pennsylvania Historical and Museum Commission

Section 2 The title to said real estate shall be taken in the name of the Commonwealth of Pennsylvania and the deed of conveyance shall be approved by the Department of Justice

Section 3 Immediately upon acquisition by the Commonwealth the Landis Valley Museum shall be named and known as the Pennsylvania Farm Museum of Landis Valley

Section 4 The Pennsylvania Historical and Museum Commission after said land buildings and appurtenances have been acquired shall have full control supervision and management thereof in accordance with the provisions

of the Administrative Code of 1929 and its amendments: The Commission shall develop a farmers' museum for display and study of early Pennsylvania farming equipment and all materials used by or relating to the various occupations necessary for rural life during the various periods of Pennsylvania history The Commission may in carrying out the purpose of this section utilize all available materials now in its possession and all materials that may hereafter be purchased or donated to it

Section 5 The Pennsylvania Historical and Museum Commission shall have the power to make promulgate and enforce rules and regulations relative to police power visitation by the public and admission fees and shall have full authorization to sell or destroy any duplicate or inappropriate objects in the Landis Valley collection

Section 6 The admission fees and the proceeds from the sale of any duplicate or inappropriate objects in the Landis Valley collections received by the Pennsylvania Historical and Museum Commission shall be paid through the Department of Revenue into the General Fund of the State Treasury and are hereby appropriated to the Pennsylvania Historical and Museum Commission for the maintenance of existing buildings the construction of new buildings landscaping and repair of antiquities at the Pennsylvania Farm Museum of Landis Valley

Section 7 The sum of fifty thousand (\$50,000) or as much thereof as may be necessary is hereby appropriated to the Pennsylvania Historical and Museum Commission for the acquisition of personal collection sand other personal property for maintenance and the development of the Pennsylvania Farm Museum of Landis Valley for the payment of fees or compensation to consulting curators architects landscape engineers and other specialized services and for the purchase of necessary equipment and other incidental and contingent expenses

Section 8 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Freed	McGinnis,	Silvert,
Barr,	Haluaka,	McMenamin,	Snowden,
Barrett,	Hare,	McPherson, Jr.,	Stevenson,
Berger,	Holland,	Meade,	Stiefel,
Blann,	Kephart,	Neff,	Taylor,
Byrne,	Lane,	Pechan,	Toole,
Chapman,	Leader,	Peelor,	Wade,
Crowe,	Kessler,	Probert,	Wagner,
Dent,	Letzler,	Robinson,	Walker,
Diehm,	Mahany,	Rosenfeld,	Watkins,
DiSilvestro,	Mallery,	Ruth,	Watson,
Fleming,	McCreesh,	Scarlett,	Wolfe,
			Yosko,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 30, as follows:

An Act to add clause (5) to section two thousand five hundred forty-one of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising con-

solidating and changing the laws relating thereto" by providing for payments on account of pupil transportation where school buses are used for purposes of better gradation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two thousand five hundred forty-one of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" as amended by the acts approved the fourteenth day of April one thousand nine hundred forty-nine (P. L. 456) the eleventh day of May one thousand nine hundred forty-nine (P. L. 1195) and in part by the act approved the fourteenth day of April one thousand nine hundred forty-nine (P. L. 457) is hereby further amended by adding at the end thereof a new clause to read as follows

Section 2541 Payments on Account of Pupil Transportation School districts shall be paid by the Commonwealth for every school year on account of pupil transportation which and the means and contracts providing for which have been approved by the Department of Public Instruction in the cases hereinafter enumerated an amount to be determined by multiplying the cost of approved reimbursable pupil transportation incurred by the district by the district standard reimbursement fraction In addition thereto the Commonwealth shall pay to school districts which own their own vehicles an annual depreciation charge of ten per centum (10%) to be calculated on the basis of the certified cost at which the district acquired the vehicle for which depreciation is claimed

Such payments for pupil transportation shall be made in the following cases

(5) To all school districts for pupils transported to and from schools used for the purpose of better gradation and approved by the county superintendent of schools

Section 2 The provisions of this act shall become effective on the first day of July one thousand nine hundred fifty-one

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Snowden,
Barr,	Hare,	McPherson, Jr.,	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Taylor,
Blass,	Kessler,	Pechan,	Toole,
Byrne,	Lane,	Peelor,	Wade,
Chapman,	Leader,	Probert,	Wagner,
Crowe,	Letzler,	Robinson,	Walker,
Dent,	Mahany,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 42, as follows:

An Act to amend subsection (b) of Section 921 and Section 922 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing the tenure of members and officers of county boards of school directors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of Section 921 and Section 922 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 921 Election Vacancies Qualifications Removals

(b) No person shall become or be re-elected as a member of the county board of school directors unless he at the time he is chosen holds the office of school director within the county A vacancy shall occur upon the removal of the residence of any member of the county board from the county or from a district under the jurisdiction of the county superintendent upon the failure of any member to be reelected to the school board in the district of his residence he shall hold his office until the next annual convention at which a successor shall be elected for the balance of the unexpired term

Section 922 Election of Officers [On the first Monday in December one thousand nine hundred forty-nine and annually thereafter] Every year during the month of December the county board of school directors shall choose from their members a president and a vice-president each to serve for one (1) year and in December one thousand nine hundred fifty they shall choose for a term of four (4) years a secretary who need not be a member of the board but who is and who shall remain during his term of office a resident of the county and during the month of May one thousand nine hundred forty-nine and annually thereafter a treasurer shall be chosen to serve for one year beginning the first Monday in July following such election

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Snowden,
Barr,	Hare,	McPherson, Jr.,	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Taylor,
Blass,	Kessler,	Pechan,	Toole,
Byrne,	Lane,	Peelor,	Wade,
Chapman,	Leader,	Probert,	Wagner,
Crowe,	Letzler,	Robinson,	Walker,
Dent,	Mahany,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 59, as follows:

An Act to further amend section 15 of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" changing the procedure in reviving municipal claims and reinstating the lien of certain claims

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 15 of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" as last amended by the act approved the fourteenth day of April one thousand nine hundred forty-nine (P. L. 470) and the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1494) is hereby further amended to read as follows

Section 15 Such tax municipal or other claim if filed within the period aforesaid shall remain a lien upon said properties until fully paid and satisfied Provided That either a suggestion of nonpayment and an averment of default in the form hereinafter provided be filed [in cases of tax claims] either before or after judgment on the scire facias [and in cases of other than tax claims after judgment on the scire facias] or else a writ of scire facias in the form herein provided be issued to revive the same within each period of five years following (a) the date on which said claim was filed (b) the date on which a writ of scire facias was issued thereon (c) the date on which any judgment was entered thereon (d) the date on which a previous suggestion of nonpayment and default was filed thereon or (e) the date on which a judgment of revival was obtained thereon

The suggestion and averment shall be in the following form under the caption of the claim

And nowthe claimant byhis solicitor or by the chief of its delinquent tax bureau suggests of record that the above claim is still due and owing to the claimant and avers that the owner is still in default for nonpayment thereof The prothonotary is hereby directed to enter this suggestion and averment on the municipal lien of the proper docket of the claim and also to index it upon the judgment index and on the locality index of the court for the purpose of continuing the lien of the claim

Such suggestion and averment shall be signed by or have stamped thereon a facsimile signature of the solicitor or chief executive officer of the claimant or the chief of its delinquent tax bureau The prothonotary shall docket and index the suggestion and averments directed

therein and for such services in all counties of the fifth class and the political subdivisions in such counties shall be entitled to a fee of one dollar and in all other classes of counties and the political subdivisions thereof he shall receive the following fee to be taxed and collected as other costs in the claim

Where suggestion and averment is

for taxes or municipal claims

for one year and is directed to

be indexed in one name onlyone dollar (\$1)

Each additional year includedone dollar (\$1)

Each additional name includedtwenty-five cents (\$.25)

The filing and indexing of such suggestion and averment within five years of filing the claim or the issuing of any writ of scire facias thereon or of any judgment thereon or of the filing of any prior suggestion and averment of default shall have the same force and effect for the purposes of continuing and preserving the lien of the claim as though a writ of scire facias had been issued or a judgment or judgment of revival had been obtained within such period Provided That no writ of levavi facias shall be issued upon a claim for the purpose of exposing the property liened to sheriff's sale except after a judgment shall have been duly obtained upon the claim as provided in this section and such judgment must have been obtained within five years of the issuance of the levavi facias Whenever the lien of a claim has been revived and continued by the filing and indexing of a suggestion and averment of default the claimant may at any time within five years thereafter issue a writ of scire facias thereon reciting all suggestion and averment of default filed since the filing of the claim and shall proceed thereon in the manner herein provided subject to the right of the owner to raise any defense arising since the last judgment

If a claim be not filed within the time aforesaid or if it be not prosecuted in the manner and at the time aforesaid its lien on real estate shall be wholly lost

Section 2 In any case where any county city borough incorporated town or township has heretofore filed in the office of the prothonotary of the proper county any municipal claim and the county city borough incorporated town or township has not within the period of five (5) years after the date on which any such claim was filed sued out a writ of scire facias to reduce the same to judgment or has not done so in time then such county city borough incorporated town or township may within six (6) months after the effective date of this act file a suggestion of nonpayment and an averment of default or where any county city borough incorporated town or township has heretofore filed a suggestion of nonpayment and an averment of default on a municipal claim when the law required that a writ of scire facias be sued out then in either case such claim so revived shall be a valid claim and be a lien upon the real estate upon which it was a lien at the time the claim was filed Provided That the lien of any such claim shall not reattach against any real estate transferred to any purchaser during the time when the lien of any such municipal claim was lost nor shall the lien of any such claim impair or affect the priority of the lien of any mortgage or other lien which gained priority because of the failure of the county city borough incorporated town or township to sue out the writ of scire facias within the five (5) year period or was entered of record during the time the lien of such municipal claim or judgment was lost nor shall any such lien so revived impair or affect the priority of the lien of any mortgage or other lien which gained priority during the time such municipal claim was not revived or was not effective

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Snowden,
Barr,	Hare,	McPherson, Jr.,	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Taylor,
Blase,	Kessler,	Peckan,	Toole,
Byrne,	Lane,	Peelor,	Wade,
Chapman,	Leader,	Propert,	Wagner,
Crowe,	Letzler,	Robinson,	Walker,
Dent,	Mahany,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 96, on third reading, entitled:

An Act to reenact sections one to nine inclusive of the act approved the second day of July, one thousand nine hundred thirty-seven (P. L. 2803) entitled "An act providing a method of annexation of townships of the first class, and parts thereof, to cities and boroughs, and regulating the proceedings pertaining thereto," by making the same applicable in counties of the second class and repealing inconsistent laws excepting as to proceedings now pending.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 126, entitled:

An Act to amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further regulating insurance companies associations and inter-insurance exchanges and their powers investments policy provisions joint policies premium tax returns and the licensing of foreign companies and repealing existing law

And said bill having been read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. WADE. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 10 (Sec. 420), page 28, lines 16 to 19, by

striking out the words "if evidence of insurability is re-" in line 16, and all of lines 17, 18 and 19; Amend Sec. 10 (Sec. 420), page 29, lines 1 and 2, by striking out all of line 1, and the words "those in the original policy" in line 2; Amend Sec. 10 (Sec. 420), page 29, line 4, by inserting after the word "policy" the following "if evidence of insurability is required in conjunction with an exchange, alteration or conversion to a policy on a plan requiring a lower premium rate or to a policy to which benefits or features are added differing from those in the original policy;" Amend Sec. 16 (Sec. 522), page 40, line 14, by striking out the word "or" where it appears the second time in said line, and inserting in lieu thereof "of;" Amend Sec. 17 (Sec. 354), page 48, lines 14 to 16, by striking out the words "insurance as specified in subsection (b) of section two hundred two of this act issued by" and inserting in lieu thereof "to."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILLS OVER IN ORDER

Mr. WADE. Mr. President, I ask unanimous consent that Senate Bill No. 126, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 128, on third reading, entitled:

An Act to amend subsections (d) and (f) of section 211.1 and to further amend section 212 and subsection (a) of section 301 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds association reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by further regulating assessments made by the Insurance Commissioner against life insurance companies to defray certain expenses providing for reciprocity with other states in assessing taxes and fees on insurance companies permitting foreign companies to write workmen's compensation insurance in Pennsylvania limiting the basis for valuation of reserve liability of life insurance companies organized in foreign countries

go over it its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 136, as follows:

An Act to amend Section 1 Clause (8) of Section six and Section nine of the act approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1210) entitled "An act relating to group life insurance de-

scribing permitted policies and restrictions thereon the premium basis thereof and rights thereunder limiting the amount of such insurance prescribing standard policy provisions and requiring notice of conversion privileges" by further defining policies of group life insurance limiting the amount of an individual policy issued to a person entitled thereto and changing the premium basis and rate of interest thereon

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1210) entitled "An act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder limiting the amount of such insurance prescribing standard policy provisions and requiring notice of conversion privileges" are hereby amended by adding at the end thereof a new clause to read as follows

(6) Nothing contained herein shall be construed to define as a group the lives covered by (a) a policy insuring only individuals related by marriage by blood or by legal adoption or (b) a joint life policy insuring only individuals having an insurable interest in each other's lives

Section 2 Clause (8) of section 6 and section 9 of said act hereby amended to read as follows

Section 6 Standard Policy Provisions No policy of group life insurance shall be delivered in this State unless it contains in substance the following provisions or provisions which in the opinion of the Insurance Commissioner are more favorable to the persons insured or at least as favorable to the persons insured and more favorable to the policyholder Provided however That (i) provisions (6) to (10) inclusive shall not apply to policies issued to a creditor to insure debtors of such creditor (ii) the standard provisions required for individual life insurance policies shall not apply to group life insurance policies and (iii) if the group life insurance policy is on a plan of insurance other than the term plan it shall contain a non-forfeiture provision or provisions which in the opinion of the Commissioner is or are equitable to the insured persons and to the policyholder but nothing herein shall be construed to require that group life insurance policies contain the same non-forfeiture provisions as are required for individual life insurance policies

(8) A provision that if the insurance or any portion of it on a person covered under the policy ceases because of termination of employment or of membership in the class or classes eligible for coverage under the policy such person shall be entitled to have issued to him by the insurer without evidence of insurability an individual policy of life insurance without disability or other supplementary benefits provided application for the individual policy shall be made and the first premium paid to the insurer within thirty-one days after such termination and provided further that

(i) The individual policy shall at the option of such person be on any one of the forms except term insurance then customarily issued by the insurer at the age and for the amount applied for

(ii) The individual policy shall be in an amount not in excess of the amount of life insurance which ceases because of such termination less in the case of a person whose membership in the class or classes eligible for coverage terminates but who continues in employment in another class the amount of any life insurance for which such person is or becomes eligible under any other group policy within thirty-one days after such termination Provided That any amount of insurance which shall have matured on or before the date of such termination as an endowment payable to the persons insured whether in one sum or in installments or in the form of an annuity shall not for the purposes of this provision be included in the amount which is considered to cease because of such termination and

(iii) The premium on the individual policy shall be

at the insurer's then customary rate applicable to the form and amount of the individual policy to the class of risk to which such person then belongs and to his age attained on the effective date of the individual policy

Section 9 Premium Basis No domestic life insurance company shall [issue] deliver in this Commonwealth any policy of group life insurance the premium for which shall be less than the net premium based on the [American man ultimate table of mortality] Commissioners 1941 Standard Ordinary Mortality Table with interest at three [and one-half] per centum per annum plus a loading the formula for the computation of which shall be determined by the Insurance Commissioner A foreign life insurance company which shall not conduct its business in accordance with this requirement shall not be permitted to do business in this Commonwealth Any such policy may however anything in this act to the contrary notwithstanding provide for a readjustment of the rate based on experience at the end of the first or any subsequent year of insurance which readjustment may be made retroactive for such policy year only

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Snowden,
Barr,	Hare,	McPherson, Jr.,	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Taylor,
Blass,	Kessler,	Pechan,	Toole,
Byrne,	Lane,	Peelr,	Wade,
Chapman,	Leader,	Propert,	Wagner,
Crowe,	Letzler,	Robinson,	Walker,
Dent,	Mahany,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 187, entitled:

An Act to further amend Article XIV of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by authorizing the appointment of special school police and defining their powers and duties

And said bill having been read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. STEVENSON. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend page 2 by striking out all of line 12; Amend page 2, line 13 by striking out at the beginning of the line the words "of their duties" and inserting in lieu thereof: "Who shall be in uniform and shall display a badge or other sign of authority and who shall be vested with all of the powers of local police officers."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. STEVENSON. Mr. President, I ask unanimous consent that House Bill No. 187, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 247, as follows:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by regulating the authority of school districts to purchase supplies and to perform and contract for construction reconstruction repairs and work of any nature

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 751 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" as amended by the act approved the fourteenth day of April one thousand nine hundred forty-nine (P. L. 459) is hereby further amended to read as follows

Section 751 Work to be Done Under Contract Let on Bids Exception (a) All construction reconstruction repair or work of any nature including the introduction of plumbing heating ventilating or lighting systems upon any school building or upon any school property made by any school district where the entire cost value or amount of such construction reconstruction repairs or work including labor and material shall exceed [three hundred dollars (\$300) in school districts other than school districts of the first class and in school districts of the first class where such entire cost value shall exceed six hundred dollars (\$600)] one thousand dollars (\$1000) shall be done under [contract or] separate contracts to be entered into by such school district with the lowest responsible bidder upon proper terms after due public notice has been given asking for competitive bids Provided That if due to an emergency a school plant or any part thereof becomes unusable competitive bids for repairs or replacement may be solicited from at least three responsible bidders and upon the approval of any of these bids by the State Superintendent of Public Instruction the board of school directors may proceed at once to make the necessary repairs or replacements in accordance with the terms of said approved bid or bids

(b) The board of school directors in any school district either may perform any construction reconstruction re-

pairs or work of any nature where the entire cost or value including labor and material is less than one thousand dollars (\$1000) by its own maintenance personnel or may have any such construction reconstruction repairs or work performed by contract after soliciting bids from at least three responsible bidders Provided That the board of school directors in any school district may authorize the secretary of the board or other executive to award contracts for construction reconstruction repair or work of any nature where the entire cost or value including labor and material is three hundred dollars (\$300) or less without soliciting competitive bids

Section 2 Sections 805 806 and 807 of said act are hereby amended to read as follows

Section 805 Classes of School Supplies Purchasing Agent School supplies shall be divided into two classes The first class shall include school desks chairs furniture typewriters and school apparatus The second class shall include [maps globes and] all other supplies except maps globes and textbooks necessary for school use not included in the first class The board of school directors in any district may authorize or appoint the secretary of the board or other executive as purchasing agent for the district with authority to purchase supplies of either class costing less than [one hundred dollars (\$100)] three hundred dollars (\$300)

Section 806 Purchase of Supplies of the First Class [Costing \$100 or More] When it is deemed necessary to purchase desks or other supplies of the first class costing [one hundred dollars (\$100)] three hundred dollars (\$300) or more the board of school directors in any district shall solicit sealed quotations from two or more firms manufacturers or dealers in such supplies Such quotations shall be opened at a regular or special meeting of the board of school directors The board shall accept the bid of the lowest responsible bidder when the kinds and quality of supplies and equipment offered are the same or are equal but they shall have the right to reject any and all bids or select a single item from any bid Any school district may purchase school furniture and other equipment from another school district without asking for competitive bids

Section 807 Purchase of Supplies of the Second Class [Costing \$300 or More] (a) All supplies of the second class costing [three hundred dollars (\$300) or more] one thousand dollars (\$1000) or more in school districts of the first class first class A or second class or five hundred dollars (\$500) or more in school districts of the third or fourth class shall be purchased and contracts therefor awarded only after public notice has been given by advertisement published once each week for three weeks in not less than two newspapers of general circulation In any district where no newspaper is published said notice may in lieu of such publication be posted in at least five public places Such advertisement or notice shall give all necessary information or given notice of convenient access thereto in such manner that bidders can intelligently make bids for such contracts

The board of school directors shall accept the lowest bid or bids kind quality and material being equal but shall have the right to reject any and all bids or select a single item from any bid

(b) The board of school directors may purchase supplies of the second class costing less than one thousand dollars (\$1000) in school districts of the first class first class A or second class and less than five hundred dollars (\$500) in school districts of the third and fourth class from the lowest responsible bidder after soliciting sealed quotations from two or more firms manufacturers or dealers in such supplies when the kind quality and material are equal Provided That the board of school directors may authorize the secretary of the board or other executive to make such purchases of supplies of the second class in accordance with the provisions of this subsection

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Snowden,
Barr,	Hare,	McPherson, Jr.,	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Taylor,
Blass,	Kessler,	Pechan,	Toole,
Byrne,	Lane,	Peelor,	Wade,
Chapman,	Leader,	Propert,	Wagner,
Crowe,	Letzler,	Robinson,	Walker,
Dent,	Mahany,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silver,	Yosko,
Freed,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 276, as follows:

An Act to further amend the act approved the fifth day of June one thousand nine hundred forty-seven (P. L. 458) entitled as amended "An act creating as bodies corporate and politic "Parking Authorities" in cities of the first second second A and third classes prescribing the rights powers and duties of such authorities authorizing such authorities to acquire construct improve maintain and operate parking projects to conduct research of the parking problem and to establish a permanent coordinated system of parking facilities and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such authorities empowering such authorities to enter into contracts with and to accept grants from the Federal Government State political subdivisions of the State or any agency thereof exempting the property and securities of such parking authorities from taxation and conferring exclusive jurisdiction on certain courts over rates" by extending the provisions of the act to boroughs and townships of the first class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the fifth day of June one thousand nine hundred forty-seven (P. L. 458) entitled as amended "An act creating as bodies corporate and politic "Parking Authorities" in cities of the first second second A and third classes prescribing the rights powers and duties of such authorities authorizing such authorities to acquire construct improve maintain and operate parking projects to conduct research of the parking problem and to establish a permanent coordinated system of parking facilities and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such authorities empowering such authorities to enter into contracts with and to accept grants from the Federal Government State political subdivisions of the State or any agency thereof exempting the property and securities of such parking authorities from taxation and conferring exclusive jurisdiction on certain courts over rates" as amended by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 969) is hereby further amended to read as follows

An Act

Creating as bodies corporate and politic "Parking Authorities" in cities of the first second second A and third classes boroughs and townships of the first class prescribing the rights powers and duties of such authorities authorizing such authorities to acquire construct improve maintain and operate parking projects to conduct research of the parking problem and to establish a permanent coordinated system of parking facilities and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such authorities empowering such authorities to enter into contracts with and to accept grants from the Federal Government State political subdivisions of the State or any agency thereof exempting the property and securities of such parking authorities from taxation and conferring exclusive jurisdiction on certain courts over rates

Section 2 Section two and subsections (a) and (b) of section four of said act section two and subsection (a) of section four which were amended by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 969) are hereby amended or further amended to read as follows

Section 2 Findings and Declaration of Policy

It is hereby determined and declared as a matter of Legislative finding.

(a) That residential decentralization in cities of the first second second A and third classes boroughs and townships of the first class has been accompanied by an ever increasing trend in the number of persons entering the business sections by private automobile as compared with other modes of transportation

(b) That the free circulation of traffic of all kinds through the streets of cities of the first second second A and third classes boroughs and townships of the first class is necessary to the health safety and general welfare of the public whether residing in the city borough or township of the first class or traveling to through or from the city borough or township of the first class in the course of lawful pursuits

(c) That the greatly increased use by the public of motor vehicles of all kinds has caused serious traffic congestion on the streets of cities of the first second second A and third classes boroughs and townships of the first class

(d) That the parking of motor vehicles on the streets has contributed to this congestion to such an extent as to interfere seriously with the primary use of such streets for the movement of traffic

(e) That such parking prevents the free circulation of traffic in through and from the city borough or township of the first class impedes rapid and effective fighting of fires and the disposition of police forces in the district and endangers the health safety and welfare of the general public

(f) That such parking threatens irreparable loss in valuations of property in the city borough or township of the first class which can no longer be readily reached by vehicular traffic

(g) That this parking crisis which threatens the welfare of the community can be reduced by providing sufficient off-street parking facilities properly located in the several residential commercial and industrial areas of the city borough or township of the first class

(h) That the establishment of a parking authority will promote the public safety convenience and welfare

(i) That it is intended that the authority cooperate with all existing parking facilities so that private enterprise and government may mutually provide adequate parking services for the convenience of the public

Therefore it is hereby declared to be the policy of the Commonwealth of Pennsylvania to promote the safety and welfare of the inhabitants thereof by the creation in first second second A and third class cities boroughs and townships of the first class of bodies corporate and politic to be known as "Parking Authorities" which shall

exist and operate for the purposes contained in this act. Such purposes are hereby declared to be public uses for which public money may be spent and private property may be acquired by the exercise of the power of eminent domain.

Section 4 Method of Incorporation

(a) Whenever the [city] council of any city or borough or the board of commissioners of any first class township shall desire to organize an Authority under the provisions of this act it shall adopt a resolution or ordinance signifying their intention to do so.

In the event that such resolution or ordinance sets forth the proposed articles of incorporation in full it shall not be required any law to the contrary notwithstanding in publishing such resolution or ordinance under the provisions of existing law to publish such proposed articles of incorporation in full but it shall be sufficient compliance with such law in such publication to set forth briefly the substances of such proposed articles of incorporation and to refer to the provisions of this act. Thereafter the [city] council of any city or borough or the board of commissioners of any first class township shall cause a notice of such resolution or ordinance to be published at least one time in the legal periodical of the county in which such Authority is to be organized and at least one time in a newspaper published and of general circulation in such county. Said notice shall contain a brief statement of the substance of said resolution or ordinance including the substance of such articles making reference to this act and shall state that on a day certain not less than three days after publication of said notice articles of incorporation of the proposed Authority will be filed with the Secretary of the Commonwealth of Pennsylvania.

(b) On or before the day specified in said notice the [city] council of any city or borough or the board of commissioners of any first class township shall file with the Secretary of the Commonwealth articles of incorporation together with proof of publication of the notice as aforesaid. Said articles of incorporation shall set forth

(1) The name of the Authority.

(2) A statement that such Authority is formed under the provisions of this act.

(3) The name of the city borough or township of the first class together with the names and addresses of its council or board members.

(4) The names addresses and term of office of the first members of the board of said Authority.

All of which matter shall be determined in accordance with the provisions of this act. Said articles of incorporation shall be executed by the incorporating city borough or township of the first class by its proper officer and under its municipal seal.

Section 3 Subsection (a) of section five and subsection (a) of section eight of said act are hereby amended to read as follows:

Section 5 Purposes and Powers General

(a) The Authority incorporated under this act shall constitute a public body corporate and politic exercising public powers of the Commonwealth as an agency thereof and shall be known as the Parking Authority of the city borough township of the first class but shall in no way be deemed to be an instrumentality of the city borough or township of the first class or engaged in the performance of a municipal function. The Authority shall be for the purpose of conducting the necessary research activity to maintain current data leading to efficient operation of off-street parking facilities for the fulfillment of public needs in relation to parking establishing a permanent coordinated system of parking facilities planning designing locating acquiring holding constructing improving maintaining and operating owning leasing either in the capacity of lessor or lessee land and facilities to be devoted to the parking of vehicles of any kind. Provided however That the Authority shall not have the power to engage in the sale of gasoline the sale of automobile accessories automobile repair and service or any other garage service and shall not engage in the sale of any commodity of trade or commerce.

The Authority shall have power to lease portions of the first floor of the parking facilities for commercial use where in the opinion of the Authority such leasing is desirable and feasible in order to assist in defraying the expenses of the Authority. Such lease shall be granted on a fair competitive basis.

Section 8 Governing Body

(a) The powers of each Authority shall be exercised by a board composed of five members the majority of whom shall be residents of such city borough or township of the first class and all of whom shall be residents of the county wherein the city borough or township of the first class is located. The mayor of the city the president of the borough council or president of the board of township commissioners shall appoint the members of the board one of whom shall serve for one year one for two years one for three years one for four years and one for five years from the first day of June one thousand nine hundred forty-seven. Thereafter the said [mayor] appointing officer shall not sooner than sixty days nor later than thirty days prior to June first in each year in which a vacancy occurs appoint a member of the board for a term of five years to succeed the member whose term expires on the first day of June next succeeding. Vacancies for unexpired terms that occur more than sixty days before the end of a term shall be promptly filled by appointment by the mayor. Members of the board may be removed at the will of the appointing power.

Section 4 Section nine of said act as amended by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 969) is hereby further amended to read as follows:

Section 9 Acquisition of Lands

The Authority shall have the power to acquire by purchase or eminent domain proceedings either the fee or such rights title interest or easement in such lands as the Authority may deem necessary for any of the purposes mentioned in this act. Provided however That no property devoted to a public use nor any property of public service company property used for burial purposes places of public worship nor property which at the effective date of this act is used as a facility or facilities for the parking of motor vehicles so long as said property is continuously so used and so long as the operation of the said facility complies with parking and traffic ordinances of the city borough and township of the first class shall be taken under the right of eminent domain. The right of eminent domain shall be exercised by the Authority in the manner provided by law for the exercise of such right by cities [of the class] boroughs and townships of the first class in which the Authority exists. Provided That the viewers may take into consideration and may assess damages for expenses incurred for the removal of fixtures equipment and merchandise.

The right of eminent domain herein conferred by this section may be exercised only within the city borough and township of the first class.

Court proceedings necessary to acquire property or property rights for purposes of this act shall take precedence over all causes not involving the public interest in all courts to the end that the provision of parking facilities be expedited.

Section 5 Sections ten and fourteen of said act are hereby amended to read as follows:

Section 10 Moneys of the Authority

All moneys of any Authority from whatever source derived shall be paid to the treasurer of the Authority. Said moneys shall be deposited in the first instance by the treasurer in one or more banks or trusts companies in one or more special accounts and each of such special accounts to the extent the same is not insured shall be continuously secured by a pledge of direct obligations of the United States of America of the Commonwealth or of the city borough or township of the first class creating the Authority having an aggregate market value exclusive of accrued interest at all times at least equal to the balance on deposit in such account. Such securities shall either be deposited with the treasurer or be held

by a trustee or agent satisfactory to the Authority All banks and trust companies are authorized to give such security for such deposits The moneys in said accounts shall be paid out on the warrant or other order of the chairman of the Authority or of such other person or persons as the Authority may authorize to execute such warrants or orders Every Authority shall have at least an annual examination of its books accounts and records by a certified public accountant A copy of such audit shall be delivered to the city borough or township of the first class creating the Authority A concise financial statement shall be published annually at least once in a newspaper of general circulation in the city borough or township of the first class where the principal office of the Authority is located If such publication is not made by the Authority the city borough or township of the first class shall publish such statement at the expense of the Authority If the Authority fails to make such an audit then the controller auditors or accountants designated by the city borough or township of the first class are hereby authorized and empowered from time to time to examine at the expense of the Authority the accounts and books of the Authority including its receipts disbursements contracts leases sinking funds investments and any other matters relating to its finances operation and affairs.

The Attorney General of the Commonwealth of Pennsylvania shall have the right to examine the books accounts and records of any Authority

Section 14 Termination of Authority

When any Authority shall have finally paid and discharged all bonds which together with the interest due thereon shall have been secured by a pledge of any of the revenues or receipts of a project it may subject to any agreements concerning the operation or disposition of such projects convey such project to the city borough or township of the first class creating the Authority When any Authority shall have finally paid and discharged all bonds issued and outstanding and the interest due thereon and settled all other claims which may be outstanding against it it may convey all its property to the city borough or township of the first class and terminate its existence A certificate requesting the termination of the existence of the Authority shall be filed in the office of the Secretary of the Commonwealth If the certificate is approved by the city borough or township of the first class creating the Authority by its ordinance or ordinances the said Secretary shall note the termination of existence on the record of incorporation and return the certificate with his approval shown thereon to the board which shall cause the same to be recorded in the office of the recorder or deeds of the county Thereupon the property of said Authority shall pass to the city borough or township of the first class and the Authority shall cease to exist

Section 6 Section fifteen of said act as amended by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 969) is hereby further amended to read as follows

Section 15 Exemption from Taxation and Payments in Lieu of Taxes

The effectuation of the authorized purposes of Authorities created under this act shall and will be in all respects for the benefit of the residents of cities of the second and third classes boroughs and townships of the first class for the increase of their commerce and prosperity and for the improvement of their health safety and living conditions and since such Authorities will be performing essential governmental functions in effectuating such purposes such Authorities shall not be required to pay any taxes or assessments upon any property acquired or used by them for such purposes Provided however That in lieu of such taxes or special assessments an Authority may agree to make payments to the city or the county or any political subdivision The bonds issued by any Authority their transfer and the income therefrom including any profits made on the sale thereof shall at all times be free from taxation within the Commonwealth of Pennsylvania

Section 7 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Hare,	McPherson, Jr.,	Stiefel,
Barrett,	Holland,	Meade,	Taylor,
Berger,	Kephart,	Neff,	Toole,
Blass,	Kessler,	Pechan,	Wade,
Byrne,	Lane,	Peelor,	Wagner,
Crowe,	Leader,	Propert,	Walker,
Dent,	Letzler,	Robinson,	Watkins,
Diehm,	Mahany,	Rosenfeld,	Watson,
DiSilvestro,	Mallery,	Ruth,	Wolfe,
Fleming,	McCreesh,	Scarlett,	Yosko,
Freed,	McGinnis,	Silvert,	

NAYS—2

Chapman, Snowden,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 374, as follows:

An Act to amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and interinsurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further regulating health and accident insurance

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 617 618 619 620 621 subsection (c) and (d) of Section 621.1 and Sections 623 625 and 627 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" and hereby repealed.

Section 2 Said act is hereby amended by adding after Section 616 five new sections to read as follows

Section 617 Conditions Subject to Which Policies Are to Be Issued (A) No such policy shall be delivered or issued for delivery to any person in this Commonwealth unless

(1) the entire money and other considerations therefor are expressed therein and

(2) the time at which the insurance takes effect and terminates is expressed therein and

(3) it purports to insure only one person except that a policy may insure originally or by subsequent amendment upon the application of an adult head of a family who shall be deemed the policyholder any two or more eligible members of that family including wife dependent children or any children under a specified age which shall not exceed nineteen years and any other person dependent upon the policyholder and

(4) the style arrangement and over-all appearance of the policy give no undue prominence to any portion of the text and unless every printed portion of the text of the policy and of any endorsements or attached papers is plainly printed in light-faced type of a style in general use the size of which shall be uniform and not less than ten-point with a lower-case unspaced alphabet length not less than one hundred and twenty-point (the "text" shall include all printed matter except the name and address of the insurer name or title of the policy the brief description if any and captions and subcaptions) and

(5) the exceptions and reductions of indemnity are set forth in the policy and except those which are set forth in the policy and except those which are set forth in section six hundred eighteen of this act are printed at the insurer's option either included with the benefit provision to which they apply or under an appropriate caption such as "exceptions" or "exceptions and reductions" provided that if an exception or reduction specifically applies only to a particular benefit of the policy a statement of such exception or reduction shall be included with the benefit provision to which it applies and

(6) each such form including riders and endorsements shall be identified by a form number in the lower left-hand corner of the first page thereof and

(7) it contains no provision purporting to make any portion of the charter rules constitution or by-laws of the insurer a part of the policy unless such portion is set forth in full in the policy except in the case of the incorporation of or reference to a statement of rates or classification of risks or short-rate table filed with the commissioner and

(8) a brief description thereof be printed on its first page and on its filing back and

(9) if such policy is entitled or referred to as "non-cancellable" such "non-cancellable" policy is automatically renewable until age sixty upon payment of the required premiums by the insured

(B) If any policy is issued by an insurer domiciled in this Commonwealth for delivery to a person residing in another state and if the official having responsibility for the administration of the insurance laws of such other state shall have advised the commissioner that any such policy is not subject to approval or disapproval by such official the commissioner may by ruling require that such policy meet the standards set forth in subsection (A) of this section and in section six hundred eighteen

Section 618 Policy Provisions (A) Required Provisions Except as provided in paragraph (C) of this section each policy delivered or issued for delivery to any person in this Commonwealth shall contain the provisions specified in this subsection in the words in which the same appear in this section provided however that the insurer may at its option substitute for one or more of such provisions corresponding provisions of different wording approved by the commissioner which are in each instance not less favorable in any respect to the insured or the beneficiary Such provisions shall be preceded individually by the caption appearing in this sub-section or at the option of the insurer by such appropriate individual or group captions or sub-captions as the commissioner may approve

(1) A provision as follows

Entire Contract Changes This policy including the endorsements and the attached papers if any constitutes the entire contract of insurance No change in this policy shall be valid until approved by an executive officer of the insurer and unless such approval be endorsed hereon or attached hereto No agent has authority to change this policy or to waive any of its provisions

(2) A provision as follows

Time Limit on Certain Defenses (a) After three years

from the date of issue of this policy no misstatements except fraudulent misstatements made by the applicant in the application for such policy shall be used to void the policy or to deny a claim for loss incurred or disability (as defined in the policy) commencing after the expiration of such three year period

(The foregoing policy provision shall not be so construed as to affect any legal requirement for avoidance of a policy or denial of a claim during such initial three year period nor to limit the application of section six hundred eighteen (B) (1) (2) (3) (4) and (5) in the event of misstatement with respect to age or occupation or other insurance)

(In a policy where the premiums are payable weekly the words "if such application is made a part of the policy" may be inserted in the foregoing policy provision between the word "policy" and the word "shall" immediately following)

(A policy which the insured has the right to continue in force subject to its terms by the timely payment of premium (1) until at least age fifty or (2) in the case of a policy issued after age forty-four for at least five years from its date of issue may contain in lieu of the foregoing the following provision (from which the clause in parentheses may be omitted at the insurer's option) under the caption "Incontestable" After this policy has been in force for a period of three years during the lifetime of the insured (excluding any period during which the insured is disabled) it shall become incontestable as to the statements contained in the application)

(b) No claim for loss incurred or disability (as defined in the policy) commencing after three years from the date of issue of this policy shall be reduced or denied on the ground that a disease or physical condition not excluded from coverage by name or specific description effective on the date of loss had existed prior to the effective date of coverage of this policy

(In policies whereon the premiums are payable weekly the words "or from the date of any reinstatement thereof" may be inserted in the foregoing policy provision between the word "policy" and the word "shall" immediately following)

(3) A provision as follows

Grace Period A grace period of (insert a number not less than "7" for weekly premium policies "10" for monthly premium policies and "31" for all other policies) days will be granted for the payment of each premium falling due after the first premium during which grace period the policy shall continue in force

(A policy which contains a cancellation provision may add at the end of the above provision "subject to the right of the insurer to cancel in accordance with the cancellation provision hereof")

(A policy in which the insurer reserves the right to refuse any renewal shall have at the beginning of the above provision "unless not less than five days prior to the premium due date the insurer has delivered to the insured or has mailed to his last address as shown by the records of the insurer written notice of its intention not to renew this policy beyond the period for which the premium has been accepted")

(4) a provision as follows

Reinstatement If any renewal premium be not paid within the time granted the insured for payment a subsequent acceptance of premium by the insurer or by any agent duly authorized by the insurer to accept such premium without requiring in connection therewith an application for reinstatement shall reinstate the policy provided however that if the insurer or such agent requires an application for reinstatement and issues a conditional receipt for the premium tendered the policy will be reinstated upon approval of such application by the insurer or lacking such approval upon the forty-fifth day following the date of such conditional receipt unless the insurer has previously notified the insured in writing of its disapproval of such application The reinstated policy shall cover only loss resulting from such accidental injury as may be sustained after the date of reinstatement and loss due to such sickness as may begin more than

ten days after such date In all other respects the insured and insurer shall have the same rights thereunder as they had under the policy immediately before the due date of the defaulted premium subject to any provisions endorsed hereon or attached hereto in connection with the reinstatement Any premium accepted in connection with a reinstatement shall be applied to a period for which premium has not been previously paid but not to any period more than sixty days prior to the date of reinstatement (The last sentence of the above provision may be omitted (a) from any policy which the insured has the right to continue in force subject to its terms by the timely payment of premiums (1) until at least age fifty or (2) in the case of a policy issued after age forty-four for at least five years from the date of its issue and (b) from any policy on which the premiums are payable weekly)

(5) A provision as follows

Notice of Claim Written notice of claim must be given to the insurer within twenty days after the occurrence or commencement of any loss covered by the policy or as soon thereafter as is reasonably possible Notice given by or on behalf of the insured or the beneficiary to the insurer at (insert the location of such office as the insurer may designate for the purpose) or to any authorized agent of the insurer with information sufficient to identify the insured shall be deemed notice to the insurer

(In a policy whereon the premiums are payable weekly the first sentence of the foregoing policy provision may read "written notice of claim must be given to the insurer within ten days of the commencement of any non-hospital confining sickness covered by the policy and within twenty days after the occurrence or commencement of any other loss covered by the policy or as soon thereafter as is reasonably possible")

(In a policy providing a loss-of-time benefit which may be payable for at least two years an insurer may at its option insert the following between the first and second sentences of the above provision Subject to the qualifications set forth below if the insured suffers loss of time on account of disability for which indemnity may be payable for at least two years he shall at least once in every six months after having given notice of claim give to the insurer notice of continuance of said disability except in the event of legal incapacity The period of six months following any filing of proof by the insured or any payment by the insurer on account of such claim or any denial of liability in whole or in part by the insurer shall be excluded in applying this provision Delay in the giving of such notice shall not impair the insured's right to any indemnity which would otherwise have accrued during the period of six months preceding the date on which such notice is actually given)

(6) A provision as follows

Claim Forms The insurer upon receipt of a notice of claim will furnish to the claimant such forms as are usually furnished by it for filing proofs of loss If such forms are not furnished within fifteen days after the giving of such notice the claimant shall be deemed to have complied with the requirements of this policy as to proof of loss upon submitting within the time fixed in the policy for filing proofs of loss written proof covering the occurrence the character and the extent of the loss for which claim is made

(7) A provision as follows

Proofs of Loss Written proof of loss must be furnished to the insurer at its said office in case of claim for loss for which this policy provides any periodic payment contingent upon continuing loss within ninety days after the termination of the period for which the insurer is liable and in case of claim for any other loss within ninety days after the date of such loss Failure to furnish such proof within the time required shall not invalidate nor reduce any claim if it was not reasonably possible to give proof within such time provided such proof is furnished as soon as reasonably possible and in no event except in the absence of legal capacity later than one year from the time proof is otherwise required

(8) A provision as follows

Time of Payment of Claims Indemnities payable under this policy for any loss other than loss for which this policy provides any periodic payment will be paid immediately upon receipt of due written proof of such loss Subject to due written proof of loss all accrued indemnities for loss for which this policy provides periodic payment will be paid (insert period for payment which must not be less frequently than monthly) and any balance remaining unpaid upon the termination of liability will be paid immediately upon receipt of due written proof

(9) a provision as follows

Payment of Claims Indemnity for loss of life will be payable in accordance with the beneficiary designation and the provisions respecting such payment which may be prescribed herein and effective at the time of payment If no such designation or provision is then effective such indemnity shall be payable to the estate of the insured Any other accrued indemnities unpaid at the insured's death may at the option of the insurer be paid either to such beneficiary or to such estate All other indemnities will be payable to the insured

(The following provisions or either of them may be included with the foregoing provision at the option of the insurer

If any indemnity of this policy shall be payable to the estate of the insured or to an insured or beneficiary who is a minor or otherwise not competent to give a valid release the insurer may pay such indemnity up to an amount not exceeding \$..... (insert an amount which shall not exceed \$1000) to any relative by blood or connection by marriage of the insured or beneficiary who is deemed by the insurer to be equitably entitled thereto Any payment made by the insurer in good faith pursuant to this provision shall fully discharge the insurer to the extent of such payment

Subject to any written direction of the insured in the application or otherwise all or a portion of any indemnities provided by this policy on account of hospital nursing medical or surgical services may at the insurer's option and unless the insured requests otherwise in writing not later than the time of filing proofs of such loss be paid directly to the hospital or person rendering such services but it is not required that the service be rendered by a particular hospital or person)

(10) A provision as follows

Physical Examinations and Autopsy The insurer at its own expense shall have the right and opportunity to examine the person of the insured when and as often as it may reasonably require during the pendency of a claim hereunder and to make an autopsy in case of death where it is not forbidden by law

(11) A provision as follows

Legal Actions No action at law or in equity shall be brought to recover on this policy prior to the expiration of sixty days after written proof of loss has been furnished in accordance with the requirements of this policy No such action shall be brought after the expiration of three years after the time written proof of loss is required to be furnished

(12) A provision as follows

Change of Beneficiary Unless the insured makes an irrevocable designation of beneficiary the right to change of beneficiary is reserved to the insured and the consent of the beneficiary or beneficiaries shall not be requisite to surrender or assignment of this policy or to any change of beneficiary or beneficiaries or to any other changes in this policy

(The first clause of this provision relating to the irrevocable designation of beneficiary may be omitted at the insurer's option)

(B) Other Provisions Except as provided in paragraph (C) of this section no such policy delivered or issued for delivery to any person in this Commonwealth shall contain provisions respecting the matters set forth below unless such provisions are in the words in which the same appear in this section provided however that the insurer may at its option use in lieu of any such provision a corresponding provision of different wording approved by the commissioner which is not less favorable

in any respect to the insured or the beneficiary Any such provision contained in the policy shall be preceded individually by the appropriate caption appearing in this subsection or at the option of the insurer by such appropriate individual or group captions or subcaptions as the commissioner may approve

(1) A provision as follows

Change of Occupation If the insured be injured or contract sickness after having changed his occupation to one classified by the insurer as more hazardous than that stated in this policy or while doing for compensation anything pertaining to an occupation so classified the insurer will pay only such portion of the indemnities provided in this policy as the premium paid would have purchased at the rates and within the limits fixed by the insurer for such more hazardous occupation If the insured changes his occupation to one classified by the insurer as less hazardous than that stated in this policy the insurer upon receipt of proof of such change of occupation will reduce the premium rate accordingly and will return the excess pro-rata unearned premium from the date of change of occupation or from the policy anniversary date immediately preceding receipt of such proof whichever is the more recent In applying this provision the classification of occupational risk and the premium rates shall be such as have been last filed by the insurer prior to the occurrence of the loss for which the insurer is liable or prior to date of proof of change in occupation with the state official having supervision of insurance in the state where the insured resided at the time this policy was issued but if such filing was not required then the classification of occupational risk and the premium rates shall be those last made effective by the insurer in such state prior to the occurrence of the loss or prior to the date of proof of change in occupation

(2) A provision as follows

Misstatement of Age If the age of the insured has been misstated all amounts payable under this policy shall be such as the premium paid would have purchased at the correct age

(3) A provision as follows

Other Insurance in This Insurer If an accident or sickness or accident and sickness policy or policies previously issued by the insurer to the insured be in force concurrently herewith making the aggregate indemnity for(insert type of coverage or coverages) in excess of \$..... (insert maximum limit of indemnity or indemnities) the excess insurance shall be void and all premiums paid for such excess shall be returned to the insured or to his estate or in lieu thereof insurance effective at any one time on the insured under a like policy or policies in this insurer is limited to the one such policy elected by the insured his beneficiary or his estate as the case may be and the insurer will return all premiums paid for all other such policies

(4) A provision as follows

Insurance with Others Insurers If there be other valid coverage not with this insurer providing benefits for the same loss on a provision of service basis or on an expense incurred basis and of which this insurer has not been given written notice prior to the occurrence or commencement of loss the only liability under any expense incurred coverage of this policy shall be for such proportion of the loss as the amount which would otherwise have been payable hereunder plus the total of the like amounts under all such other valid coverages for the same loss of which this insurer had notice bears to the total like amounts under all valid coverages for such loss and for the return of such portion of the premiums paid as shall exceed the pro-rata portion for the amount so determined For the purpose of applying this provision when other coverage is on a provision of service basis the "like amount" of such other coverage shall be taken as the amount which the services rendered would have cost in the absence of such coverage

(If the foregoing policy provision is included in a policy which also contains the next following policy provision there shall be added to the caption of the foregoing provision the phrase "Expense Incurred Benefits" The insurer may at its option include in this provision a

definition of "other valid coverage" approved as to form by the commissioner which definition shall be limited in subject matter to coverage provided by organizations subject to regulation by insurance law or by insurance authorities of this or any other state of the United States or any province of Canada and by hospital or medical service organizations and to any other coverage the inclusion of which may be approved by the commissioner In the absence of such definition such term shall not include group insurance automobile medical payments insurance or coverage provided by hospital or medical service organization or by union welfare plans or employer or employee benefit organizations For the purpose of applying the foregoing policy provision with respect to any insured any amount of benefit provided for such insured pursuant to any compulsory benefit statute (including any workmen's compensation or employer's liability statute) whether provided by a governmental agency or otherwise shall in all cases be deemed to be "other valid coverage" of which the insurer has had notice In applying the foregoing policy provision no third party liability coverage shall be included as "other valid coverage")

(5) A provision as follows

Insurance with Other Insurers If there be other valid coverage not with this insurer providing benefits for the same loss on other than an expense incurred basis and of which this insurer has not been given written notice prior to the occurrence or commencement of loss the only liability for such benefits under this policy shall be for such proportion of the indemnities otherwise provided hereunder for such loss as the like indemnities of which the insurer had notice (including the indemnities under this policy) bear to the total amount of all like indemnities for such loss and for the return of such portion of the premium paid as shall exceed the pro-rata portion for the indemnities thus determined

(If the foregoing policy provision is included in a policy which also contains the next preceding policy provision there shall be added to the caption of the foregoing provision the phrase "other benefits" The insurer may at its option include in this provision a definition of "other valid coverage" approved as to form by the commissioner which definition shall be limited in subject matter to coverage provided by organizations subject to regulation by insurance law or by insurance authorities of this or any other state of the United States or any province of Canada and to any other coverage the inclusion of which may be approved by the commissioner in the absence of such definition such term shall not include group insurance or benefits provided by union welfare plans or by employer or employee benefit organizations For the purpose any amount of benefit provided for such insured pursuant to any compulsory benefit statute (including any workmen's compensation or employer's liability statute) whether provided by a governmental agency or otherwise shall in all cases be deemed to be "other valid coverage" of which the insurer has had notice In applying the foregoing policy provision no third party liability coverage shall be included as "other valid coverage")

(6) A provision as follows

Relation of Earnings to Insurance If the total monthly amount of loss of time benefits promised for the same loss under all valid loss of time coverage upon the insured whether payable on a weekly or monthly basis shall exceed the monthly earnings of the insured at the time disability commenced or his average monthly earnings for the period of two years immediately preceding a disability for which claim is made whichever is the greater the insurer will be liable only for such proportionate amount of such benefits under this policy as the amount of such monthly earnings or such average monthly earnings of the insured bears to the total amount of monthly benefits for the same loss under all such coverage upon the insured at the time such disability commences and for the return of such part of the premiums paid during such two years as shall exceed the pro-rata amount of the premiums for the benefits actually paid hereunder

but this shall not operate to reduce the total monthly amount of benefits payable under all such coverage upon the insured below the sum of two hundred dollars or the sum of the monthly benefits specified in such coverages whichever is the lesser nor shall it operate to reduce benefits other than those payable for loss of time

(The foregoing policy provision may be inserted only in a policy which the insured has the right to continue in force subject to its terms by the timely payment of premiums (1) until at least age fifty or (2) in the case of a policy issued after age forty-four for at least five years from its date of issue The insurer may at its option include in this provision a definition of "valid loss of time coverage" approved as to form by the commissioner which definition shall be limited in subject matter to coverage provided by governmental agencies or by organizations subject to regulation by insurance law or by insurance authorities of this or any other state of the United States or any province of Canada or to any other coverage the inclusion of which may be approved by the commissioner or any combination of such coverages In the absence of such definition such term shall not include any coverage provided for such insured pursuant to any compulsory benefit statute (including any workmen's compensation or employer's liability statute) or benefits provided by union welfare plans or by employer or employee benefit organizations

(7) A provision as follows

Unpaid Premium Upon the payment of a claim under this policy any premium then due and unpaid or covered by any note or written order may be deducted therefrom

(8) A provision as follows

Cancellation The insurer may cancel this policy at any time by written notice delivered to the insured or mailed to his last address as shown by the records of the insurer stating when not less than five days thereafter such cancellation shall be effective and after the policy has been continued beyond its original term the insured may cancel this policy at any time by written notice delivered or mailed to the insurer effective upon receipt or on such later date as may be specified in such notice In the event of cancellation the insurer will return promptly the unearned portion of any premium paid If the insured cancels the earned premium shall be computed by the use of the short-rate table last filed with the state official having supervision of insurance in the state where the insured resided when the policy was issued If the insurer cancels the earned premium shall be computed pro-rata Cancellation shall be without prejudice to any claim originating prior to the effective date of cancellation

(9) A provision as follows

Conformity with State Statutes Any provision of this policy which on its effective date is in conflict with the statutes of the state in which the insured resides on such date is hereby amended to conform to the minimum requirements of such statutes

(10) A provision as follows

Illegal Occupation The insurer shall not be liable for any loss to which a contributing cause was the insured's commission of or attempt to commit a felony or to which a contributing cause was the insured's being engaged in an illegal occupation

(11) A provision as follows

Intoxicants and Narcotics The insurer shall not be liable for any loss sustained or contracted in consequence of the insured's being intoxicated or under the influence of any narcotic unless administered on the advice of a physician

(C) Inapplicable or Inconsistent Provisions If any provision of this section is in whole or in part inapplicable to or inconsistent with the coverage provided by a particular form of policy the insurer with the approval of the commissioner shall omit from such policy any inapplicable provision or part of a provision and shall modify any inconsistent provision or part of the provision in such manner as to make the provision as contained in the policy consistent with the coverage provided by the policy

(D) Order of Certain Policy Provisions The provisions which are the subject of subsections (A) and (B) of this

section or any corresponding provisions which are used in lieu thereof in accordance with such subsections shall be printed in the consecutive order of the provisions in such subsections or at the option of the insurer any such provision may appear as a unit in any part of the policy with other provisions to which it may be logically related provided the resulting policy shall not be in whole or in part unintelligible uncertain ambiguous abstruse or likely to mislead a person to whom the policy is offered delivered or issued

(E) Third Party Ownership The word "insured" as used in this act shall not be construed as preventing a person other than the insured with a proper insurable interest from making application for and owning a policy covering the insured or from being entitled under such a policy to any indemnities benefits and rights provided therein

(F) Filing Procedure The commissioner may make such reasonable rules and regulations concerning the procedure for the filing or submission of policies subject to this act as are necessary proper or advisable to the administration of this act This provision shall not abridge any other authority granted the commissioner by law

Section 619 Age Limit If any such policy contains a provision establishing as an age limit or otherwise a date after which the coverage provided by the policy will not be effective and if such date falls within a period for which premium is accepted by the insurer or if the insurer accepts a premium after such date the coverage provided by the policy will continue in force subject to any right of cancellation until the end of the period for which premium has been accepted In the event the age of the insured has been misstated and if according to the correct age of the insured the coverage provided by the policy would not have become effective or would have ceased prior to the acceptance of such premium or premiums then the liability of the insurer shall be limited to the refund upon request of all premiums paid for the period not covered by the policy

Section 620 Requirements of Other Jurisdictions (1) Any policy of a foreign or alien insurer when delivered or issued for delivery to any person in this Commonwealth may contain any provision which is not less favorable to the insured or the beneficiary than the provisions of this act and which is prescribed or required by the law of the state under which the insurer is organized

(2) Any policy of a domestic insurer may when issued for delivery in any other state or country contain any provisions permitted or required by the laws of such other state or country

Section 621 Conforming to Statute (A) Other Policy Provisions No policy provision which is not subject to section six hundred eighteen of this act shall make a policy or any portion thereof less favorable in any respect to the insured or the beneficiary than the provisions thereof which are subject to this act

(B) Policy Conflicting with This Act A policy delivered or issued for delivery to any person in this Commonwealth in violation of this act shall be held valid but shall be construed as provided in this act When any provision in a policy subject to this act is in conflict with any provision of this act the rights duties and obligations of the insurer the insured and the beneficiary shall be governed by the provisions of this act

Section 3 Said act is hereby amended by adding after Section 622 a new section to read as follows

Section 623 Application (A) The insured shall not be bound by any statement made in an application for a policy unless a copy of such application is attached to or endorsed on the policy when issued as a part thereof If any such policy delivered or issued for delivery to any person in this Commonwealth shall be reinstated or renewed and the insured or the beneficiary or assignee of such policy shall make written request to the insurer for a copy of the application if any for such reinstatement or renewal the insurer shall within fifteen days after the receipt of such request at its home office or any branch office of the insurer deliver or mail to the person making such request a copy of such application If such copy shall

not be so delivered or mailed the insurer shall be precluded from introducing such application as evidence in any action or proceeding based upon or involving such policy or its reinstatement or renewal

(B) No alteration of any written application for any such policy shall be made by any person other than the applicant without his written consent except that insertions may be made by the insurer for administrative purposes only in such manner as to indicate clearly that such insertions are not to be ascribed to the applicant

Section 4 Said act is hereby amended by adding after Section 624 a new section to read as follows

Section 625 Policies Unlawfully Issued A policy issued in violation of subsection (b) of this article shall be held valid but shall be construed as provided herein and when any provision in such a policy is in conflict with any said provision such provision so conflicting shall be invalid and the policy shall be deemed to contain all of the required provisions

Section 5 This act shall take effect on the first day of January one thousand nine hundred fifty-two A policy rider or endorsement which could have been lawfully used or delivered or issued for delivery to any person in this Commonwealth immediately before the effective date of this act may be used or delivered or issued for delivery to any such person during five years after the effective date of this act without being subject to the provisions of Section 617 618 and 621 of this act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Snowden,
Barr,	Hare,	McPherson, Jr.,	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Taylor,
Blass,	Kessler,	Pechan,	Toole,
Byrne,	Lane,	Peelor,	Wade,
Chapman,	Leader,	Probert,	Wagner,
Crowe,	Letzler,	Robinson,	Walker,
Dent,	Mahany,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yosko,
Freud,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 406, as follows:

An Act to further amend Section 305 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vest-

ing sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by requiring the approval of the court of quarter sessions for the erection and alteration of institutions and further prescribing the powers of the Department of Welfare

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 305 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" as amended by the act approved the twenty-first day of April one thousand nine hundred forty-nine (P. L. 704) is hereby further amended to read as follows

Section 305 Powers and Duties as to County Institution District Property As a function of the institution district and with its funds the commissioners of each county shall have the power and it shall be their duty

(a) With the approval of the Department of Welfare as to suitability and of the Court of Quarter Sessions of the Peace as to the amount of money to be expended and upon such notice as the court may require to acquire by purchase or the right of eminent domain lands and buildings for the care of dependents and for farms taking title in the name of the county institution district

(b) To erect equip maintain repair alter and add to institutions for the care of dependents and to equip maintain cultivate and improve farms using their produce for the support of dependents Any plan for the erection or substantial alteration of an institution must be approved as to suitability by the Department of Welfare and as to the amount of money to be expended by the Court of Quarter Sessions of the Peace

(c) With the approval of the Court of Quarter Sessions of the Peace upon such notice as the court may require to sell or lease real and personal property of the institution district

(d) To pay the other necessary expenses of the institution district

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Snowden,
Barr,	Hare,	McPherson, Jr.,	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Taylor,
Blass,	Kessler,	Pechan,	Toole,
Byrne,	Lane,	Peelor,	Wade,

Chapman,	Leader,	Probert,	Wagner,
Crowe,	Letzler,	Robinson,	Walker,
Dent,	Mahany,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 407, as follows:

An Act to further amend the title and section one of the act approved the third day of May one thousand nine hundred and nine (P. L. 424) entitled as amended "An act providing that in all counties of the first second third fourth fifth and sixth class advertisements and notices required by law or rules of court to be published in newspapers of general circulation unless dispensed with by special order of court shall be published in the legal newspaper issued at least weekly of the proper county designated by rules of court for the publication of court or other legal notices" by extending the provisions of the said act to all counties and further defining publications excepted from its operation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the third day of May one thousand nine hundred and nine (P. L. 424) entitled as amended "An act providing that in all counties of the first second third fourth fifth and sixth class advertisements and notices required by law or rules of court to be published in newspapers of general circulation unless dispensed with by special order of court shall be published in the legal newspaper issued at least weekly of the proper county designated by rules of court for the publication of court or other legal notices" as amended by the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 521) is hereby further amended to read as follows

An Act

Providing that in all counties [of the first second third fourth fifth and sixth class] advertisement and notices required by law or rules of court to be published in newspapers of general circulation unless dispensed with by special order of court shall be published in the legal newspaper issued at least weekly of the proper county designated by rules of court for the publication of court or other legal notices and providing certain exceptions

Section 2 Section 1 of said act as amended by the act approved the ninth day of April one thousand nine hundred thirty-one (P. L. 20) and as last amended by the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 521) is hereby further amended to read as follows

Section 1 Be it enacted &c That hereafter in all counties [of the first second third fourth fifth and sixth class] of the Commonwealth every notice or advertisement required by law or rules of court to be published in one or more newspapers of general circulation unless dispensed with by special order of court shall also be published in the legal newspaper issued at least weekly in said county designated by rules of court for the publication of court or other legal notices if such newspaper exists Publication in such legal newspaper shall be made as often as required to be made in such newspapers in general circulation and shall be subject to the same stipulations and regulations as those imposed for the like services upon all newspapers Provided That nothing herein contained shall be construed to require the publication in such legal newspapers of municipal ordinances [municipal auditors reports and school district auditors reports or summaries or statements thereof] municipal or county auditors' or

controllers' reports school district auditors' or controllers' reports or summaries or statements thereof election notices other than those relating to the holding of elections for (1) the increase of indebtedness or (2) the issue and sale of bonds to be paid by taxation mercantile appraisers' notice advertising for bids for contracts for public work materials or supplies or lists of delinquent taxpayers

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Snowden,
Barr,	Hare,	McPherson, Jr.,	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Taylor,
Blass,	Kessler,	Pechan,	Toole,
Byrne,	Lane,	Peelor,	Wade,
Chapman,	Leader,	Probert,	Wagner,
Crowe,	Letzler,	Robinson,	Walker,
Dent,	Mahany,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 655, as follows:

An Act to amend Section 508 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring a record vote of school directors on the adoption of the annual budget

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 508 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 508 Majority Vote Required Recording The affirmative vote of a majority of all the members of the board of school directors in every school district duly recorded showing how each member voted shall be required in order to take action on the following subjects

Fixing length of school term

Adopting textbooks

Appointing or dismissing district superintendents assistant district superintendents associate superintendents principals and teachers

Appointing tax collectors and other appointees

Adopting the annual budget

Levying and assessing taxes

Purchasing selling or condemning land

Locating new buildings or changing the locations of old one

Dismissing a teacher after a hearing

Creating or increasing any indebtedness
 Adopting courses of study
 Establishing additional schools or departments
 Designating depositories for school funds
 Entering into contracts of any kind including contracts for the purchase of fuel or any supplies where the amount involved exceeds one hundred dollars (\$100)
 Fixing salaries or compensation of officers teachers or other appointees of the board of school directors
 Failure to comply with the provisions of this section shall render such acts of the board of school directors void and unenforceable
 Section 2 The provisions of this act shall become effective on the first day of July one thousand nine hundred fifty-one

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Snowden,
Barr,	Hare,	McPherson, Jr.,	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Taylor,
Blass,	Kessler,	Pechan,	Toole,
Byrne,	Lane,	Peelor,	Wade,
Chapman,	Leader,	Probert,	Wagner,
Crowe,	Letzler,	Robinson,	Walker,
Dent,	Mahany,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silver,	Yosko,
Freud,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SECOND READING CALENDAR

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 119, on second reading, entitled:

An Act regulating the suspension removal furloughing and reinstatement of police officers in boroughs and townships of the first class having police forces of less than three members and in townships of the second class.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 175, entitled:

An Act authorizing and directing Pennsylvania Fish Commission to make a comprehensive study of the migratory habits of fish particularly shad and the stocking and tagging of shad below and above the Safe Harbor Dam the Holtwood Dam and the Conowingo Dam and to cooperate with the Federal government in connection therewith prescribing powers and duties and making an appropriation.

The first, second, third and fourth sections were read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. WOLFE offered the following amendments:

Amend title, page 1, line 6, of title, by striking out the words "in connection therewith prescrib-" and inserting in lieu thereof the following "and the Joint State Government Commission in connection therewith and prescrib-"; Amend title, page 1, line 7 of title, by striking out the words "and making an appropriation."

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 191, entitled:

An Act to further amend Section 671 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing the change of the fiscal year by districts of the second class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 296, on second reading, entitled:

An Act to further amend the act approved the nineteenth day of June one thousand nine hundred thirty-one (P. L. 589) entitled as amended "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein regulating compensation for service rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties" by changing the provisions as to fees charged apprentices and students and as to the powers of municipalities and transferring the administration of several provisions of this act to the State Board of Barber Examiners.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 297, on second reading, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing

creating reorganizing or authorizing the organization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by creating the State Board of Barber Examiners as a departmental administrative board in the Department of Public Instruction.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 365, entitled:

An Act to further amend the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporation; conferring certain rights, powers, duties, and immunities upon him and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by permitting the Department of State to copy and destroy or return certain documents; permitting directors to fill vacancies in the board of directors resulting from an increase in the number of directors; deleting certain requirements as to the appointment, compensation and duties of agents; providing that meetings of shareholders at which directors are to be elected may be adjourned for periods of fifteen days each; fixing the method of cumulative voting in cases where directors are elected separately by the holders of different classes of shares; providing that courts having jurisdiction over trustees who are evenly divided as to how shares shall be voted may direct the voting of such shares; deleting requirements as to the voting of shares of foreign corporations owned by other corporations; providing that articles of incorporation may be amended to eliminate the preemptive rights of shareholders, and providing for the purchase of and payment for shares of any shareholders who dissent therefrom; specifying cases of merger or consolidation of which sixty days' notice to shareholders must be given; providing that shareholders of a parent corporation shall have no right to dissent from a merger or consolidation of such parent and one or more wholly-owned subsidiaries thereof, providing the state of incorporation and relative rights and preferences of the shareholders of the parent corporation are not changed thereby; providing that foreign corporations which shall have done business in Pennsylvania without procuring a certificate of authority to do so shall be conclusively presumed to have appointed the Secretary of the Common-

wealth their agent to accept service of process in cases arising out of acts of omissions of such corporation in the Commonwealth, and specifying the duties of the Secretary upon receipt of such process.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER. Mr. President, for the information of the members of the Senate, I have some amendments correcting typographical errors and misspelled words in the bill which I would like to send to the desk, and if the amendments are adopted I am going to request that the bill go over in order as amended. I do not want to do this if it is going to hurt Senator Barr's feelings.

Mr. BARR. Mr. President, I desire to interrogate the Majority Floor Leader, Senator Walker.

The PRESIDENT. Will the gentleman from Allegheny, Mr. Walker, permit himself to be interrogated?

Mr. WALKER. I will, Mr. President.

Mr. President, I would like to advise Senator Barr that we have to come to that point on the calendar, Senate Bill No. 365, and it has been suggested that you would like to just drop a few pearls of wisdom regarding that bill.

Mr. BARR. Mr. President, I would like to ask the Majority Leader, Senator Walker, to drop these pearls of wisdom. I cannot understand the bill.

Mr. WALKER. Mr. President, if I am going to explain this bill to the gentleman from Allegheny, it is going to take quite some time. I am sure you would like to know all about this bill. May I merely say to the gentleman from Allegheny, I have before me amendments to the bill which are simply amendments of typographical errors, which I propose to send to the desk, and if the amendments are adopted I am going to request that the bill go over in order.

Mr. BARR. Mr. President, if the gentleman from Allegheny, Senator Walker, is going to amend the bill and have it go over in its order, maybe I can meet with him and he can explain it to me so that I can explain it to our men.

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendments:

Amend Sec. 2, page 5, line 11, by inserting after the word "act" the following "as amended by the act, approved the second day of July, one thousand nine hundred thirty-seven (P. L. 2828)"; Amend Sec. 2, page 5, line 12, by inserting after the word "hereby" the following: "further"; Amend Sec. 2 (Sec. 206), page 5, line 17, by inserting after the word "forthwith" the following: "but."

They were agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendments:

Amend Sec. 3, page 6, line 7, by inserting after the word "as" the following: "last"; Amend Sec. 3 (Par. (3)),

page 6, line 18, by inserting before the word "of" where it appears the first time in said line, the following: "ment."

They were agreed to.

The section was agreed to as amended.

The fourth section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendments:

Amend Sec. 4, page 8, line 5, by inserting after the word "act" the following: "as amended by the act, approved the twenty-third day of May, one thousand nine hundred forty-nine (P. L. 1773)"; Amend Sec. 4, page 3, line 5, by inserting after the word "hereby" the following: "further."

They were agreed to.

The section was agreed to as amended.

The fifth and sixth sections were read and agreed to.

The seventh section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendments:

Amend Sec. 7 (Sec. 505), page 10, line 17, by inserting after the word "be" the following: "by ballot except upon demand made by a shareholder at the election"; Amend Sec. 7 (Sec. 505), page 10, line 19, by striking out all of said line; Amend Sec. 7 (Sec. 505), page 11, lines 3 and 9, by underscoring the words "from each class or group of classes entitled to elect directors separately."

They were agreed to.

The section was agreed to as amended.

The eighth, ninth, tenth and eleventh sections were read and agreed to.

The twelfth section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendment:

Amend Sec. 12 (Par. C), page 16, line 2, by striking out the word "representatives" and inserting in lieu thereof "representative."

It was agreed to.

The section was agreed to as amended.

The thirteenth section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendment:

Amend Sec. 13, page 16, line 8, by inserting after the word "hereby" the following "further."

It was agreed to.

The section was agreed to as amended.

The fourteenth section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendment:

Amend Sec. 14, page 17, line 7, by inserting after the word "hereby" the following "further."

It was agreed to.

The section was agreed to as amended.

The fifteenth section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendment:

Amend Sec. 15 (Sec. 810), page 18, line 7, by striking

out the word "vote" and inserting in lieu thereof "voted."

It was agreed to.

The section was agreed to as amended.

The sixteenth section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendments:

Amend Sec. 16, page 21, line 7, by inserting after the word "hereby" the following "further"; Amend Sec. 16 (Par. B), page 22, line 1, by underscoring all of said line.

They were agreed to.

The section was agreed to as amended.

The seventeenth section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendment:

Amend Sec. 17, page 22, line 11, by inserting after the word "hereby" the following "further."

It was agreed to.

The section was agreed to as amended.

The eighteenth section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendment:

Amend Sec. 18, page 23, lines 10, 11 and 12, by striking out the words "as added by" in line 10, all of line 11, and the words "forty-one (P. L. 13)" in line 12.

It was agreed to.

The section was agreed to as amended.

The nineteenth section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendments:

Amend Sec. 19 (Sec. 909), page 24, line 15, by striking out the word "Foreign" and inserting in lieu thereof "foreign"; Amend Sec. 19 (Sec. 909), page 24, line 16, by striking out the word "domestication" and inserting in lieu thereof "domestication."

They were agreed to.

The section was agreed to as amended.

The twentieth section was read and agreed to.

The twenty-first section was read.

On the question,

Will the Senate agree to the section?

Mr. Walker offered the following amendment:

Amend Sec. 21, page 26, line 10, by striking out the figures "1007" and inserting in lieu thereof "one thousand seven."

It was agreed to.

The section was agreed to as amended.

The twenty-second section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendments:

Amend Sec. 22, page 27, line 5, by inserting after the word "hereby" the following "further"; Amend Sec. 22 (Sec. 1011), page 28, line 12, by striking out the word "state" and inserting in lieu thereof "State."

They were agreed to.

The section was agreed to as amended.

The twenty-third section was read and agreed to.

The twenty-fourth section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendments:

Amend Sec. 24, page 31, line 2, by inserting after the word "hereby" the following "further"; Amend Sec. 24 (Sec. 1103), page 31, line 14, by inserting after the word "including" the following "street"; Amend Sec. 24 (Sec. 1103), page 32, line 15, by striking out the word "representatives" and inserting in lieu thereof "representative."

They were agreed to.

The section was agreed to as amended.

The twenty-fifth section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendment:

Amend Sec. 25, page 33, line 5, by striking out the figures "1104" and inserting in lieu thereof "one thousand one hundred four."

It was agreed to.

The section was agreed to as amended.

The twenty-sixth section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendments:

Amend Sec. 26 (Sec. 1005), page 34, line 4, by striking out the figures "1005" and inserting in lieu thereof "1105"; Amend Sec. 26 (Sec. 1005), page 35, line 9, by inserting after the word "proper" the following "department or"; Amend Sec. 26 (Sec. 1005), page 35, line 14, by striking out the word "charge" and inserting in lieu thereof "charges."

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. WALKER offered the following amendments:

Amend Title, page 1, line 5 of Title, by striking out the word "corporation" and inserting in lieu thereof "corporations"; Amend Title, page 3, 3rd from last line of Title, by striking out the word "of" where it appears the last time in said line, and inserting in lieu thereof "or"; Amend Title, page 3, next to last line of Title, by striking out the word "corporation" and inserting in lieu thereof "corporations."

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 365, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 380, on second reading, entitled:

An Act to amend the act approved the seventh day of

July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" by giving municipal claims equal priority with taxes in the distribution of certain moneys recovered under the provisions of said act

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 432, entitled:

An Act to amend the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county board of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing for nominations and elections of county officers in counties about to undergo a change in classification and imposing certain duties upon county commissioners county boards of elections and others

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 555, entitled:

An Act to amend Section 1704 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by clarifying the powers of joint school committees in managing the affairs of joint schools of departments

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 716, entitled:

A Supplement to the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (Appropriation Act page 62) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-nine and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-nine" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred and fifty-one

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 719, entitled:

An Act making a deficiency appropriation to the Department of Welfare to reimburse State-aided hospitals for part of the cost of training student nurses in approved schools of nursing

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. McCREESH. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 99, entitled:

An Act to improve and extend by reciprocal legislation the enforcement of duties of support and to make uniform the law with respect thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 121, entitled:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by authorizing the classification of real estate into buildings on land and land exclusive of the buildings for city assessment and tax-levying purposes at separate and different rates.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 172, entitled:

An Act to amend the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) entitled "An act relating to the practice procedure regulations and adjudications of departments departmental administrative boards and commissions independent administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof and preserving equitable jurisdiction in certain cases" by redefining "Regulation" changing provisions governing promulgation of regulations imposing duties on the Department of State providing for judicial review of regulations requiring all appeals to be taken to the Superior Court and enumerating the agencies affected and the extent to which they are affected.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 188, entitled:

An Act relating to the admissibility in evidence, and the proof of official records, documents and proceedings, both domestic and foreign, and of copies thereof, and extracts therefrom, and certificates in reference thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 247, entitled:

An Act to amend the title and the act approved the sixth day of April one thousand nine hundred forty-five (P. L. 164) entitled "An act authorizing and empowering minors seventeen years of age or older to contract for and to make loans in accordance with the provisions of the act of Congress known as the "Servicemen's Readjustment Act of 1944" or any agency of the Commonwealth created and saving and relieving the parents guardians and trustees of such minors from any liability therefor unless joining therein" by extending the provisions thereof to include certain adults and empowering the minor spouses of such persons to join in the execution of certain contracts and validating the actions of minor spouses of such adults in heretofore joining in the execution of any such contracts under certain conditions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 303, entitled:

An Act relating to the apportionment of estate taxes and providing procedure for enforcement of contribution or exoneration.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 306, entitled:

An Act to further amend section 1 and to amend section 5 of the act approved the twentieth day of May one thou-

sand nine hundred thirty-seven (P. L. 728) entitled "An act providing for the creation of a Board of Arbitration of Claims arising from contracts with the Commonwealth providing for and regulating the procedure in prosecuting claims before such board defining the powers of the board and fixing the compensation of members and employees thereof providing that the awards of such board shall be final providing for the payment of awards and authorizing an appropriation" by increasing per diem wage of members of the board allowing such members maintenance and traveling expenses permitting hearings at such places within the Commonwealth as the board shall determine.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 329, entitled:

An Act to amend Section 3 of the act approved the twenty-eighth day of May, one thousand nine hundred thirty-one (P. L. 202), entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream, artificial or natural body of water, or non-tidal waters of any river within the Commonwealth; conferring powers and imposing duties on certain police officers and the Board of Fish Commissioners, including the enforcement of certain existing laws; and prescribing penalties," by directing the Department of Revenue to authorize local agents, which may be county officers, to issue motor boat licenses.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 404, entitled:

An Act to add Clause (15) to Section 14 of the act, approved the twenty-fourth day of April, one thousand nine hundred forty-seven (P. L. 89), entitled "An act relating to the form, execution, revocation, operation, and interpretation of wills; to nuncupative wills; to the appointment of testamentary guardians; to elections to take under or against wills and the procedure in reference thereto," by providing for a rule of construction with respect to cemetery lots owned by a testator or in which he has a right of interment.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 425, entitled:

An Act to further amend section four hundred eleven of the act, approved the third day of June, one thousand nine hundred thirty-seven, (P. L. 1225), entitled, "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating and changing the law relating thereto," by changing the shooting restrictions on regulated shooting grounds.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 426, entitled:

An Act to amend section seven hundred twenty-one of the act, approved the third day of June, one thousand nine hundred thirty-seven, (P. L. 1225), entitled "An act

concerning game and other wild birds and wild animals; and amending, revising, consolidating and changing the law relating thereto," by changing the period for retriever trials.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 459, entitled:

An Act to further amend Section 1101 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by authorizing the payment of bounties for the destruction of rattlesnakes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 461, entitled:

An Act establishing a procedure by which the register of wills elected in counties of the first class shall execute record and file his bond to the Commonwealth and receive his commission and conferring powers and imposing duties upon the Secretary of the Commonwealth and the recorder of deeds.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 479, entitled:

An Act to add subsection (e) to section 501 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by providing for an open season for hunting deer with bows and arrows, requiring a special permit therefor and fixing fees.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 480, entitled:

An Act relating to the discharge of joint and several tortfeasors in certain cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 484, entitled:

An Act to further amend subsection (a) of section 704 of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 125), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by permitting the use of semi-automatic shotguns for the hunting and killing of small game, predators and unprotected birds.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS SIGNED

The President (Lieutenant-Governor Lloyd H. Wood) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 215, entitled:

An Act to further amend Section 30 of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the laws relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by increasing the legal size of pickerel that may be taken from inland waters.

Senate Bill No. 217, entitled:

An Act assenting to the provisions of the Act of Congress, entitled "An act to provide that the United States shall aid the states in fish restoration and management projects, and for other purposes," approved August ninth, one thousand nine hundred and fifty, and conferring certain powers and duties on the Pennsylvania Fish Commission.

Whereupon,

The President (Lieutenant-Governor Lloyd H. Wood) in the presence of the Senate signed the same.

ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Wednesday, April 11, 1951, at 11:00 o'clock, a. m., Eastern Standard Time.

Mr. BLASS. Mr. President, I second the motion. The motion was agreed to.

The Senate adjourned at 5:53 o'clock, p. m., Eastern Standard Time, until Wednesday, April 11, 1951, at 11:00 o'clock, a. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, April 10, 1951.

The House met at 2:30 p. m.

The SPEAKER (Herbert P. Sorg) in the Chair.

PRAYER

The Reverend Charles F. Trunk, Jr., guest chaplain, Pastor of the Bethlehem Lutheran Church, Harrisburg, offered the following prayer:

We thank Thee, our Father, that Thou hast given to us a sense of the moral which is the eye of the soul, the ear of the spirit, and the tongue of the conscience. Help us to keep this moral sense sharp so that we can tell the difference between the good and the bad, lest all things seem to be the same.

Make the high ideals of our youth haunt us until we find in Thee the sensitive conscience that keeps us worthy of our trust. Amen.

JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Monday, April 9, 1951? If not, and without objection, the Journal is approved.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 717

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 10, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 717, Printer's No. 113, entitled "An Act making a deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-nine and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-nine."

JOHN S. FINE.

BILLS INTRODUCED AND REFERRED

By Mr. RAY L. RILEY.

HOUSE BILL No. 965.

An Act to amend Section 2504 and to further amend Section 2507 of the act approved the tenth day of March, one thousand nine hundred forty-nine, (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by changing the amounts payable by the Commonwealth on account of vocational curriculums and vocational extension classes.

Referred to the Committee on Education.

By Mr. SAX.

HOUSE BILL No. 966.

An Act to authorize school districts of the first class to furnish free milk to pupils in the kindergarten and first grade.

Referred to the Committee on Education.

By Messrs. EWING and HAUDENSHIELD.

HOUSE BILL No. 967.

An Act to further amend the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh, and eighth classes; and revising, amending and consolidating the laws relating thereto," providing for sick and disability leave with salary, and hospital and medical expenses, for employes of jails and workhouses in counties of the second class temporarily incapacitated in the performance of duties.

Referred to the Committee on Counties.

By Mr. KELLER.

HOUSE BILL No. 968.

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by requiring conformance of buildings, transportation and joint schools and departments to county plans for reorganization of school districts.

Referred to the Committee on Education.

By Mr. WILT.

HOUSE BILL No. 969.

An Act to further amend section five of the act, approved the thirteenth day of May, one thousand nine hundred fifteen (P. L. 286), entitled "An act to provide for the health, safety, and welfare of minors; by forbidding their employment or work in certain establishments and occupations, and under certain specified ages; by restricting their hours of labor, and regulating certain conditions of their employment; by requiring employment certificates for certain minors, and prescribing the kinds thereof, and the rules for the issuance, re-issuance, filing, return, and recording of the same; by providing that the Industrial Board shall, under certain conditions, determine and declare whether certain occupations are within the prohibitions of this act; requiring that certain minors shall, during the period of their employment, attend certain schools, to be established as therein provided, and to be approved by the State Superintendent of Public Instruction, and regulating the conditions of such attendance; authorizing the State Board of Education, in certain cases, to appoint attendance officers to aid in enforcing the provisions of this act, and creating the salary and expenses of such officers a charge against the school district wherein they are employed; requiring certain abstracts and notices to be posted; providing for the enforcement of this act by the Commissioner of Labor and Industry, the attendance officers of school districts, and police officers; and defining the procedure in prosecutions thereunder, and establishing certain presumptions in relation thereto; providing penalties for the violation of the provisions thereof; and repealing all acts or parts of acts inconsistent therewith," by permitting the appearance of minors under eighteen years of age in radio and television performances if permits are obtained and other regulations complied with.

Referred to the Committee on Labor Relations.

By Messrs. PICHNEY, EDWIN F. THOMPSON and
MINTESS.

HOUSE BILL No. 970.

An Act to add Section 416 to the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties, imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by directing the Secretary of Revenue to establish a system of permanent registration of motor vehicles.

Referred to the Committee on Motor Vehicles.

By Mr. ZIEGLER.

HOUSE BILL No. 971.

An Act to amend the act approved the seventh day of June, one thousand nine hundred one (P. L. 493), entitled, as amended, "An act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules,

regulations and requirements for the construction of plumbing, house drainage and cesspools, in cities of the second class, second class A and third class and imposing fines, penalties and forfeiture for violation thereof," by permitting the use of bituminized-fibre pipe in certain plumbing construction.

Referred to the Committee on Public Health and Sanitation.

By Messrs. HARRY W. PRICE and MIKULA.

HOUSE BILL No. 972.

An Act to further amend section seven hundred eleven of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by regulating the dismissal, suspension, demotion, reenlistment and retirement of enlisted members of the Pennsylvania State Police.

Referred to the Committee on State Government.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 127.

An Act to further amend section 15 and to amend section 29 of the act approved the seventeenth day of July, one thousand nine hundred thirty-five (P. L. 1092), entitled "An act defining fraternal benefit societies and their status; authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected, and regulating such benefits and collections; providing for the organization and incorporation of such societies and for their supervision, regulation, and examination by the Insurance Commissioner, and for the admission of foreign societies; designating tables of mortality as a basis for rates of contribution, requiring all societies to make annual and other reports; and appointing the Insurance Commissioner as attorney for service of process; providing penalties for any violations of the act; exempting such societies from taxation and certain other societies from its provisions; and requiring beneficial associations, other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner; and repealing existing laws," by regulating the transfer of excess insurance funds to the expense and other funds and providing for the consolidation of any society's funds; further regulating reports of valuation of death benefit fund obligations; regulating reserves and contributions for benefits.

Referred to the Committee on Insurance.

SENAET BILL No. 140.

An Act to further amend the act approved the seven-teenth day of May one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bu-reaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's In-surance Fund providing penalties and repealing existing laws" by further regulating investments of insurance companies.

Referred to the Committee on Insurance.

SENATE BILL No. 320.

An Act to further amend subsection (a) of Section 621.1 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and con-solidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance ex-changes and fire insurance rating bureaus and the regu-lation and supervision of insurance carried by such com-carried by the State Workmen's Insurance Fund pro-pagies associations and exchanges including insurance viding penalties and existing laws" by further defining and regulating group accident and health insurance.

Referred to the Committee on Insurance.

SENATE BILL No. 341.

An Act to further amend Section 2 of the act approved the twenty-fourth day of June one thousand nine hun-dred thirty-nine (P. L. 685) entitled "An act designating certain life insurance companies as limited life insurance companies and further describing the powers thereof" further describing the powers of limited life insurance companies.

Referred to the Committee on Insurance.

SENATE BILL No. 433.

An Act to further amend sections thirty-one and thirty-two of the act approved the second day of May, one thou-sand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by reclassifying counties of the sixth and seventh classes, and pro-viding for elections pursuant to changes of classification by counties.

Referred to the Committee on Counties.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. FROST and HELM. RESOLUTION No. 28.

In the House of Representatives, April 9, 1951.

The State of Pennsylvania has become a leader among the States, in the field of education, providing for its young citizens, the best and most practical training possible to equip them to face life.

The educational advantages offered by Pennsylvania must be made available to every young man and woman, residing within the boundaries of this great State.

Because Pennsylvania is vast in area, and every section populated to some extent, that goal can be realized only through the proper transportation of students from the

sparsely settled regions to the nearest centralized edu-cational facilities available.

Though, the present transportation facilities are ade-quate, the system in various school districts is often in-efficient, resulting in waste and a failure in purpose; therefore be it

Resolved; That the Joint State Government Commis-sion be directed to study the problem of transportation of students in the public schools, with particular regard to the efficiency of the present transportation system; the present needs for transportation, and those changes in the present system which would increase its efficiency and result in a wiser use of the transportation facilities; and be it further

Resolved, That the Joint State Government Commis-sion prepare a report of its investigation and submit such report together with its recommendations to the next General Assembly.

Referred to the Committee on Rules.

REPUBLICAN WOMEN WELCOMED

The SPEAKER. The Chair welcomes to the House a delegation of Republican women attending a confer-ence in Harrisburg, consisting of the Vice-Chairmen of various counties, members of the Republican State Com-mittee and Young Republican leaders. They are here under the leadership of Mrs. Sara G. Leffler, Vice-Chair-man of the Republican State Committee, and through the arrangements of Dr. M. Louise Rutherford and the lady from Lehigh, Mrs. Marian E. Markley.

ALLENTOWN WOMEN'S CLUB WELCOMED

The SPEAKER. The Chair welcomes to the House a delegation of the Daughters' Division of the Allentown Women's Club, Marilyn Schadt, president. They are here under the supervision of Mrs. Channing Davis, and are the guests of the lady from Lehigh, Mrs. Markley and the gentlemen from Lehigh, Messrs. Van Sant and Stimmel.

STUDENTS OF SPRING CITY HIGH SCHOOL WELCOMED

The SPEAKER. The Chair also welcomes to the House students from the Spring City High School under the supervision of their Principal, Mr. Rothermel. They are the guests of the gentlemen from Chester, Messrs. Leisey and Harney.

STUDENTS OF SHADE TOWNSHIP HIGH SCHOOL WELCOMED

The SPEAKER. The Chair also welcomes to the House seventy-two members of the Senior Class of the Shade Township High School, Cairnbrook, Somerset County, under the supervision of Mr. Michael Danko, Mr. R. M. Swartzwelder and Miss Anna May Maurer. They are the guests of the gentlemen from Somerset, Messrs. Whalley and Naugle.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Fenich for Mr. MIHM for the remainder of the week because of death in the family.

REPORTS FROM COMMITTEES

Mr. FERSTER from the Committee on Education, re-ported as amended, House Bill No. 33, entitled:

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing for filling the office of county superintendent when the only candidate for election becomes unavailable therefor within thirty days of the election date.

Mr. CLARENCE E. MOORE from the Committee on Game and Forestry, reported as amended, House Bill No. 769, entitled:

An Act to further amend clause (a) of section one thousand eight hundred three and clause (e) of section one thousand eight hundred six of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for an reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative department boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by further regulating the leasing and sale of State forest and park lands by the Commonwealth and defining the powers and duties of the Department of Forests and Waters and the rights of lessees with respect to such leased lands.

Mr. SCHMIDT from the Committee on Education, reported as committed, House Bill No. 772, entitled:

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing for the training of uneducable mentally handicapped children at day care training centers provided by the Department of Public Instruction, and the care, training and supervision by the Department of Welfare of children uneducable and untrainable in the public schools; increasing State reimbursements for courses of handicapped children; and making an appropriation.

Mr. POLASKI from the Committee on Cities—Third Class, reported as committed, House Bill No. 956, entitled:

An Act to add Section 1201.1 to the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices

of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by providing for traffic courts in cities of the third class.

Mr. EDWIN W. TOMPKINS from the Committee on Education, reported as committed, Senate Bill No. 68, entitled:

An Act to validate and confirm certain contracts theretofore entered into by boards of school directors where there is no evidence of fraud or conspiracy, and to authorize, ratify, confirm and validate payments on such contracts by the school districts.

Mr. RAY L. RILEY from the Committee on Law and Order, returned House Bill No. 527 with the request that it be referred to the Committee on Judiciary.

Re-referred to the Committee on Judiciary.

ADVANCED REPORTING CLASS OF STATE COLLEGE WELCOMED

The SPEAKER. The Chair is pleased to welcome to the Hall of the House the advanced reporting class in Journalism from Pennsylvania State College and requests that the legislative correspondents observe their future competition. The class is accompanied by Frederick B. Marbut, Professor of Journalism.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday, April 16, 1951, at three o'clock p. m., Eastern Standard Time; and when the House of Representatives adjourns this week, it reconvene on Monday, April 16, 1951, at four thirty o'clock p. m., Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 213, entitled:

An Act to further amend section one of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 477) entitled as amended "An act providing for the payment of the salary medical and hospital expenses of policemen and firemen by cities boroughs town and townships who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period" by adding a presumption of relationship to employment of diseases of the heart and tuberculosis of the respiratory system and providing disability benefits for such conditions

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 249, entitled:

An Act to further amend section 504 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing that plans for public improvements in townships of the first class need not be submitted to the county planning commission

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. RONALD L. THOMPSON. Mr. Speaker, I move that this bill be recommitted to the Committee on Municipal Corporations for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 629, entitled:

An Act to establish a separate orphans' court in and for the county of Beaver

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 757, entitled:

An Act to add Article XVI.I to the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" by providing for the establishment of a traffic court in cities of the second class

The first section was read.

On the question,

Will the House agree to the section?

Mr. RIGBY offered the following amendments:

Amend Sec. 1 (Sec. 1), page 2, line 7, by striking out the word "one" and inserting in lieu thereof "such."

Amend Sec. 1 (Sec. 1), page 2, line 7, by striking out the word "magistrate" and inserting in lieu thereof "magistrates as may be necessary."

Amend Sec. 1 (Sec. 1), page 2, line 8, by striking out the word "said" and inserting in lieu thereof "the."

Amend Sec. 1 (Sec. 2), page 2, lines 9 to 14, inclusive, by striking out all of said lines, and inserting in lieu thereof:

Section 2. All informations made by police officers of any city of the second class, charging any violation of "The Vehicle Code" and its amendments, or of local ordinances enacted pursuant to "The Vehicle Code," shall be brought before the magistrates assigned to the traffic courts of cities of the second class.

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. RIGBY offered the following amendments:

Amend Sec. 2, page 3, line 16, by inserting after the word "as" the following: "it applies to."

Amend Sec. 2, page 3, line 18, by inserting after the word "nearest" the following: "available."

Amend Sec. 2, page 3, line 18, by striking out the word "the" where it appears the third time in said line, and inserting in lieu thereof: "any."

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 847, entitled:

An Act to amend section four of the act, approved the second day of July, one thousand nine hundred forty-seven (P. L. 1199), entitled "An act imposing a State tax, payable by those herein defined as users, on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways; providing for the collection and lien of the tax and the distribution and use of the proceeds thereof; requiring such users to secure licenses, to file bonds as a guarantee of payment of taxes, penalties, interest, fines, uncollectible check fees and Attorney General's fees, to file reports and to compile and retain certain records; imposing duties on dealers, wholesalers and carriers for hire; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds of taxes; penalties and interest illegally or erroneously collected from licensed users; and making appropriations," by extending the provisions of the additional tax for a limited time.

The first section was read.

On the question,

Will the House agree to the section?

BILL POSTPONED

Mr. HALL. Mr. Speaker, I move that this bill be placed on the second reading postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 848, entitled:

An Act to further amend sections four and ten of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled as amended, "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are practically, and commercially suitable for use in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," by extending the provisions of the additional tax for a limited time; and further providing for the distribution of the additional tax to certain political subdivisions of this Commonwealth, with certain conditions.

The first section was read.

On the question,

Will the House agree to the section?

BILL POSTPONED

Mr. HALL. Mr. Speaker, I move that this bill be placed on the second reading postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 863, entitled:

An Act to further amend Sections 113 and 133 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by further regulating fishing devices for game fish on the Delaware River between Pennsylvania and New Jersey

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 201, entitled:

An Act to amend Section 1705 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," by authorizing investment of sinking fund moneys in deposits insured by the Federal Deposit Insurance Corporation and in shares of building and loan or federal savings and loan associations insured by the federal savings and loan insurance corporation

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 366, entitled:

An Act to further amend subsection A of Section 221 and to amend Section 241 of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by extending non-resident fishing privileges to Canadians and redefining resident.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILL ON FINAL PASSAGE

Agreeably to order

The House proceeded to the consideration on final passage of Senate Bill No. 318, as follows:

An Act authorizing counties of the second and fourth classes to establish fire training schools for the paid and volunteer firemen of municipalities within the county

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The county commissioners of all counties of the second and fourth classes are hereby authorized and empowered to establish equip and maintain fire training schools or centers for the purpose of giving instruction and practical training in the prevention control and fighting of fires to the members of paid fire departments and volunteer fire companies in any city borough town or township within such county

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mikula,	Snider,
Bomberger,	Headlee,	Miller, H. G.,	Sollenberger,
Boorse,	Helm,	Miller, J. C.,	Spencer,
Bower,	Hersch,	Mills,	Stank,
Breisch,	Hewitt,	Mintess,	Stimmel,
Breth,	Hocker,	Monroe,	Stoner,
Brown,	Hoggard,	Moore, C. E.,	Swartz,
Bucchin,	Hunter,	Moore, H. A.,	Swope,
Byrne,	Jenkins,	Moran,	Tahl,
Cella,	Johnson,	Muldowney,	Taylor,
Clapper,	Jones, G. E.,	Munley,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Murray,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Musto,	Toil,
Conway,	Jones, T. H. W.,	Najaka,	Tompkins,
Cooper,	Jump,	Naugle,	Toomey,
Corr,	Kamyk,	Needham,	VanSant,
Costa,	Keller,	Olsen,	Varallo,
Coyle,	Kent,	Penglase,	Varnier,
Dalrymple,	Kline,	Peta,	Verona,
Davis,	Kohl,	Petrosky,	Wachhaus,
Dennison,	Kolankiewicz,	Pettigrew,	Wargo,
Dougherty,	Kornick,	Pfaff,	Waterhouse,
Dowling,	Kratz,	Pichney,	Watkins,
DuBois,	Kubacki,	Pitzer,	Weldner,
Duffy,	Lafore,	Polaski,	Welsh,
Dunn,	Lederer,	Polen,	Wescott,
Erb,	Lelsey,	Price, H. W. Jr.,	Westrick,
Ewing,	Leonard, L.,	Price, R. A.,	Whalley,
Fenrich,	Leonard, W. C.,	Readinger,	Wheeler,
Ferster,	Leven,	Reagan,	White,
Fillip,	Light,	Reese,	Williams,
Filo,	Limper,	Reidenbach,	Wilt,
Firmstone,	Loftus,	Reilly, J. M.,	Wood,
Flack,	Lopresti,	Rigby,	Yeakel,
Frost,	Lovett,	Riley, R. L.,	Yester,
Gaffney,	Lutty,	Robertson,	Yetzer,
Geer,	Lyons,	Rose,	Young,
Gibson,	Madden,	Rosen,	Ziegler,
Gleason,	Madigan,	Rovansek,	Sorg,
Good,	Markley,		Speaker

NAYS—0

NOT VOTING—1

Mihm,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 24, as follows:

An Act to amend Section 304 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by increasing the membership of the Pennsylvania Historical and Museum Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 304 of the act approved the ninth day of May one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as added by the act approved the sixth day of June one thousand nine hundred forty-five (P. L. 1398) is hereby amended to read as follows

Section 304 Pennsylvania Historical and Museum Commission The Pennsylvania Historical and Museum Commission shall consist of the Superintendent of Public Instruction ex officio [and] nine citizens of the Commonwealth and four members of the General Assembly two from the Senate and two from the House of Representatives The members of the commission who are members of the General Assembly shall have no right to vote but shall in all other respects enjoy all their rights and privileges of membership One of the members of the commission shall be designated by the Governor to serve as chairman of the commission The commission shall appoint to serve at its pleasure and with the approval of the Governor fix the compensation of an executive director who shall attend to the administrative work of the commission No member of the commission nor any one who has served as a member thereof within one year shall be eligible for appointment as executive director

Six members of the commission who are not members of the General Assembly shall constitute a quorum

The present members of the Pennsylvania Historical Commission shall be members of the Pennsylvania Historical and Museum Commission who together with the other four original members of the commission shall be appointed by the Governor on or before the effective date of this act and shall hold their office until the third Tuesday of January one thousand nine hundred and forty-seven or until their successors shall have been appointed and qualified as provided by law The four members to be appointed as aforesaid who are not members of the present Pennsylvania Historical Commission shall be chosen from sections of the Commonwealth not represented by the five members who are now members of the Pennsylvania Historical Commission

The members of the General Assembly shall be appointed by the Governor for a term to expire with his concurrent terms as a legislator and shall serve until his successor is appointed and qualified unless he shall not be elected for the next succeeding term as a member of the General Assembly in which case a vacancy shall occur

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—128

Banker,	Gleason,	Mazza,	Shoemaker,
Barkdoll,	Goodling,	McConnell,	Shotwell,
Baumunk,	Graybill,	McCormack,	Smith,
Bear,	Greenwood,	McCullough,	Snider,
Beech,	Greer,	McInroy,	Sollenberger,
Blair,	Gutendorf,	McKinney,	Spencer,
Bloom,	Guthrie,	McMillen,	Stimmel,
Boles,	Hall,	Metz,	Stoner,
Bolton,	Hamilton, W. H.,	Mikula,	Swartz,
Bomberger,	Harney,	Miller, H. G.,	Tahl,
Boorse,	Haudenschild,	Miller, J. C.,	Thompson, E. F.,
Bower,	Helm,	Mills,	Thompson, R. L.,
Brelsch,	Hewitt,	Mintess,	Tompkins,
Brown,	Hocker,	Moore, C. E.,	Toomey,
Cella,	Johnson,	Moore, H. A.,	VanSant,
Clapper,	Jones, T. H. W.,	Murray,	Varner,
Clendenning,	Jump,	Najaka,	Wachhaus,
Cooper,	Keller,	Naugle,	Waterhouse,
Costa,	Kent,	Pichney,	Watkins,
Dalrymple,	Kline,	Pitzer,	Weidner,
Davis,	Kohl,	Polen,	Wescott,
Dennison,	Kratz,	Price, H. W. Jr.,	Whalley,
Dowling,	Lafore,	Reagan,	Wheeler,
DuBois,	Lelsey,	Reese,	White,
Dunn,	Leonard, W. C.,	Reilly, J. M.,	Williams,
Erb,	Light,	Rigby,	Wilt,
Ewing,	Loftus,	Riley, R. L.,	Wood,
Ferster,	Lyons,	Robertson,	Yeakel,
Firmstone,	Madden,	Royer,	Young,
Flack,	Madigan,	Rubin,	Ziegler,
Frost,	Markley,	Sax,	Sorg,
Gibson,	Maxwell,	Scott,	Speaker

NAYS—76

Amarando,	Hamilton, R. K.,	Lutty,	Rose,
Andrews,	Headlee,	McDermitt,	Rosen,
Beaver,	Hersch,	McGee,	Rovansek,
Berkstresser,	Hoggard,	McNally,	Sarraf,
Bucchin,	Hunter,	Monroe,	Scanlon,
Byrne,	Jenkins,	Moran,	Schmidt,
Cochran,	Jones, G. E.,	Muldowney,	Schuster,
Conway,	Jones, J. M.,	Munley,	Seyler,
Corr,	Jones, P. F.,	Musto,	Stank,
Coyle,	Kamyk,	Needham,	Swope,
Dougherty,	Kolankiewicz,	Olsen,	Taylor,
Duffy,	Kornick,	Penglease,	Toll,
Fenrich,	Kubacki,	Peta,	Varallo,
Filip,	Lederer,	Petrosky,	Verona,
Filo,	Leonard, L.,	Pettigrew,	Wargo,
Gaffney,	Leven,	Pfaff,	Welsh,
Good,	Limper,	Polaski,	Westrick,

Guarnieri,
Hagerty,Lopresti,
Lovett,Price, R. A.,
Reidenbach,Yester,
Yetzer,

NOT VOTING—3

Breth,

Geer,

Mihm,

Readinger,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 48, as follows:

An Act relating to and defining chiropractic and the right to practice chiropractic requiring licensure conferring powers and imposing duties upon the State Board of Chiropractic Examiners providing for the granting suspension and revocation of licenses issued by the board conferring jurisdiction upon the Court and Common Pleas of Dauphin County and prescribing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as the "Chiropractic Registration Act of 1951"

Section 2 Definitions The following words or phrases unless the context clearly indicates otherwise shall have the meaning ascribed to them in this section

(a) "Chiropractor" shall mean a practitioner of Chiropractic

(b) "Chiropractic" shall mean a philosophy science and art of things natural with the human body a system of locating misaligned or displaced vertebrae of the human spine the procedure preparatory to and the adjustment by hand of such misaligned or displaced vertebrae and other articulations and tissues of the human body together with the use of scientific instruments of analysis

(c) "Board" shall mean the State Board of Chiropractic Examiners

(d) "Department" shall mean the Department of Public Instruction

Section 3 General Supervision of Chiropractic Schools It shall be the duty of the board to approve and disapprove chiropractic schools and colleges constantly to ascertain the facilities qualifications of instructors and character of the instruction of each of the various legally incorporated and reputable chiropractic schools and colleges operating under the laws of this Commonwealth for the teaching of chiropractic to establish standards in conformity with this act for such schools and colleges and by inspection or otherwise to ascertain the facilities qualifications and character of such schools and colleges outside this Commonwealth Failure to conform to the standards required by the board after notification shall render the graduates of any such school ineligible for licensure within this Commonwealth

Section 4 Curriculum An approved school or college of chiropractic within the provisions of this act shall teach a standard course of not less than three thousand five hundred (3500) hours of fifty minutes each of classroom and laboratory work composed of the following named subject Hygiene Sanitation Anatomy Physiology Physiological Chemistry Bacteriology Pathology Histology Symptomatology diagnosis chiropractic analysis and X-ray philosophy principles and technique of chiropractic

Section 5 Licensing Present Practitioners Any person of good character who has been engaged in the full-time practice of chiropractic for twenty (20) years or more the last five of which have been in this State prior to the effective date of this act and possessing a general education of not less than a standard four year high school course or its equivalent and in excess of eighteen hundred (1800) hours of classroom instruction in a legally incorporated and reputable school or college of chiro-

practic and has been graduated therefrom shall be entitled to take a limited examination for licensure Any person who has been engaged in the full-time practice of chiropractic for less than twenty (20) years but more than ten (10) years the last five of which have been in this State prior to the effective date of this act and possessing a general education of not less than a standard four year high school course or its equivalent and not less than two thousand one hundred and fifty (2150) hours of classroom instruction in a legally incorporated and reputable school of chiropractic and has graduated therefrom shall be entitled to take a limited examination for licensure Any person of good character who has engaged in the full-time practice of chiropractic in this State for at least one (1) year but less than ten (10) years prior to the effective date of this act and possessing a general education of not less than a standard four year high school course or its equivalent and not less than two thousand five hundred and fifty (2550) hours of classroom instruction in a legally incorporated and reputable school of chiropractic and has graduated therefrom shall be entitled to take a limited examination for licensure Provided however That application to take any limited examination under the provisions of this act for licensure must be made by the applicant within six months of the effective date of this act Any person of good character who has engaged in the full-time practice of Chiropractic in this state for less than one (1) year prior to the effective date of this act and possessing a general education of not less than a standard four year high school course or its equivalent and not less than two thousand five hundred and fifty (2550) hours of classroom instruction in a legally incorporated and reputable school of chiropractic and has graduated therefrom shall take a standard examination as provided in this act

Section 6 Limited Examination A limited examination for the purpose of this act is defined herewith as an (1) Philosophy of Chiropractic (2) Principle and Technique of Chiropractic Anatomy Physiology and Hygiene (3) Quarantine and Sanitary Laws of the Commonwealth of Pennsylvania

Section 7 Preliminary Educational Qualifications No person matriculating in the study of chiropractic after the effective date of this act shall be licensed to practice chiropractic unless he or she produces proof to the board before taking his or her examination of having had a general education of not less than a standard four year high school course or its equivalent and not less than one year of college credits in physics chemistry and biology

Section 8 Professional Education Qualifications Except as hereinbefore provided for present practitioners no person shall hereafter be licensed to practice chiropractic in this Commonwealth unless he or she shall deliver to the secretary of the board a written application together with satisfactory proof that the applicant is more than twenty-one (21) years of age is of good moral character has obtained the preliminary education as required by section seven of this act and has graduated from an approved legally incorporated and reputable school or college of chiropractic as defined in section four of this act a course of chiropractic instruction of not less than four graded courses of not less than thirty-five hundred (3500) hours of fifty (50) minutes each of classroom and laboratory instruction in the subjects as set forth in section four and shall pass a final examination before the board as provided in this act Provided That students now in attendance in a legally incorporated and reputable chiropractic school or college shall be eligible to take the standard examination provided in section ten of this act if such students can fulfill the preliminary educational requirements set forth in section seven of this act and have completed not less than three thousand three hundred and sixty (3360) hours of classroom instruction of not less than fifty (50) minutes each in the basic studies for the practice of chiropractic in an improved legally incorporated and reputable school or college of chiropractic as here-

inbefore provided and shall pass a final standard examination before the board as provided in this act

Section 9 Fees The board shall charge the following fees for examination registration and renewal of certificates the sum of twenty-five dollars (\$25.00) for a standard examination and ten dollars (\$10.00) for a limited examination It shall be the duty of all persons licensed under the provisions of this act by the board to register annually with the board and pay for each such annual registration such fee as may be fixed by the department All fees paid to the board shall be paid to the General Fund of the State Treasury

Section 10 Examinations

(a) The board shall admit to a standard examination any applicant who has complied with the qualifications provided herein The examination shall be demonstrative oral and written upon the principles and technique of chiropractic as herein defined and shall include the following subjects Anatomy Physiology Histology Chemistry Pathology acteriology Diagnosis Hygiene and Sanitation Symptomatology Chiropractic Analysis X-ray Chiropractic Principles and a practical demonstration of chiropractic technique

(b) For the purpose of examining applicants for licensure the board shall hold at least two (2) stated meetings each year due notice of which shall be made public the examinations to be held at such times and places as the board may determine At such meetings examinations may be conducted by a committee of two (2) or more members of the board authorized by the board Examinations shall be conducted in accordance with the rules and regulations prescribed by the board No license shall be granted to any applicant unless he or she has obtained a general average of not less than seventy-five per centum (75%) of a maximum of one hundred

Section 11 Failure in Examination Any applicant for licensure who shall fail in the examination authorized by this act shall have the privilege of a second examination without the payment of an additional fee In the case of failure at any standard examination the applicant after the expiration of six (6) months and within two (2) years shall have the privilege of taking a second examination In the case of failure of a limited examination as provided for in sections five and six of this act the applicant shall have the privilege of taking a second examination at such time as the board may determine In the event of his failure to pass the second examination he shall thereafter cease to practice chiropractic in this Commonwealth The board may in its discretion permit an applicant to take more than two examinations but the applicant shall be required to pay the same fee as is required for the original examination

Section 12 Unlawful to Practice Unless Licensed and Registered It shall be unlawful for any person after the first day of July one thousand nine hundred fifty-two to operate or practice as a chiropractor unless he or she shall hold a license as provided by this act and unless such person is registered for the then current license year after the year in which he is first licensed

Section 13 Term of License and Registration All licenses and all registrations granted under this act shall expire on the first day of September following their issuance It shall be the duty of the board on or before the first day of June of each year to mail to every person licensed under this act a blank application form for registration Registration may be effected at any time during the month of August following by the filing of such application with the board together with such registration fee as may be fixed by the department and satisfactory evidence that the applicant has attended during the preceding license year an educational conference as hereinafter provided Provided That the board may at its discretion register any licensee who has failed to make application for registration before the first day of September

Section 14 Attendance at Educational Conferences No applicant for registration shall be granted a registration for the ensuing license year unless the applicant shall furnish to the board satisfactory evidence that he has

attended not less than one two-day educational conference by the Pennsylvania Chiropractic Society Inc during the current license year or that he has attended an equivalent educational conference during the same period An equivalent educational conference shall be one approved or ratified by the board as meeting the educational and professional requirements of the profession

It shall be the duty of the board on or before the first day of February of each year to mail to every person licensed under this act a notice setting forth the provisions of this section No licensee shall be registered for the ensuing license year if he fails to comply with the provisions of this section Provided That the board may at its discretion register any licensee upon subsequent compliance with the provisions of this section

Section 15 Refusal to Grant Revocation Etc The board by a majority vote thereof may refuse to grant and may suspend or revoke a license or a registration to any applicant for the following reasons

(1) The practice of any fraud or deceit in obtaining or attempting to obtain a license

(2) Violation of the health laws of this Commonwealth

(3) Pleading guilty or nolo contendere to or being found guilty by a court of competent jurisdiction of a crime involving moral turpitude

(4) Gross incompetency negligence or misconduct in carrying on of such profession

(5) Violation of this act or the non-compliance with its provisions or the rules and regulations of the board

(6) Loaning borrowing or using the license of another or knowingly aiding or abetting in any way the granting of an improper license

Section 16 Hearing Appeals The board may refuse to issue suspend revoke or restore any certificate of registration for sufficient cause in accordance with the rules and regulations of the board but any suspension or revocation shall be after a full and fair hearing held as provided by the Administrative Agency Law

Section 17 Rules and Regulations The board may make such reasonable rules and regulations for the practice of chiropractic as it deems necessary and proper within the scope of this act

Section 18 Scope and Limitations of the Practice of Chiropractic The license provided for in this act shall entitle the holder thereof to practice chiropractic as defined in this act

Section 19 Display of Certificate Every holder of a certificate granted by the board under the provisions of this act shall display the same in a conspicuous place in his or her office wherein such person shall practice chiropractic

Section 20 Doctor of Chiropractic and Abbreviation Any person who has a valid certificate of registration as a chiropractor and who has complied with the annual registration provided by section nine of this act may practice chiropractic as defined herein and use the title "Doctor of Chiropractic" and the abbreviation "DC"

Section 21 Penalties Any person who shall practice or attempt to practice chiropractic as defined in this act or shall use the term chiropractor under such circumstances as to induce the belief that the person who uses such terms is authorized to engage in the practice of chiropractic without first having obtained a license as herein provided for or contrary to the provisions of this act or who shall under any other terms or name practice chiropractic or who for the purpose of obtaining such license shall falsely represent himself or herself to be the owner of a diploma from a reputable school shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred dollars (\$500) or suffer imprisonment for not more than six months for each offense or both at the discretion of the court

Section 22 This act shall not apply either directly or indirectly by intent or purpose to affect the practice of any other branch of the healing art by any person duly licensed by the Department of Public Instruction to engage in such practice nor to any person who as an

adherent of a well recognized religion which uses spiritual means or prayer of healing practices the healing art in accordance with its teachings

Section 23 Repeal All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 24 Effective Date The provisions of this act shall become effective immediately upon its final enactment

On the question,

Will the House agree to the bill on third reading?

Mr. WATERHOUSE. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 2, page 2, line 11, by inserting after the word "body" the following "without" the use of drugs or surgery."

Amend Sec. 2, page 2, line 12, by striking out the words "of analysis" and inserting in lieu thereof "for analysis and diagnosis."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time?

Is there objection?

Mr. MAXWELL. Mr. Speaker, I object.

Mr. WATERHOUSE. Mr. Speaker, I will withdraw my amendments and ask that the bill come up for final passage.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. MAXWELL. Mr. Speaker, I appreciate the fact that Mr. Waterhouse is attempting to make a good bill out of this, but I do not think we should rush amendments of this type through without due study and consideration. This bill, regardless of what has been said previously about it on the floor of this House, was rushed out of Committee without due study and consideration.

I honestly and sincerely want to vote for this bill. I am not against licensing the chiropractors as chiropractors, but gentlemen, under this bill the powers that it gives to certain individuals are very poorly outlined and very poorly defined. I would suggest, if Mr. Waterhouse is sincere and he wants a good bill for the chiropractors and he wants every Member in this House to vote for it, that he hold this bill up and conscientiously sits down with the men that are interested in it and draw up proper amendments that will clearly and definitely define the powers that he wants to confer on certain individuals. We have no objection to anyone being licensed or powers being conferred upon them if they have properly studied and equipped themselves to carry on the duties and the powers which they are asking this Legislature to confer upon them without having been fully trained in schools and institutions for that purpose.

This bill is going to affect the health of the people of Pennsylvania. I see no reason to put into the hands of certain inexperienced individuals power with which they may do harm to the people that come to them for help. I would, therefore, suggest that Mr. Waterhouse hold the bill up and sit down with the people concerned and try to make a good bill out of it so we can all vote for it.

Mr. WATERHOUSE. Mr. Speaker, in reply to the gentleman, I am satisfied in my own mind, and I think many other Members of the House are, that we do have a good bill.

It was at the request of the gentleman and of certain other Members of the House that we prepared an amendment which specifically stated that it could not be interpreted that this would allow the use of drugs or surgery. That is what we did in the amendment. We have no desire to allow the use of either one in chiropractic. The chiropractor does not want it and I certainly would not want to have any part of putting anything out that would give them the idea they had it.

There is nothing in the bill as it now stands, according to the interpretation of the Justice Department, that could be interpreted that way. But as an act of courtesy, I did go and have these amendments prepared by the Legislative Reference Bureau and I believed they did the thing that the gentleman wants.

It appears now that that is not what they want, and just so it is understood that we are not rushing it, this bill was introduced on February 5, was in Committee until March 13, had first reading on March 14, was re-committed for the purpose of a hearing on March 19, had a hearing on March 27; was re-reported as amended on April 3 and here we are on the ninth. So we have not attempted to rush this bill at all.

I believe now there only remains one thing to be done and that is to give the membership of this House a chance to vote on the bill as it stands. For that reason I request that my amendments be withdrawn, my request for unanimous consent having been refused, and the bill come up for final vote.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BOIES. Mr. Speaker, I do not think any Member of this House could possibly accuse me of being biased on the question of licensing chiropractors. Since 1937 I have been in favor of licensing the chiropractors. I have a close relative who is a licensed chiropractor since 1913, I believe, or 1914. I have several friends practicing chiropractic. I have always been for the chiropractors, both on the floor and in Committee. I have been a member of the Committee on Professional Licensure since 1937, and it is with great reluctance that I oppose the passage of this bill as it stands.

I believe sincerely that the gentleman from Allegheny, Dr. Sarraf, in offering the amendments that he did was sincere in trying to make a workable and real bill out of the chiropractic bill. The definition as it may be construed, contained in this bill, would allow chiropractors to practice dentistry, optometry, medicine or anything else they want to practice.

It is ridiculous to assert that the chiropractic board can police the profession and enforce their rules and regulations in the practice of chiropractic.

I am a practicing dentist and in thirty-two years of practice I have never had an inspector for the Board of Professional Licensure in my office, and I do not know any other dentist that has had in my vicinity.

The idea that the Board of Professional Licensure will enforce the provisions of the bill is asinine. They do not have the funds. They do not have the facilities to enforce their rules and regulations. Under this bill, the chiro-

practor can do anything and everything he wants to do, and it is up to the members of the profession themselves to decide what they want to do.

I believe the gentlemen are perfectly sincere in saying they have no intention of doing the things which we fear they might do, but they cannot answer for other members of their profession; they cannot enforce it and therefore in view of the fact that they have refused to accept any and every amendment suggested to protect the public and their own profession I must again say with much reluctance I oppose passage of this bill as it stands.

Mr. SCHMIDT. Mr. Speaker, two years ago a bill with the same definition of chiropractic passed this House. That bill passed this House and went over to the Senate and but for the fact there was a tie vote over there in the Senate, it would be the law today.

We have known this bill now, this is the second Session we have sat in on this bill. The bill is the same bill that we had here two years ago. If there was any opportunity at all to make any changes in it, that time has now passed. I feel this bill should be voted on here today, and let us get through with this bill. I feel favorable toward it and intend to vote for it.

Mr. REESE. Mr. Speaker, I do not rise in opposition to this bill. I am going to vote for it. Last week when I offered amendments to section five requiring one year college credits in addition to the present bill's 2550 hours, I stated then that the 2550 hours was equal to two years in a chiropractic college. The sponsor at that time said it was equal to four years.

I have here in my hand the curriculum of the Palmer School of Chiropractic, and the third academic year and the fourth academic year consist of 1267½ hours per year; meaning that the 2550 hours equals two years. I just wanted to correct that.

I am for the bill, being a chiropractor we need chiropractic legislation, and I ask every Member of this House to vote for the bill.

Mr. SARRAF. Mr. Speaker, I do not intend to take up a great deal of time. Committee action we cannot divulge on the floor. The discussion that went on today could have been carried on in Committee, but the Committee felt that out on the floor we could amend this bill. The only amendment which I had was to the definition. There were other amendments advanced. None was accepted.

One of my colleagues stated that because the House, last session, unanimously or practically unanimously, passed this bill does not produce the same condition which we have today. Today we have a chiropractic board appointed by Governor Duff. Three of the chiropractic board are licensed chiropractors. Two are of the unlicensed group. On that board two can sit and make decisions. There are as I told you, two unlicensed men and only two are needed to make decisions. Now you may say, what decisions? Decisions as to what schools are recognized. Various decisions such as who are to be given examinations.

In this bill that you are passing on right now is the word "limited" examination. Now you know that a limited examination could be anything. They have a board I did not like in the first place, but they are man-

aged well and cared for well,—and for your information, today as I speak there are 600 licensed chiropractors in this State, licensed as drugless therapists and the amendment offered yesterday would have added nothing. That is what they are, drugless therapists with the word chiropractor added to them.

Now there is one thing I want to emphatically impress upon the House; my debate and my argument is not against the practice of chiropractics. That has been established; they are recognized. They have a board which you have given them.

This is the way the board is to function and operate. We as legislators should move slowly with regard to the health of our State. If you want to blanket them all in, I do not like it, but I am not going to fight about it.

This piece of legislation, mind you, is not for the licensed chiropractors; this is for the twelve or fifteen hundred who are practicing today without a license. Do you mean to tell me that we are going to put through a bill in this House without a definite definition to a board chosen, as it has been chosen, without deliberation and consideration?

I only ask you to please judge this thing. It was a bad day that I introduced my amendments, I realize that. A more crucial bill than the chiropractic bill was acted upon in this House. It was your tax measure; your Governor's program. It is halted. It is out of our hands now; it has to be brought back. Yet here is a bill they say has been given consideration, and long consideration. My colleague says it has been here. Sure it has been here. You are giving the opportunity in this bill to people, who do not qualify, your vote to make them chiropractors under this bill, and to boot, a nice big, broad definition, as the dentist has told you, which could permit them not to be M. D.'s, I will admit,—I admitted that to one of the Members here, but to do almost anything else in the various divisions of the healing art. If you feel that that is trivial, vote for the bill.

My advice to you is to move very much slower; see what you are doing. I was informed we will amend it on the floor. Today I was informed we will amend it in the Senate. I advise you all as Members with the health of the State on your mind, your own children, to think more seriously about this than just thinking you are doing something for a good group of people who are licensed today if they qualify.

I do not want to take up any more time. I realize that this has been hashed backward and forward, but the situation today is not one as has been in the last eighteen years that I have been here. As I have informed you, you have a board now. You are giving new duties to that board. I said this before, do you wish to give this board already chosen a blank check?

Mr. FILO. Mr. Speaker, I would like to interrogate Mr. Waterhouse.

The SPEAKER. Will the gentlemen from Erie Mr. Waterhouse, permit himself to be interrogated?

Mr. WATERHOUSE. I shall, Mr. Speaker.

Mr. FILO. Mr. Speaker, is it the gentleman's intention that when this bill gets into the Senate that he hopes to amend or have someone amend the definition in this bill?

Mr. WATERHOUSE. Mr. Speaker, in reply to the

gentleman, I can assure him that the amendment specifically stating "without the use of drugs or surgery" will be included in the bill. I wanted to put it in here, but inasmuch as I cannot, it will be done in Senate Committee by agreement.

Mr. FILO. Mr. Speaker, if that is the case, I feel that I might go along with the bill.

Mr. BOIES. Mr. Speaker, without questioning the sincerity of the gentleman who sponsored the bill, it would seem to me that amending the bill in the way that he wants to amend it would make the bill worse than it is, instead of better. To substitute the words "without the use of drugs or surgery" means nothing.

To my mind it is a subterfuge and misleading. The second amendment, if it can be so, is even worse than the first, because it broadens the field more than the words already in the bill. The words "for analysis and diagnosis" substituted for "analysis" would in my mind seem to give them even more latitude than the bill now gives them.

I therefore submit to the House, if we are in the position where we are going to delegate our authority to the Senate, which we so often do, instead of taking care of our own duties here in the House, that you are going to give the Senate the privilege of making the bill worse than it is now.

Mr. PFAFF. Mr. Speaker, I rise to support this bill. I will have to disagree with several of my colleagues who have stated here on the floor that this bill did not receive careful and proper consideration in the Committee. I know that this bill had extended debate. We afforded the opponents and proponents of this bill ample time to state their objections and recommendations, and I think the opponents of this bill in suggesting various amendments are only attempting to emasculate a good piece of legislation.

I think the chiropractors should have their own board, should govern themselves and police their own organization. This bill is nothing new. It was up here at the last session. It is practically the same and I do think it is a very good piece of legislation.

In the Committee our Chairman was very uniformly considerate of both the opposition and the proponents, and I think it is a very good piece of legislation.

Mr. SARRAF. Mr. Speaker. I am very sorry to interrupt the speaker, but Committee action, I have stated four or five times, I do not like to discuss. As an old Member and knowing the ethics of the House, I do not care to discuss it and it is very unfair to make statements of that sort in this House, because I do not care to discuss what was carried on in Committee. I object to that sort of remark.

Mr. WATERHOUSE. Mr. Speaker, just to be very brief, I do not want to take the time of the House, but I just want to reiterate: I think we have a very good bill. I think it is not a bill that can in any way be misinterpreted. If you want to go into definitions, your medical, your dentistry and all others could be interpreted most any way you want to interpret them if you were unethical. Any definition, without someone standing over you with a shotgun and saying: "this is it, boys" can be twisted somewhat.

I do not think in this bill you will find it has a bit more

latitude than any other bill, and I certainly hope the Members of the House see fit to support this bill. I am satisfied that those casting an "aye" vote will not regret it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—117

Amarando,	Good,	Maxwell,	Sax,
Andrews,	Goodling,	Mazza,	Scanlon.
Baumunk,	Greer,	McDermitt,	Schmidt.
Beaver,	Gutendorf,	McGee,	Scott,
Beech,	Guthrie,	McInroy,	Shoemaker,
Blair,	Hagerty,	McKinney,	Smith,
Bloom,	Hamilton, R. K.,	McMillen,	Snider,
Bolton,	Hamilton, W. H.,	McNally,	Stank,
Poorse,	Haudenschild,	Mikula,	Stimmel,
Bower,	Headlee,	Mintess,	Swope,
Brelschi,	Helm,	Moore, C. E.,	Taylor,
Buchlin,	Hoggard,	Moran,	Thompson, R. L.,
Cella,	Hunter,	Muldowney,	Toll,
Clapper,	Jenkins,	Najaka,	Toomey,
Clendening,	Jones, G. E.,	Needham,	VanSant,
Cochran,	Jones, J. M.,	Olsen,	Wachhaus,
Cooper,	Jones, T. H. W.,	Penglaise,	Waterhouse,
Costa,	Kent,	Petrosky,	Watkins,
Dairymple,	Kline,	Pfaff,	Weidner,
Dougherty,	Kohl,	Pichney,	Wescott,
DuBois,	Kornick,	Polen,	Westrick,
Duffy,	Kratz,	Price, H. W. Jr.,	Wheeler,
Ewing,	Kubacki,	Price, R. A.,	White,
Filo,	Lederer,	Readinger,	Williams,
Firmstone,	Leonard, W. C.,	Reese,	Wood,
Flack,	Limper,	Robertson,	Yeakel,
Frost,	Loftus,	Rose,	Yester,
Gaffney,	Lopresti,	Rovansek,	Yetzer,
Geer,	Lovett,	Rubin,	Young,
Gleason,	Markley,		

NAYS—69

Banker,	Graybill,	Madden,	Rigby,
Bear,	Greenwood,	Madigan,	Rosen,
Berkstresser,	Guarnieri,	McConnell,	Royer,
Boles,	Hall,	McCullough,	Sarra,
Bomberger,	Harney,	Metz,	Schuster,
Brown,	Hewitt,	Miller, H. G.,	Seyler,
Byrne,	Hocker,	Mills,	Sollenberger,
Conway,	Johnson,	Moore, H. A.,	Stoner,
Corr,	Jones, P. F.,	Munley,	Thompson, E. F.,
Coyle,	Kamyk,	Murray,	Tompkins,
Davis,	Lafore,	Musto,	Varner,
Dennison,	Lelsey,	Pettigrew,	Wargo,
Dowling,	Leonard, L.,	Pitzer,	Welsh,
Dunn,	Leven,	Polaski,	Whalley,
Erb,	Light,	Reagan,	Wilt,
Fenrich,	Lutty,	Reidenbach,	Ziegler,
Ferster,	Lyons,	Reilly, J. M.,	Sorg,
Gibson,			Speaker

NOT VOTING—19

Barkdoll,	Keller,	Monroe,	Spencer,
Breth,	Kolankiewicz,	Naugle,	Swartz,
Filip,	McCormack,	Peta,	Tahl,
Hersch,	Mihm,	Riley, R. L.,	Varallo,
Jump,	Miller, J. C.,	Shotwell,	Verona,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 73, entitled:

An Act to amend Article V of the act approved the tenth day of March one thousand nine hundred forty-

nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by permitting school directors to attend meetings of educational or financial interest to districts and providing for the payment of their expenses

On the question,

Will the House agree to the bill on third reading?

Mr. BOLTON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 516.1), page 2, lines 13 and and 14, by striking out "necessary traveling and hotel"

Amend Sec. 1 (Sec. 516.1), page 2, line 14 by inserting after the word "actually" the following "and necessarily"

Amend Sec. 1 (Sec. 516.1), page 2, line 14, by inserting after the word "incurred" the following "in going to, attending and returning from the place of such meeting, but not exceeding twelve dollars (\$12) per day, together with railroad expenses actually incurred in going to and returning from such meeting"

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection?

The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 218, as follows:

An Act to further amend section 30 of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of live stock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties in certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties" by increasing the maximum amounts of payments by the State and requiring additional proof of claims in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 30 of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of live stock poultry and game birds

raised in captivity from damages by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city recting the payment of all moneys collected into the borough town and township officers and employes di-State Treasury and providing penalties" as last amended by the act approved the twenty-eighth day of June one thousand nine hundred forty-seven (P. L. 1060) is hereby further amended to read as follows

Section 30 No payment shall be made for any item which has already been paid by the owner of the dog or dogs doing the injury The fact that no such payment has been made shall be certified by the appraiser

When any payment is made by the State for any live stock including poultry or domestic game birds injured by a dog and live stock dying from or killed because of rabies such payment shall not exceed one hundred dollars for each horse or mule seventy-five dollars for each head of unregistered cattle one hundred twenty-five dollars for each head of registered cattle [fifteen] twenty-five dollars for each head of unregistered swine sheep or goats [twenty-five] fifty dollars for each head of registered swine sheep or goats five dollars for each full-grown goose five dollars for each full-grown turkey or wild turkey and one dollar and fifty cents for each head of other poultry domestic game birds or domesticated hare or rabbit All appraisals under this act shall be at the actual value of the live stock including poultry or domestic game birds killed or injured and no payment shall be made in the amount prescribed for a registered animals unless the certificate of registration for such animals or a certified copy thereof is filed with the claim

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mikula,	Snider,
Bomberger,	Headlee,	Miller, H. G.,	Sollenberger,
Boorse,	Helm,	Miller, J. C.,	Spencer,
Bower,	Hersch,	Mills,	Stank,
Brelsich,	Hewitt,	Mintess,	Stimmel,
Breth,	Hocker,	Monroe,	Stoner,
Brown,	Hoggard,	Moore, C. E.,	Swartz,
Buechin,	Hunter,	Moore, H. A.,	Swope,
Byrne,	Jenkins,	Moran,	Tahl,
Cella,	Johnson,	Muldowney,	Taylor,
Clapper,	Jones, G. E.,	Munley,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Murray,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Musto,	Toll,
Conway,	Jones, T. H. W.,	Najaka,	Tompkins,
Cooper,	Jump,	Naugle,	Toomey,

Corr,	Kamyk,	Needham,	VanSant,
Costa,	Keller,	Olsen,	Varallo,
Coyle,	Kent,	Penglase,	Varner,
Dalrymple,	Kline,	Peta,	Verona,
Davis,	Kohl,	Petrosky,	Wachhaus,
Dennison,	Kolankiewicz,	Pettigrew,	Wargo,
Dougherty,	Kornick,	Pfaff,	Waterhouse,
Dowling,	Kratz,	Pichney,	Watkins,
DuBois,	Kubacki,	Pitzer,	Weldner,
Duffy,	Lafore,	Polaski,	Welsh,
Dunn,	Lederer,	Polen,	Wescott,
Erb,	Leisey,	Price, H. W. Jr.,	Westrick,
Ewing,	Leonard, L.,	Price, R. A.,	Whalley,
Fenrich,	Leonard, W. C.,	Readinger,	Wheeler,
Ferster,	Leven,	Reagan,	White,
Flip,	Light,	Reese,	Williams,
Filo,	Limper,	Reidenbach,	Wilt,
Firmstone,	Loftus,	Reilly, J. M.,	Wood,
Flack,	Lopresti,	Rigby,	Yeakel,
Frost,	Lovett,	Riley, R. L.,	Yester,
Gaffney,	Lutty,	Robertson,	Yetzer,
Geer,	Lyons,	Rose,	Young,
Gibson,	Madden,	Rosen,	Ziegler,
Gleason,	Madigan,	Rovansek,	Sorg,
Good,	Markley,		Speaker

NAYS—0

NOT VOTING—1

Mihm.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 268, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1046) entitled as amended "An act appropriating the moneys in the Motor License Fund" by providing for appropriations to the Department of Public Instruction for its expenses and payments to school districts in carrying out a driver-training program

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (g) of section three of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1046) entitled as amended "An act appropriating the moneys in the Motor License Fund" as re-enacted and amended by the act approved the twenty-ninth day June one thousand nine hundred thirty-seven (P. L. 2412) is hereby further amended to read as follows

Section 3 As much of the money from time to time in the Motor License Fund as may be necessary is hereby appropriated to the Department of Revenue for administering and enforcing the laws rules or regulations relating to the operation of aircraft landing fields or intermediate landing fields and for the proper conduct of its work in titling and registering motor vehicles trailers and tractors licensing the operators of vehicles and for the collection of liquid fuels taxes as follows

* * * * *

(g) For the payment of expenses in connection with traffic safety educational work exhibits photography models and other exhibition or educational accessories and for all other expense of every kind and description necessary effectively to carry on this work exclusive of all expenses in connection with the driver-training program in the public schools of this Commonwealth for which expenses an appropriation to the Department of Public Instruction is in this act otherwise provided

Section 2 Said act is hereby amended by adding immediately following section four thereof a new section to read as follows

Section 4.1 As much of the money from time to time in the Motor License Fund as may be necessary but not

exceeding six hundred and twenty-six thousand dollars (\$626,000) annually is hereby appropriated to the Department of Public Instruction for the purpose of paying expenses incurred by that department in connection with carrying out a standardized program of teaching of safe driving of motor vehicles in the public schools and making payments to school districts complying with such standardized program Such moneys shall be transferred from time to time out of the Motor License Fund to the General Fund shall be credited to the current appropriation out of the General Fund to the Department of Public Instruction and shall be available for the purpose indicated in this section

Section 3 Section seven of said act as last amended by the act approved the twenty-eighth day of April one thousand nine hundred forty-three (P. L. 110) is hereby further amended to read as follows

Section 7 Estimates of the amounts to be expended from the Motor License Fund under this act or any other act from time to time by the Department of Revenue the Pennsylvania State Police the Department of Public Instruction and the Department of Highways respectively and by the Board of Finance and Revenue in the payment of claims for refund shall be submitted to the Governor for his approval or disapproval as in the case of other appropriations made to administrative departments boards and commissions and it shall be unlawful for the Auditor General to honor any requisition for the expenditure of any moneys whatsoever out of the Motor License Fund by the Board of Finance and Revenue for refunds or by the Department of Revenue or by the Pennsylvania State Police or by the Department of Public Instruction or by the Department of Highways for any purpose whatsoever in excess of the estimates approved by the Governor any other act or acts heretofore enacted to the contrary notwithstanding

Subject to the foregoing provisions the moneys in the Motor License Fund shall be paid out of the fund upon warrant of the Auditor General drawn after requisition by the Board of Finance and Revenue the Department of Revenue the Pennsylvania State Police the Department of Public Instruction or the Department of Highways as the case may be

And said bill having been read at length the third time considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken as follows:

YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraff,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Bialr,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudensfield,	Mikula,	Snider,
Bomberger,	Headlee,	Miller, H. G.,	Sollenberger,
Boorse,	Helm,	Miller, J. C.,	Spencer,
Bower,	Hersch,	Mills,	Stank,
Brelsch,	Hewitt,	Mintess,	Stimmel,
Breth,	Hocker,	Monroe,	Stoner,
Brown,	Hoggard,	Moore, C. E.,	Swartz,
Bucchin,	Hunter,	Moore, H. A.,	Swope,
Byrne,	Jenkins,	Moran,	Tahl,
Cella,	Johnson,	Muldowney,	Taylor,
Clapper,	Jones, G. E.,	Munley,	Thompson, E. F.,
Clendenin,	Jones, J. M.,	Murray,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Musto,	Toll,
Conway,	Jones, T. H. W.,	Najaka,	Tompkins,
Cooper,	Jump,	Naugle,	Toomey,
Corr,	Kamyk,	Needham,	VanSant,
Costa,	Keller,	Olsen,	Varallo,

Coyle,	Kent,	Penglase,	Varner,
Dalrymple,	Kline,	Peta,	Verona,
Davis,	Kohl,	Petrosky,	Wachhaus,
Dennison,	Kolankiewicz,	Pettigrew,	Wargo,
Dougherty,	Kornick,	Pfaff,	Waterhouse,
Dowling,	Kratz,	Pichney,	Watkins,
DuBois,	Kubacki,	Pitzer,	Weldner,
Duffy,	Lafore,	Polaski,	Welsh,
Dunn,	Lederer,	Polen,	Wescott,
Erb,	Leisey,	Price, H. W. Jr.,	Westrick,
Ewing,	Leonard, L.,	Price, R. A.,	Whalley,
Fenrich,	Leonard, W. C.,	Readinger,	Wheeler,
Ferster,	Leven,	Reagan,	White,
Filip,	Light,	Reese,	Williams,
Filo,	Limper,	Reidenbach,	Wilt,
Firmstone,	Loftus,	Reilly, J. M.,	Wood,
Flack,	Lopresti,	Rigby,	Yeakel,
Frost,	Lovett,	Riley, R. L.,	Yester,
Gaffney,	Lutty,	Robertson,	Yetzer,
Geer,	Lyons,	Rose,	Young,
Gibson,	Madden,	Rosen,	Ziegler,
Gleason,	Madigan,	Rovansek,	Sorg,
Good,	Markley,		Speaker

NAYS—0

NOT VOTING—1

Mihm.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 269, as follows:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the establishment by the Department of Public Instruction of a standardized driver-training program in the public schools and providing for assistance to school districts in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsections (a) and (c) of Section 1519 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" are hereby amended to read as follows

Section 1519 Teaching of Safe Driving of Motor Vehicles

(a) Any school district may provide for the teaching of safe driving of motor vehicles in the elementary and secondary schools of the district or in the secondary schools only in accordance with the standardized program established by the Department of Public Instruction. In the case of pupils under the age of sixteen (16) years such instruction shall be limited to class room instruction by those who shall possess the qualifications prescribed by the State Council of Education. In the case of pupils of the age of sixteen (16) years and over the instruction may include practical instruction in the operation of motor vehicles on the public highways or other places selected by the board of school directors or by the principal of the school where the instruction is given

(c) The board of school directors may appropriate and expend money of the school district for the purpose of paying the compensation of the instructors and to purchase rent or hire motor vehicles automobile liability insurance and to maintain and repair the same and to purchase fuel lubricants parts and accessories therefor

Any such school district shall receive assistance from the department upon complying with its established standardized program as herein provided

Section 2 Said act is hereby amended by adding after Section 1519 thereof a new section to read as follows

Section 1519.1 Standardized Driver-Training Program
(a) The Department of Public Instruction shall establish for operation in the public school system of the Commonwealth a standardized driver-training program in the safe operation of motor vehicles

(b) The Department of Public Instruction shall assist school districts throughout the Commonwealth in the functioning of such program by

(1) Preparation publishing and free distribution of driver-training instructional material to insure a more complete understanding of the duties of motor vehicle operators

(2) Making such rules and regulations as may be necessary to carry out such program and

(3) Providing assistance to school districts complying with the program established by the Department to the extent of the appropriation available from the Motor License Fund as follows (i) payment of traveling expenses of Commonwealth employees essential to the program (ii) purchase of visual training aids and psychophysical testing equipment (iii) costs of printing posters and (iv) other printed matter and costs of postage

(c) Every school district complying with the standardized program established by the Department for the school term 1951-52 and for every school term thereafter shall be paid a sum which shall be proportionate to the total amount available to the Department from the Motor License Fund for allocation and distribution to all school districts in the Commonwealth after expenditures enumerated in clause (3) of subsection (b) of this section have been covered for assistance to their driver-training programs as the ratio which the average daily pupil membership in such driver-training courses in such school district bears to the total average daily pupil membership in such driver-training courses in all school districts in the Commonwealth. Allocations and apportionments within any school district shall be made according to a similar ratio. Such sums shall be paid in the same manner as other reimbursements are paid to school districts

Section 3 The provisions of this act shall become effective on the first day of July one thousand nine hundred fifty-one

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken as follows:

YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mikula,	Snider,
Bomberger,	Headlee,	Miller, H. G.,	Sollenberger,
Boorse,	Helm,	Miller, J. C.,	Spencer,
Bower,	Hersch,	Mills,	Stank,
Brelsach,	Hewitt,	Mintess,	Stimmel,
Breth,	Hocker,	Monroe,	Stoner,
Brown,	Hoggard,	Moore, C. E.,	Swartz,
Bucchin,	Hunter,	Moore, H. A.,	Swope,
Byrne,	Jenkins,	Moran,	Tahl,
Cella,	Muldorner,	Murphy,	Taylor,
Clapper,	Jones, G. E.,	Munley,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Murray,	Thompson, R. L.,

Cochran,	Jones, P. F.,	Musto,	Toll,
Conway,	Jones, T. H. W.,	Najaka,	Tompkins,
Cooper,	Jump,	Naugle,	Toomey,
Corr,	Kamyk,	Needham,	VanSant,
Costa,	Keller,	Olsen,	Varallo,
Coyle,	Kent,	Penglase	Varner,
Dalrymple,	Kline,	Peta,	Verona,
Davis,	Kohl,	Petrosky,	Wachhaus,
Dennison,	Kolankiewicz,	Pettigrew,	Wargo,
Dougherty,	Kornick,	Pfaff,	Waterhouse,
Dowling,	Kratz,	Pichney,	Watkins,
DuBois,	Kubacki,	Pitzer,	Weidner,
Duffy,	Lafore,	Polaski,	Welsh,
Dunn,	Lederer,	Polen,	Wescott,
Erb,	Lelsey,	Price, H. W. Jr.,	Westrick,
Ewing,	Leonard, L.,	Price, R. A.,	Whalley,
Fenrich,	Leonard, W. C.,	Readinger,	Wheeler,
Ferster,	Leven,	Reagan,	White,
Filip,	Light,	Reese,	Williams,
Filo,	Limper,	Reidenbach,	Wilt,
Firmstone,	Loftus,	Reilly, J. M.,	Wood,
Flack,	Lopresti,	Rigby,	Yeakel,
Frost,	Lovett,	Riley, R. L.,	Yester,
Gaffney,	Lutty,	Robertson,	Yetzer,
Geer,	Lyons,	Rose,	Young,
Gibson,	Madden,	Rosen,	Ziegler,
Gleason,	Madigan,	Rovansek,	Sorg,
Good,	Markley,		

Speaker

NAYS—0

NOT VOTING—1

Mihm.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 270, entitled:

An Act to add section 2511.2 to the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to provide and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for payments to school districts and vocational school districts on account of employment of highway safety education instructors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended by adding immediately following section 2511.1 thereof a new section to read as follows

Section 2511.2 Payments on Account of Employment of Highway Safety Education Instructor Every school district and every vocational school district shall be paid by the Commonwealth for the biennium one thousand nine hundred fifty-one-fifty-three and for every school year thereafter on account of the employment of properly certificated highway safety education instructors each such instructor employed for one hundred twenty tors an amount equal to one (1) reimbursement unit for (120) or more students being instructed in driver education approved by the Department of Public Instruction and in average daily membership in the district's public schools and for each instructor having the instruction of less than one hundred twenty (120) such pupils the fractional part of one (1) reimbursement unit equal to the number of such pupils under his care divided by one hundred twenty (120) Not more than five per cent (5%) of the moneys appropriated for highway safety

education shall be allocated to the Department of Public Instruction for operating costs of the highway safety education program

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mikula,	Snider,
Bomberger,	Headlee,	Miller, H. G.,	Sollenberger,
Boorse,	Helm,	Miller, J. C.,	Spencer,
Bower,	Hersch,	Mills,	Stank,
Brelsch,	Hewitt,	Mintess,	Stimmel,
Breth,	Hocker,	Monroe,	Stoner,
Brown,	Hoggard,	Moore, C. E.,	Swartz,
Buchlin,	Hunter,	Moore, H. A.,	Swope,
Byrne,	Jenkins,	Moran,	Tahl,
Cella,	Johnson,	Muldowney,	Taylor,
Clapper,	Jones, G. E.,	Munley,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Murray,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Musto,	Toll,
Conway,	Jones, T. H. W.,	Najaka,	Tompkins,
Cooper,	Jump,	Naugle,	Toomey,
Corr,	Kamyk,	Needham,	VanSant,
Costa,	Keller,	Olsen,	Varallo,
Coyle,	Kent,	Penglase,	Varner,
Dalrymple,	Kline,	Peta,	Verona,
Davis,	Kohl,	Petrosky,	Wachhaus,
Dennison,	Kolankiewicz,	Pettigrew,	Wargo,
Dougherty,	Kornick,	Pfaff,	Waterhouse,
Dowling,	Kratz,	Pichney,	Watkins,
DuBois,	Kubacki,	Pitzer,	Weidner,
Duffy,	Lafore,	Polaski,	Welsh,
Dunn,	Lederer,	Polen,	Wescott,
Erb,	Lelsey,	Price, H. W. Jr.,	Westrick,
Ewing,	Leonard, L.,	Price, R. A.,	Whalley,
Fenrich,	Leonard, W. C.,	Readinger,	Wheeler,
Ferster,	Leven,	Reagan,	White,
Filip,	Light,	Reese,	Williams,
Filo,	Limper,	Reidenbach,	Wilt,
Firmstone,	Loftus,	Reilly, J. M.,	Wood,
Flack,	Lopresti,	Rigby,	Yeakel,
Frost,	Lovett,	Riley, R. L.,	Yester,
Gaffney,	Lutty,	Robertson,	Yetzer,
Geer,	Lyons,	Rose,	Young,
Gibson,	Madden,	Rosen,	Ziegler,
Gleason,	Madigan,	Rovansek,	Sorg,
Good,	Markley,		

Speaker

NAYS—0

NOT VOTING—1

Mihm.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 277, entitled:

An Act to amend section six hundred eighty of the act approved the tenth day of March one thousand nine

hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring new residents and residents becoming of age to notify assessors of such facts and prescribing penalties and providing for public notice of the requirement

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SEYLER. Mr. Speaker, I desire to interrogate the sponsor of the bill.

The SPEAKER. Will the gentleman from Indiana, Mr. McMillen, permit himself to be interrogated?

Mr. McMILLEN. I shall, Mr. Speaker.

Mr. SEYLER. Mr. Speaker, as I understand the bill, it would provide that any resident of a district becoming 21 years of age, or any resident moving in, becoming a resident or inhabitant of a district, would be forced to notify, or would be ordered by this bill to notify the proper assessors, and that the penalty provided is double the amount of the tax if he does not do so. There is a further provision that the board of directors of a school district must advertise the fact at the same time as they advertise the budget.

I would ask the gentleman, Mr. Speaker, if that is substantially a correct interpretation of the bill.

Mr. McMILLEN. Mr. Speaker, I would say that the gentleman has made a very good analysis.

Mr. SEYLER. Now, Mr. Speaker, there are several points that I would like to ask the gentleman. The first is in the first line of the bill it says: "any school district" and in a subsequent line it refers again to "any school district"—I would like to ask the gentleman whether that means that this would apply to all school districts of all classes.

Mr. McMILLEN. This is the intent and purpose.

Mr. SEYLER. Then, Mr. Speaker, I would inquire whether the gentleman could tell us how many districts in the Commonwealth do not impose a per capita tax.

Mr. McMILLEN. Mr. Speaker, I do not know.

Mr. SEYLER. Mr. President, does the gentleman know whether the city of Philadelphia, for example, imposes a per capita tax?

Mr. McMILLEN. Mr. Speaker, I do not believe they do.

Mr. SEYLER. Mr. Speaker, I think the gentleman is correct. Would the gentleman accept my word that in the latest report of the Department of Public Instruction, of which I have a copy here, I found that over fifty school districts in addition to the city of Philadelphia do not impose a per capita tax.

Mr. McMILLEN. Mr. Speaker, if the gentleman has looked it up and has figures, I would say they must be right.

Mr. SEYLER. Well then, my question to the gentleman, Mr. Speaker, is this, I would ask the gentleman what purpose would be served in having the citizens of school districts, including the great city of Philadelphia which does not impose per capita tax, have all of their residents on reaching the age of 21 and all residents who move into the city or who become inhabitants of the

great city, be forced to notify the proper assessor of that action?

Mr. McMILLEN. Mr. Speaker, is there no other type of tax that they have that would apply here? Is there no occupation tax or anything like that?

Mr. SEYLER. Mr. Speaker, I am not prepared to answer the question. I understand I was doing the interrogating. I do not know. Can the gentleman offer an example of such tax?

Mr. McMILLEN. Mr. Speaker, we have in many of the school districts in my area a tax, an occupation tax and various types of taxes that apply to a man whether it is a per capita tax or not. If they are registered, they naturally come under the act and fall subject to the tax which is levied accordingly.

Mr. SEYLER. Mr. Speaker, I would ask the gentleman whether it is not true that other ways are provided for finding out those people subject to the other types of tax. For example, occupation tax which the gentleman mentions, is it not true that they are employees of companies and that the proper list is furnished by the employers?

Mr. McMILLEN. Mr. Speaker, no, that is not the case.

Mr. SEYLER. Mr. Speaker, the bill states that the proper assessor shall be notified. I would like to ask the gentleman, Mr. Speaker, who is the proper assessor?

Mr. McMILLEN. Mr. Speaker, in at least the second class township to which I belong, we have a regular assessor in each township. It is presumed that it is his job to contact and to have on his list each person who is assessable. However, that becomes a difficult job, and many people move into the district and remain there a year or two years, send their children to the public schools, partake of the benefits of the taxes paid by other individuals, and yet brag of the fact that they do not pay any tax.

Mr. SEYLER. Mr. Speaker, is the gentleman referring to the county assessors?

Mr. McMILLEN. Mr. Speaker, no, I am referring to township assessors.

Mr. SEYLER. Mr. Speaker, who would the proper assessors be in the city of Philadelphia?

Mr. McMILLEN. Mr. Speaker, I am not certain about that. If you ask one of the Philadelphia gentlemen, I presume that he could tell you that.

Mr. SEYLER. Mr. Speaker, who would the proper assessors be in the city of Scranton?

Mr. McMILLEN. Mr. Speaker, I do not know what system they have set up for assessing there.

Mr. SEYLER. Mr. Speaker, this bill requires that these people shall notify the assessor. Will the gentleman tell me what will constitute proper notification?

Mr. McMILLEN. Mr. Speaker, it would not be necessary to go—a phone call giving him their name and the address where they are living would be sufficient notification, I would say in this case. A letter would do, a personal call would do. There is not any limitation that says he must do it in a specific, certain way.

Mr. SEYLER. Mr. Speaker, does the gentleman feel that this bill is warranted by the fact that the assessors are now negligent in their duty of supplying the proper lists to the proper authorities?

Mr. McMILLEN. Mr. Speaker, no, I would say it is

necessitated more due to the fact that too many people are evading the responsibility of carrying their load of the taxes of the Commonwealth and of the various districts.

Mr. SEYLER. Can the gentleman give me any figures, Mr. Speaker, to support his statement that too many people are evading this responsibility?

Mr. McMILLEN. Mr. Speaker, the gentleman does not want to admit to an obvious fact. We are not going out into districts and finding out. This is what we are trying to find out in the bill, how many people are evading.

Mr. SEYLER. Mr. Speaker, I would say that a fact that is obvious could be supported by some sort of statistical evidence.

Mr. McMILLEN. We had a bill here in the last session, I might add, that permitted school boards . . .

The SPEAKER. Does the gentleman desire to further interrogate the gentleman from Indiana?

Mr. SEYLER. I do, Mr. Speaker.

I would like to ask the gentleman whether he is of the opinion that those per capita taxes presently assessed, are being adequately collected?

Mr. McMILLEN. Mr. Speaker, that, of course, is a problem with which each district must deal. If the school directors or the rural supervisors, whoever levies the per capita tax permits the collector to be negligent, then that of course is a problem that would have to be attacked in some other way. I assure the gentleman in my district we get the money.

Mr. SEYLER. Mr. Speaker, is the gentleman aware of the figures for Indiana County in which he is a representative?

Mr. McMILLEN. Mr. Speaker, no, I am talking about my own district particularly.

Mr. SEYLER. Mr. Speaker, would he gentleman be interest in the figures from Indiana County?

Mr. McMILLEN. Mr. Speaker, it will be all right, if the gentleman has them there.

Mr. SEYLER. Mr. Speaker, the figures are as follows: According to the last report I can find from the Department of Public Instruction; the total taxes levied in that county including per capita and property and other taxes \$925,603. Of that \$817,809 was collected. In other words, \$107,794 was not collected. I would presume that a large part of this, judging by experience, although I do not have the breakdown, is per capita.

My last question to the gentleman—I am sorry, I have two questions. This is the first one: how would the parties violating this provisions, be detected?

Mr. McMILLEN. Mr. Speaker, that is a problem which can be dealt with in each district by having your assessor be more accurate on it. However, this is an attempt to equalize and to make more certain and to stop a lot of confusion that does exist. This is not an attempt to penalize anybody, it is an attempt to make this thing easier to handle.

Mr. SEYLER. Mr. Speaker, a penalty is provided and I ask the gentleman whether it is not probably true that however they are detected under this provision, they can be detected at present. In other words, the bill makes no provisions, I believe, for any special way of detecting violators of this provision.

Mr. McMILLEN. Except in the loss of tax revenue that the district suffers.

Mr. SEYLER. Mr. Speaker, is it not true that if such violators would be detected under the provision of this bill, they will be detected now?

Mr. McMILLEN. Mr. Speaker, you would have fewer delinquents under this bill than you have under the present situation because they know that when they are detected they will be subject to twice the amount of taxes which they evaded.

Mr. SEYLER. I have one more question, Mr. Speaker.

This bill provides a penalty of double the tax when the error is detected. How would that affect the present provisions in cities of the first class under a million and a half; one district is under this classification, that is Pittsburgh. How would it affect the school district of Pittsburg, in which case the law already provides there shall be a \$25 fine for such failure to make return?

Mr. McMILLEN. To make a return?

Mr. SEYLER. Yes.

Mr. McMILLEN. Mr. Speaker, this is only a failure to register and meet the qualifications, so I would say that they would be subject to just twice the tax that they have evaded during that particular time.

Mr. SEYLER. Plus the \$25?

Mr. McMILLEN. The chances are, plus the \$25, because it is a separate law.

Mr. SEYLER. Or would this supersede the \$25?

Mr. McMILLEN. I do not think so.

Mr. SEYLER. Mr. Speaker, I thank the gentleman.

Mr. Speaker, I think it has become obvious from the interrogation that there are quite a few points in this bill which indicate it was rather hastily pressed upon us, and perhaps without due consideration being given to its effect upon present legislation in the present status of the per capita tax.

For example I asked the representatives of the City of Philadelphia, on both sides of the House, do they think they want to impose on the people of Philadelphia an obligation to make certain notification in spite of the fact that they have no per capita tax? As a matter of the fact they would be excluded. There are also some fifty odd, perhaps more, I stopped counting when I got over fifty, school districts in the Commonwealth where they have no per capita tax. Are the members representing those districts willing to put the residents of their district to the bother of going through an unnecessary notification as suggested by this act.

I also offer the statement that insofar as the interrogation is concerned, insofar as any other evidence has been presented thus far, there has been no evidence of real kind that this a necessary act. We have assessors to whom the law assigns the duty of providing these lists. The gentleman has been unwilling to say that he feels the assessors are falling down on the job. I realize that our county assessors are being attacked and other assessors are being attacked for not performing their duties, and serious proposals have been made that they should be discontinued. I do not know whether this is a part of that same general trend or not, but at any rate it is open to some thought on the part of Members who are interested in that point of view.

It seems to me there would be some doubt as to whether

the bill is workable and just. Notification must be given to the citizens that it is their duty to perform this notification which is an entirely new thing, entirely a new departure. Up to now it has been the responsibility of the assessors to collect this tax. That notification to the people is to be given at the same time as the budget is advertised.

I do not know what the experience of other gentlemen is but in my county, and I suspect it is the same throughout, a small notice in the classified advertising section, under legal notices, is given to notify anyone interested, that the budget is available for inspection. In that small notice would be inserted the name and address of the proper assessor. As the bill is written, that would it seems to me, have to be the proper assessors because in the City of Scranton for example, where I understand the county assessors are responsible for the list, you would have to list the entire number of assessors.

I do not know what the situation would be in the City of Philadelphia, but I suspect that it would be similar. In general it seems to me that this bill, for the sake of catching a few people who not meet their proper responsibility in per capita tax, would put a great many people to considerable annoyance unnecessarily and would have the effect of catching some innocent people who were not aware of the provisions and having them penalized unjustly.

Mr. GUARNIERI. Mr. Speaker, I must concur in the reflections and observations of the previous speaker, Mr. Seyler. It would seem to me that where a tax is imposed by local ordinance or otherwise, that local authority usually carries with it a duty upon the person or persons upon whom it is imposed to make the return. The duty is theirs, already established. If the person upon whom a per capita tax is levied does not make his return, he is in default. He has violated a tax law and he is subject to a penalty. If he violates his duty or does not perform his duty, in the first instance—or does not perform his duty at that time, would he perform his duty any the more if he were required by such a bill, as this proposed bill, to make known to the authority that he is around and has not paid his tax, or he is not on the assessor's lists.

For instance, we in Philadelphia do not have a per capita tax but we have a gross receipts tax. The gross receipts tax is levied upon people and professions or businesses. I quite agree with Mr. McMillen. There are many people—perhaps who do not pay the tax. The duty is there none the less.

We have a wage tax—to go into something else—in Philadelphia. There are a number of people in Philadelphia who do not make their returns. The duty is upon the taxpayer and that taxpayer is always subject to that duty. We passed another bill saying that every man must report the fact that he is in the City of Philadelphia, either to the income tax bureau or to the school board. If he violated his original duty in not making his return what makes us think that he is going to report himself under the obligations of such a bill as now proposed.

I must agree with Mr. Seyler that the proposed bill, places a great burden, a tremendous burden upon many bona fide citizens who report their tax status, and it would not be achieving any result.

I think the bill—although the purpose is laudable, I

must agree with Mr. McMillen—it would create a great inconvenience and not achieve its objective in any manner. For that purpose I will vote against this bill.

Mr. McMILLEN. I regret that there was an error in one answer. This bill applies to school boards in districts of the second, third or fourth class, so that perhaps it would not apply to the city of Philadelphia or to some of these other areas that they are worrying about.

I should like to interrogate the gentleman from York, Mr. Seyler.

The SPEAKER. Will the gentleman from York, Mr. Seyler, permit himself to be interrogated?

Mr. SEYLER. I shall, Mr. Speaker.

Mr. McMILLEN. Mr. Seyler, what is your occupation?

Mr. SEYLER. School teacher.

Mr. McMILLEN. You are working for a school district now?

Mr. SEYLER. That is correct.

Mr. McMILLEN. Mr. Seyler, do you believe that the school teachers should have an increase in salary?

Mr. SEYLER. I do, Mr. Speaker.

Mr. McMILLEN. You are going to vote for that bill, I presume, when it comes upon the floor of the House?

Mr. SEYLER. I am, Mr. Speaker.

Mr. McMILLEN. Chances are the gentleman will complain that the raise will not be sufficient when it does come, is that right?

Mr. SEYLER. I will not complain, Mr. Speaker.

Mr. McMILLEN. Mr. Speaker, does the gentleman believe in the principles of taxation for everybody?

Mr. SEYLER. I do, Mr. Speaker.

Mr. McMILLEN. Does the gentleman believe that everyone then should carry its share of the burden of public services?

Mr. SEYLER. Their fair share, Mr. Speaker.

Mr. McMILLEN. Fair share, we will put it that way. That is all, Mr. Speaker.

Mr. Speaker, we are dealing with a subject here that could be drawn out. Many arguments pro and con could be expressed. Regardless of what opinions may be expressed, the fact would still remain that there has been, there are and there will continue to be a lot of people who simply try to evade bearing their responsibility and their share of the public service cost.

It is a known fact all over the Commonwealth that many of our young people will not go and register to vote simply because they think they will be caught and then have to pay taxes. This of course has nothing to do with registration to vote. This bill deals only with the financial structure and the financial obligation of the citizen. Upon the premise that we are all obligated and should all carry our share and use every means and device to make it easier to give a more complete coverage of assessables this bill should be passed and placed in the hands of the proper people.

Mr. SEYLER. Mr. Speaker, I do not wish to prolong the debate but there is a question of fact here involved that I would like to speak on briefly.

The gentleman's first answer was that this applied to any school district of any class. I would like to read just the first part of this act for the benefit of the Members that do not have their books open and let them judge

as to the meaning of this jarticular part. It says as follows:

"Every resident or inhabitant in any school district upon attaining twenty-one years of age and every person twenty-one years of age upon becoming a resident or inhabitant in any school district * * * *"

I asked the gentleman a question in good faith and he answered the question, I believe, correctly in the first place. I had consulted—I am not an attorney and I do not believe my friend on the other side is either—two attorneys, one of whom is an eminent Member of this House and their feeling as to the subsection as worded, was that it meant any school district as it very explicitly says, and that would mean all classes of school districts.

Just in summation I would like to say that we have a great amount of per capita taxes on the books uncollected. We would simply be adding, if this would have some effectiveness, more names of people who perhaps would not pay it. In other words it seems to me that the thing to do is to collect the per capita taxes on the book before we can sincerely come and say that adding more names by means of this particular subsection will solve the problem that the gentleman raises.

In European countries it is quite customary to have people, as they move from place to place, report to authorities. In other words they have more regimentation and they are used to more regimentation than we here in the United States. It seems to me that only when it can be shown that there will be a definite and real gain should we subject any of our citizens to any more regimentation or dragooning, making them sign papers, making them fill out more forms than is absolutely necessary.

Mr. McMILLEN. The gentleman in his arguments seem to point out the fact that simply because there are some uncollected taxes we should continue to let the rest of them go and not bother to levy the tax on them. I take a different point of view from that. Let us put them all on the tax list and then collect all the taxes. It will take less from everybody.

Mr. COSTA. Mr. Speaker, I will ask the sponsor of this bill to pass it over until we can clear up some of these facts that they are discussing now.

Mr. McMILLEN. Mr. Speaker, I have been requested by the gentleman from Philadelphia Mr. Costa, who has a question or two he wants to ask on this to pass it over. I have no desire to force this issue. I am trying to solve a problem, and you cannot solve a problem by forcing the issue. If these Members have questions in their minds I am perfectly happy to be cooperative, and get it straightened out. If it is agreeable let us pass it over.

Mr. ANDREWS. Mr. Speaker, I desire to interrogate the gentleman from Indiana.

The SPEAKER. Will the gentleman from Indiana, Mr. McMillen, permit himself to be interrogated?

Mr. McMILLEN. I shall, Mr. Speaker.

Mr. ANDREWS. Does the gentleman from Indiana desire to expunge from the record the statement "you cannot solve a problem by forcing the issue," or does he wish the statement to remain upon the record? It is his conviction at the present time that you cannot solve any problem by forcing the issue, or is he just referring to his own particular bailiwick?

Mr. McMILLEN. I am referring to the fact, Mr. Speaker, that if the gentlemen want this bill passed over, and have a little time to consider it, I am perfectly agreeable. That is all there is in the discussion.

Mr. ANDREWS. I thank the gentleman. I like his first answer.

The SPEAKER. If there is no objection, the Chair will withdraw its decision that the bill was agreed to on third reading. The Chair hears none, and the decision is withdrawn.

BILL PASSED OVER

There being no objection,

House Bill No. 277, Printer's No. 185,
was passed over at the request of The SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 295, as follows:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by increasing the maximum per capita tax rate

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections six hundred seventy-nine and six hundred eighty of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" are hereby amended to read as follows

Section 679 Per Capita Taxes Each resident or inhabitant over twenty-one years of age in every school district of the second third and fourth class which shall levy such tax shall annually pay for the use of the school district in which he or she is a resident or inhabitant a per capita tax of not less than one dollar nor more than [five] ten dollars as may be assessed by the local school district Every husband against whose wife a per cipta tax is levied shall be liable for the payment of such tax Collection thereof from such husband may be made and enforced in the manner provided by law for the collection and enforcement of payment of other taxes owing by such husband including the collection thereof from the husband's employer

Section 680 List of Residents for Per Capita Tax Purposes In order that the board of school directors of each school district of the second third or fourth class may assess levy and collect a per capita tax of not less than one dollar nor mare than [five] ten dollars on each resident or inhabitant over twenty-one years of age in the district it shall be the duty of the proper assessors in each such school district to prepare a list of residents or inhabitants in such school district over twenty-one years of age and return the same with the other taxable property in the district as provided by law In each school district as provided by law In each school district all such lists of residents or inhabitants shall be included and certified in the list of taxable property to be certified to the board of school directors in each such school district as herein provided Assessors whose assessment district includes the whole or parts of more than one school district shall return separate lists of residents and inhabitants of each such school district

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SEYLER. I sincerely regret that these two bills are on the calendar together. I am particularly sorry that the same sponsor is on both, because I do not wish him to have any implication either. But I must rise to say that I think this bill is one that we should consider well also.

There are two ways in which the school districts may impose per capita taxation. One is by means of a specific provision in the school code. The other is by a provision in the well known 481 bill. At the present time the limit on those districts that wish to impose a per capita tax under the regular provisions of the code is—from one to five dollars. On the other hand under 481 the limit is \$10. I feel that the per capita tax is a tax that we should not extend. It is definitely a regressive tax of the most virulent sort. In other words if the gentlemen believe, and there are some who sincerely believe, that the flat rate income tax is a fair tax because the same rate of taxation is imposed on all, those gentlemen might well pause in consideration of a tax that is actually regressive in rate. That is to say the rate gets lower as income goes higher. If we take the income, and after all that is a fair test of ability to pay, we find that the per capita tax on an income of \$2,000 is exactly the same as the proposed one half of one percent income tax on that individual. But as we raise the income to \$4,000, we find that the rate has been cut in half. As we successively raise it, we find that it still continues to be more and more regressive. In other words the rate becomes less as the income becomes greater. For that reason I feel that the per capita tax should not be extended. I think perhaps it is a justifiable tax as it remains low in rate. But I do not believe that it should be extended.

I realize the gentleman may say, or supporters of the bill may say, the school boards can oppose this under 481 anyway, which in a sense is an argument saying that this bill is not needed. But if that is their defense then I would say that there are certain safeguards that were put in there for the protection of individuals. There is, for instance, an advertisement, the fact that it is to be imposed and the reason must be stated as to the reason for imposition, and then an appeal is granted. None of this will be possible if we merely use this bill to extend 481 to include the per capita tax as it now appears in the school code. Therefore, I am opposed to this bill.

Mr. McMILLEN. Mr. Speaker, I too regret that this bill had to come up in this order, but this is another problem with which school boards are faced.

It is true that we can levy five dollars under the present school code or the school law. We can also go to 481 and levy a percapita tax there, but that means additional costs, advertising and the difficulty involved in it. The money that is spent in that way could very well be put back into the school system rather than into the cost side of the ledger.

This bill is simple. The principle behind it is clear and I see no reason to debate it. I am sure each Member of the House can make up his own mind on how it would affect him and what he would like to do with it. I would like to see the bill pass.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—103

Banker,	Frost,	Lyons,	Scott,
Barkdoll,	Geer,	Madden,	Shoemaker,
Baumunk,	Gibson,	Madigan,	Shotwell,
Bear,	Gleason,	Markley,	Smith,
Beech,	Goodling,	Mazza,	Sollenberger,
Blair,	Graybill,	McConnell,	Spencer,
Bloom,	Greenwood,	McCormack,	Stimmel,
Bolton,	Greer,	McCullough,	Stoner,
Bomberger,	Gutendorf,	McInroy,	Tahl,
Bower,	Guthrie,	McMillen,	Thompson, E. F.,
Breisch,	Hamilton, W. H.,	Metz,	Thompson, R. L.,
Brown,	Harney,	Miller, H. G.,	Tompkins,
Cella,	Haudenschild,	Miller, J. C.,	Toomey,
Clapper,	Helm,	Mintess,	VanSant,
Clendenning,	Hewitt,	Moore, C. E.,	Wachhaus,
Cooper,	Johnson,	Moore, H. A.,	Waterhouse,
Costa,	Jones, T. H. W.,	Najaka,	Watkins,
Davis,	Jump,	Naugle,	Weldner,
Dennisson,	Keller,	Pichney,	Wescott,
Dowling,	Kent,	Pitzer,	Whalley,
DuBois,	Kline,	Polen,	White,
Dunn,	Kohl,	Reilly, J. M.,	Wilt,
Erb,	Lafore,	Rigby,	Yeakel,
Ewing,	Lelsey,	Robertson,	Young,
Ferster,	Leonard, W. C.,	Rubin,	Sorg,
Flack,	Loftus,	Sax,	Speaker

NAYS—99

Amarando,	Hersch,	McNally,	Rovansek,
Andrews,	Hocker,	Mikula,	Sarra,
Beaver,	Hoggard,	Mills,	Scanlon,
Berkstresser,	Hunter,	Monroe,	Schmidt,
Boles,	Jenkins,	Moran,	Schuster,
Boorse,	Jones, G. E.,	Muldowney,	Seyler,
Breth,	Jones, J. M.,	Munley,	Snider,
Bucchin,	Jones, P. F.,	Murray,	Stank,
Byrne,	Kamyk,	Musto,	Swartz,
Cochran,	Kolankiewicz,	Needham,	Swope,
Conway,	Kornick,	Olsen,	Taylor,
Corr,	Kratz,	Penglase,	Toll,
Coyle,	Kubacki,	Peta,	Varallo,
Dougherty,	Lederer,	Petrosky,	Varner,
Duffy,	Leonard, L.,	Pettigrew,	Verona,
Fenrich,	Leven,	Pfaff,	Wargo,
Filip,	Light,	Polaski,	Welsh,
Filo,	Limper,	Price, H. W. Jr.,	Westrick,
Gaffney,	Lopresti,	Price, R. A.,	Wheeler,
Good,	Lovett,	Readinger,	Williams,
Guarnieri,	Lutty,	Reese,	Wood,
Hagerty,	Maxwell,	Reidenbach,	Yester,
Hall,	McDermitt,	Riley, R. L.,	Yetzer,
Hamilton, R. K.,	McGee,	Rose,	Ziegler,
Headlee,	McKinney,	Rosen,	

NOT VOTING—5

Dalrymple,	Mihm,	Reagan,	Royer,
Firmstone,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

RESOLUTION

CONGRATULATING GOVERNOR FINE

Messrs. SMITH and FLACK asked and obtained unanimous consent to offer a resolution and for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives, April 10, 1951.

The proverbial showers of April that carry life-giving moisture to the winter-scarred land also brought to this Commonwealth fifty-eight years ago an individual who was destined to invest its governmental structure with grace and vitality.

Although Governor Fine was born in Luzerne County and his youthful experiences were restricted to its coun-

finer, yet on attaining man's estate his vision broadened and his interests soon encompassed the welfare and prosperity of every section of the Commonwealth.

As a young lawyer, his zeal for social justice always took precedence over any desire for personal advantage or legal prestige.

As a judge, he envisaged the numerous problems that came before him, along with their sources and background, in this selfsame impartial manner that became the basis for many fair and objective decisions.

Although a judicial sanctuary is a prize of security that many a man would covet, yet Governor Fine in spite of the hazards of political existence and his abandonment of an assured career courageously responded to the call of the people to serve them in the capacity of their Chief Magistrate.

Since the anniversary of his birthday falls in the midst of unusual legislative activity; therefore be it

Resolved, That the General Assembly (if the Senate concur) extend to Governor John S. Fine its heartfelt and sincere greetings on the occasion of his fifty-eighth birthday anniversary; and be it further

Resolved, That the General Assembly express its fondest hope that the Governor will be privileged to move along the pathway of many more milestones of sustained health, increasing prosperity, and expanding governmental service and opportunity to the end that the people of this Commonwealth may become the beneficiaries of his administrative skill and sagacity into the indefinite future; and be it further

Resolved, That the Chief Clerk be instructed to transmit a copy of this resolution to His Excellency, Governor John S. Fine.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 375, as follows:

An Act to further amend subsection (b) of Section 1103 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keeps providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by authorizing townships of the first class to remove and impound vehicles

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of Section 1103 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. Laws 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encum-

brances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keeps providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as added by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 751) and as amended by the act approved the twelfth day of May one thousand nine hundred forty-nine (P. L. 1293) is hereby further amended to read as follows

Section 1103 Powers of Local Authorities

* * * * *

(b) Local authorities in cities of the first class second class second class A and third class townships of the first class and boroughs in their respective jurisdictions shall have the authority to provide by ordinance for the removal and impounding of any vehicle parked on the streets highways or public property of such city in violation of any local ordinance adopted pursuant to the authority of this act or of any of the provisions of this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mikula,	Snider,
Bomberger,	Headlee,	Miller, H. G.,	Sollenberger,
Boorse,	Helm,	Miller, J. C.,	Spencer,
Bower,	Hersch,	Mills,	Stank,
Brelsch,	Hewitt,	Mintess,	Stimmel,
Breth,	Hocker,	Monroe,	Stoner,
Brown,	Hoggard,	Moore, C. E.,	Swartz,
Bucchin,	Hunter,	Moore, H. A.,	Swope,
Byrne,	Jenkins,	Moran,	Tahl,
Cella,	Johnson,	Muldowney,	Taylor,
Clapper,	Jones, G. E.,	Munley,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Murray,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Musto,	Toll,
Conway,	Jones, T. H. W.,	Najaka,	Tompkins,
Cooper,	Jump,	Naugle,	Toomey,
Corr,	Kamyk,	Needham,	VanSant,
Costa,	Keller,	Olsen,	Varallo,
Coyle,	Kent,	Penglase,	Varner,
Dalrymple,	Kline,	Peta,	Verona,
Davis,	Kohl,	Petrosky,	Wachhaus,
Dennison,	Kolankiewicz,	Pettigrew,	Wargo,
Dougherty,	Kornick,	Pfaff,	Waterhouse,
Dowling,	Kratz,	Pichney,	Watkins,
DuBois,	Kubacki,	Pitzer,	Weldner,
Duffy,	Lafore,	Polaski,	Welsh,
Dunn,	Lederer,	Polen,	Wescott,
Erb,	Lelsey,	Price, H. W. Jr.,	Westrick,
Ewing,	Leonard, L.,	Price, R. A.,	Whalley,
Fenrich,	Leonard, W. C.,	Readinger,	Wheeler,
Ferster,	Leven,	Reagan,	White,

Philp,	Light,	Reese,	Williams,
Filo,	Limper,	Reidenbach,	Wilt,
Firmstone,	Loftus,	Reilly, J. M.,	Wood,
Flack,	Lopresti,	Rigby,	Yeakel,
Frost,	Lovett,	Riley, R. L.,	Yester,
Gaffney,	Lutty,	Robertson,	Yetzer,
Geer,	Lyons,	Rose,	Young,
Gibson,	Madden,	Rosen,	Ziegler,
Gleason,	Madigan,	Rovansek,	Sorg,
Good,	Markley,		Speaker

NAYS—0

NOT VOTING—1

Mihm.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 466, as follows:

An Act requiring cities of the first class to make annual appropriations to Firemen's Pension Funds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Every city of the first class shall annually appropriate to the Firemen's Pension Funds of such cities an amount which when added to the contributions of members of such funds during each year and income from investments each year shall equal a total sufficient to pay in full the retirement allowances payable each year No such appropriation shall be less than two hundred thousand dollars (\$200,000)

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ROSE. Mr. Speaker, the gentleman from Philadelphia, the sponsor of this measure and I have been on opposite sides with respect to a great deal of legislation, but we on this side feel that this is a much needed measure in Philadelphia.

In view of the fact that the city charter has not yet passed we feel that we should vote for this measure. Of course, we on this side are of the opinion that had the charter been passed, measures of this nature should be handled locally, but inasmuch as that bill is not yet through we are joining with the sponsor of this measure in passing this worth-while bit of legislation.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mikula,	Snider,

Bomberger,	Headlee,	Miller, H. G.,	Sollenberger,
Boorse,	Helm,	Miller, J. C.,	Spencer,
Bower,	Hersch,	Mills,	Stank,
Breisch,	Hewitt,	Mintess,	Stimmel,
Breth,	Hocker,	Monroe,	Stoner,
Brown,	Hoggard,	Moore, C. E.,	Swartz,
Bucchin,	Hunter,	Moore, H. A.,	Swope,
Byrne,	Jenkins,	Moran,	Tahl,
Cella,	Johnson,	Muldowney,	Taylor,
Clapper,	Jones, G. E.,	Munley,	Thompson, E. F.,
Clendenling,	Jones, J. M.,	Murray,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Musto,	Toil,
Conway,	Jones, T. H. W.,	Najaka,	Tompkins,
Cooper,	Jump,	Naugle,	Toomey,
Corr,	Kamyk,	Needham,	VanSant,
Costa,	Keller,	Olsen,	Varallo,
Coyle,	Kent,	Penglase,	Varner,
Dalrymple,	Kline,	Peta,	Verona,
Davis,	Kohl,	Petrosky,	Wachhaus,
Dennison,	Kolankiewicz,	Pettigrew,	Wargo,
Dougherty,	Kornick,	Pfaff,	Waterhouse,
Dowling,	Kratz,	Pichney,	Watkins,
DuBois,	Kubacki,	Pitzer,	Weldner,
Duffy,	Lafore,	Polaski,	Welsh,
Dunn,	Lederer,	Polen,	Wescott,
Erb,	Leisey,	Price, H. W. Jr.,	Westrick,
Ewing,	Leonard, L.,	Price, R. A.,	Whalley,
Fenrich,	Leonard, W. C.,	Readinger,	Wheeler,
Ferster,	Leven,	Reagan,	White,
Fillip,	Light,	Reese,	Williams,
Filo,	Limper,	Reidenbach,	Wilt,
Firmstone,	Loftus,	Reilly, J. M.,	Wood,
Flack,	Lopresti,	Rigby,	Yeakel,
Frost,	Lovett,	Riley, R. L.,	Yester,
Gaffney,	Lutty,	Robertson,	Yetzer,
Geer,	Lyons,	Rose,	Young,
Gibson,	Madden,	Rosen,	Ziegler,
Gleason,	Madigan,	Rovansek,	Sorg,
Good,	Markley,		Speaker

NAYS—0

NOT VOTING—1

Mihm.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 492, as follows:

An Act to further amend Section 1311 of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicles and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or

municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by providing for sentences of imprisonment in default of fines imposed under that section for first and second offenses by motor carriers common carriers by airplane or brokers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1311 of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive

penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" as last amended by the act approved the third day of July one thousand nine hundred forty-one (P. L. 267) is hereby further amended to read as follows

Section 1311 Violations by Motor Carriers Common Carriers by Airplane or Brokers Any person or corporation operating as a motor carrier or as a common carrier by airplane and any operator or employe of such carrier and any person or corporation operating as a broker without a certificate of public convenience permit or license authorizing the service performed as required by this act shall upon conviction of a first or second offense in a summary proceeding before any person having the power of a committing magistrate be sentenced to pay the costs of prosecution and a fine of not less than twenty-five dollars nor more than three hundred dollars and in default of the payment of such fine and costs of prosecution to undergo imprisonment not exceeding thirty days and any subsequent offense by such person or corporation shall constitute a misdemeanor and upon conviction thereof such person or corporation shall be sentenced to pay the costs of prosecution and a fine of not less than one hundred dollars nor more than five hundred dollars or undergo imprisonment not exceeding six months or both in the discretion of the court Whenever imprisonment is imposed under this section the term "person" or "corporation" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof

And said bill have been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudensheld,	Mikula,	Snider,
Bomberger,	Headlee,	Miller, H. G.,	Sollenberger,
Boorse,	Helm,	Miller, J. C.,	Spencer,
Bower,	Hersch,	Mills,	Stank,
Breisch,	Hewitt,	Mintess,	Stimmel,
Breth,	Hocker,	Monroe,	Stoner,
Brown,	Hoggard,	Moore, C. E.,	Swartz,
Bucchin,	Hunter,	Moore, H. A.,	Swope,
Byrne,	Jenkins,	Moran,	Tahl,
Cella,	Johnson,	Muldowney,	Taylor,
Clapper,	Jones, G. E.,	Munley,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Murray,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Musto,	Toll,
Conway,	Jones, T. H. W.,	Najaka,	Tompkins,
Cooper,	Jump,	Naugle,	Toomey,
Corr,	Kamysk,	Needham,	VanSant,
Costa,	Keller,	Olsen,	Varallo,
Coyte,	Kent,	Penglase,	Varnier,
Dalrymple,	Kline,	Peta,	Verona,
Davis,	Kohl,	Petrosky,	Wachhaus,
Dennison,	Kolankiewicz,	Pettigrew,	Wargo,
Dougherty,	Kornick,	Pfaff,	Waterhouse,
Dowling,	Kratz,	Pichney,	Watkins,
DuBols,	Kubacki,	Pitzer,	Weidner,
Duffy,	Lafore,	Polaski,	Welsh,
Dunn,	Lederer,	Polen,	Wescott,
Erb,	Lelsey,	Price, H. W. Jr.,	Westrick,
Ewing,	Leonard, L.,	Price, R. A.,	Whalley,

Fenrich,	Leonard, W. C.,	Readinger,	Wheeler,
Ferster,	Leven,	Reagan,	White,
Filio,	Light,	Reese,	Williams,
Filo,	Limper,	Reidenbach,	Wilt,
Firmstone,	Loftus,	Relly, J. M.,	Wood,
Flack,	Lopresti,	Rigby,	Yeakel,
Frost,	Lovett,	Riley, R. L.,	Yester,
Gaffney,	Lutty,	Robertson,	Yetzer,
Geer,	Lyons,	Rose,	Young,
Gibson,	Madden,	Rosen,	Ziegler,
Gleason,	Madigan,	Rovansek,	Sorg,
Good,	Markley,		Speaker

NAYS—0

NOT VOTING—1

Mihm.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 539, as follows:

An Act requiring approval of the interested electorate to initiate housing projects

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 After the effective date of this act no new housing project shall be initiated in any political subdivision by any housing or redevelopment authority by whatever name it may be called or by any limited dividend housing company unless the question of whether or not the instrumentality may initiate such project is first submitted to and approved by the electors of the political subdivision within which the proposed housing project or any part thereof shall be located. The governing body of any political subdivision upon resolution duly adopted or electors equal to at least five per centum of the highest vote cast for any candidate in the political subdivision at the last preceding municipal election may petition the county board of elections of the proper county to have a question of whether or not a project may be initiated by the instrumentality as hereinbefore provided submitted to the electors of the political subdivision and the county board of elections shall cause a question to be placed on the ballots or one the voting machines and submitted to the electors of the political subdivision at the first general or municipal election occurring at least sixty days thereafter in the manner provided by the election laws of the Commonwealth if a majority of the persons voting on such question vote "yes" then the project may be initiated and carried out but such instrumentality within the political subdivision in case of a tie vote or if a majority of the persons voting on the question vote "no" the right to initiate and carry out the project shall be denied and the same question shall not be voted upon again prior to the election occurring approximately two years thereafter

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. EDWIN F. THOMPSON. Mr. Speaker, I wish to rise in opposition to House Bill 539 that is before this House for consideration. This bill would handicap housing in my particular district and in the City of Philadelphia.

We have several projects that are under consideration, also under development. A piece of legislation of this nature, because of the referendum that would have to be put before the people; five percent of the electorate would have to vote in order that a project might come into being. I say a piece of legislation of this nature could not bring any good to the people in the blighted areas and especially to the Veterans for whom we have so honestly said in this House we are going to do something. We are going to take care of the Veterans, take care of them, help to house them because of the facts that they are greatly in need of housing. We have told the underprivileged people of Pennsylvania that we are going to help to see that they have decent houses. A bill of this nature would impose certain hardships upon Veterans and people in blighted areas.

I am asking the Members of the Legislature that they vote to defeat this piece of legislation because we have organized labor against it, we have the American Legion and we have the Veterans of Foreign Wars that feel that if this piece of legislation is passed we will have no more adequate housing projects.

Mr. ROSE. Mr. Speaker, I would willingly yield to any Members on the other side who are desirous of speaking against this bill. I understand there is another gentleman who was supposed to have spoken against it.

Mr. Speaker, I rise at this time to oppose this iniquitous piece of legislation. The Legislature of 1937 passed a measure which, of course, first permitted the establishment of housing authorities.

In 1945 this Legislature passed a measure known as the Redevelopment Authorities law which, of course, allowed slum clearance projects by means of projects set up by redevelopment authorities authorized by this Legislature.

The preceding Governor was anxious, and he had the joinder of the Democratic Members of this House in passing legislation, to insure proper housing measures, not only in Philadelphia but throughout the state. Now we have a measure that has been presented to us wherein the local authorities, which have been set up according to the provisions permitted by this legislative body, will lose the powers that have been delegated to them.

This bill intends to take away from the duly constituted authorities the proper power that they have to determine where housing developments shall be set up and will of course, under the provisions proposed in said bill delay, unduly hinder, and in many instances prevent the erection of much needed housing developments.

It seems to me that those Members of this House who have been clamoring for aid to low income individuals and for aid to Veterans who desire housing accommodations certainly should be opposed to this measure.

We in the Philadelphia area, particularly where we are to experience in the not too distant future a tremendous influx of population, where we are at the present time beginning a large defense program which will, of course, call for the moving into the Philadelphia area of thousands upon thousands of individuals trained to help in the defense program, are acutely aware of the need for proper housing developments. If this measure were to

come into existence, if this House were to pass this measure and it would go through the Senate and be signed by the Governor, it would certainly hinder the defense program. This measure is certainly contrary to the American system of representative government.

As the Philadelphia Housing Association has pointed out in a communication which is sent to many of our Members, it is equivalent to asking the voters to make an administrative decision on the location of every highway bridge or fire station or to determine how and when garbage shall be collected. If we were to carry out the thought expressed by this measure, we would be submitting to the electorate matters of an administrative nature which is certainly contrary to the principle of the referendum as it existed in our American system in the early days when the referendum was first carried out in the western states. For that reason alone, those Members here who are certainly interested in preventing interference by individual voters in every administrative policy should vote against this bill.

May I also point out that in the Philadelphia area particularly, the housing authority has embarked on a substantial program wherein we will have, in the next few years, the erection of twenty thousand additional housing units.

Blair Lee who is the Chairman of the Philadelphia Housing Authority has pointed out that the passage of this bill will particularly eliminate that program, and will result in the failure of the housing authority to proceed expeditiously as they must in the immediate future. For that reason we on this side from Philadelphia are very happy to oppose this measure, and we call upon all the Members of the House who are interested in providing adequate housing accommodations and in carrying on the housing program which has been promulgated and advocated by previous administrations to vote against this measure.

Mr. TAHL. Mr. Speaker, I desire to interrogate a sponsor of this bill.

The SPEAKER. Will the gentleman from Mercer, Mr. Young, permit himself to be interrogated?

Mr. YOUNG. Mr. Speaker, I will.

Mr. TAHL. Mr. Speaker, do I understand the gentleman correctly that under the provisions of this bill, first a resolution has to be adopted for the purpose of selecting a site.

Do I understand also under the provisions of this bill that the Redevelopment Authority would first have to pass a resolution selecting certain places that are to be redeveloped?

Mr. YOUNG. Mr. Speaker, does the bill say that?

Mr. TAHL. Mr. Speaker, do I understand further under this bill it would have to be submitted to the voters under a referendum?

Mr. YOUNG. Mr. Speaker, the voters for a what?

Mr. TAHL. Mr. Speaker, a resolution of the Housing Authority would then have to be submitted to the voters under a referendum?

Mr. YOUNG. Mr. Speaker, that is correct.

Mr. TAHL. Mr. Speaker, that election would have to take place during a general or municipal election, and it would have to be at least 60 days before the election?

Mr. YOUNG. Mr. Speaker, the gentleman is absolutely correct.

Mr. TAHL. Mr. Speaker, I thank the gentleman.

Mr. Speaker, I have a high regard for the sponsors of this bill, but I must voice my objection to it. In my opinion, the passage of this bill would doom the Redevelopment Authority in the City of Philadelphia and in other parts of the state.

In my district, there is a great deal of blighted area, and the Redevelopment Authority has done a very good job. They have made it possible for many poor people, underprivileged, to get proper housing. Were this bill to pass it would mean that it would take months and months before any site could be selected. It would mean that the Redevelopment Board would not be in a position to select any site. They would have to first submit it to the people for a vote and that would take many months before they could possibly select a site.

Sincerely this bill is not a bill in favor of redevelopment. This bill in its essence means to retard and to interfere with the redevelopment program. It may be that the sponsor does not have such intentions, but the result of this bill would mean nothing less than the doom of redevelopment.

I might also call the attention of the House to the fact that the League of Third Class Townships in its convention last summer voted to oppose the referendum so far as redevelopment is concerned.

I would like to read into the record a telegram which I received from my district. My district as a rule does not send any telegrams but this is so vital, this is so important to our people that for the first time they sent me a telegram concerning this bill and I ask leave to read the telegram.

"At the regular meeting of the committee of the Philadelphia quarterly meeting of friends charged with the operation of friends neighborhood guild the following minute was adopted. It was called to the attention of the committee that a bill HB 530 had been introduced into the Pennsylvania Legislature by Messrs. McConnell and Young of Mercer County. This bill would prohibit any new development, public housing and or limited dividend housing project until approved by the electorate. The Guild Committee much concerned about the living conditions in the neighborhood of the Guild and has for many years urged which would promote the improvement of such living conditions. It is now engaged in an approved redevelopment project which would probably been impossible were such legislation as House Bill 539 now in force. The Committee feels that the people to be benefited by redevelopment and housing project are not generally vocal in making their needs known to the lawmakers, nor are they a pressure group. The Guild Committee feels that it is their responsibility of their elected representative to see to it the interests of these people are cared for. It seems obvious that the impetus behind the mood rises from selfish interests who would like to see adequate housing programs defeated and we therefore urge that House Bill 539 or bills of similar intent not be enacted. We ask your support in doing everything possible to defeat this bill." Signed Frederick A. McCord, Chairman Friends Neighborhood Guild Committee, 534 North 4th Street, Philadelphia.

I therefore ask the Members to defeat the passage of this bill.

Mr. PETROSKY. Mr. Speaker, at the outset of my discussion of House Bill 539 I want to pay due respect to

the sponsor of the measure, inasmuch as he was very good to me in having the bill postponed for a period of time so that the other Members of the House and myself could correlate the facts that we are confronted with in this particular measure that is before us.

In order to inform the Members of the House, inasmuch as only the Philadelphia delegation has been speaking about the measure, I want to say that the entire state of Pennsylvania, and every community in the state of Pennsylvania is affected by House Bill 539. I fully realize that the sponsors of the bill will evidently try to sell to you the merits of the legislation on a home rule basis. Wherein that is a true factor, I find myself disagreeing with this, for as you will notice in reading the bill a referendum by the people is not needed where a housing project is instituted by a real estate organization or some private individual.

Now then, if we are to ask for a vote or a referendum of the electorate in order to select the site of a housing project, why should we not do the same for private individuals or real estate organizations who, of course, would greatly benefit by this bill?

We have a problem before us which is in direct effect a bill that without question is profoundly to the benefit of the real estate lobby operating here on capitol hill.

I want you to take cognizance of a letter which I received in today's mail. (Incidentally this is the only piece of mail that I have received in favor of this legislation). It is from a very close personal friend of mine whom I have known down through the years, and I am going to write him and advise him that I am sorry I cannot go along with this measure, inasmuch as he asks me to vote for it because "it will be very vital to me personally." That is the crux of the argument in this piece of legislation.

By voting for this bill you will defeat the program of housing which has been subscribed to by both the Republican and the Democratic parties in the state of Pennsylvania and in the nation. It is only the selfish interests that do not want to have the housing as we have had it in the past.

I want to reiterate to you some of the remarks the speakers before me have made, that the Veterans' organizations are against this measure, labor organizations are against it, because you are dealing with a social problem that affects so many people.

The proponents of the bill may say, what are you afraid of in the event the electorate has an opportunity to vote on it? They can pass the proviso in a referendum within the community in which it is needed. This may be true and it may be best, but every day and every month that you hold back the program you are just keeping some Veteran or person that is underprivileged from moving into a good, decent home. I know the membership of the House does not want to do that.

I want to register my protest against Bill 539 and hope that the membership of the House will defeat it.

Mr. JONES. Mr. Speaker, with your permission, I would like to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Mercer, Mr. Young, permit himself to be interrogated?

Mr. YOUNG. I shall, Mr. Speaker.

Mr. JONES. Mr. Speaker, I would like to know under the provisions of the bill what is meant by "initiate?"

Mr. YOUNG. Mr. Speaker, I am glad the gentleman asked that.

Mr. JONES. Does this refer to a project that is in the blue-print stage or does it refer to the actual construction of a project?

Mr. YOUNG. Mr. Webster says that the definition of "initiate" is "to introduce by first act." For the purpose of this bill we will accept the definition as to any resolution by the Housing Authority stating that they do propose to build such development. In the blue print stage, yes, that is initiated; if the building has already been started, yes, that is initiated; any plans that have been formulated will be accepted as being initiated.

Mr. JONES. Under the terms of the gentleman's bill, then, projects that are now in the blue print stage, his bill would not refer to them at all?

Mr. YOUNG. Mr. Speaker, that is correct, it will not interfere with them at all.

Mr. JONES. Mr. Speaker, I thank the gentleman very, very kindly.

Mr. Speaker, much has been said concerning House Bill 539, and it is my intention not to repeat any of the salient facts that have been established thus far in the discussion.

However, I believe it is my duty to say just a word in defense of the great program of rehabilitation and development that has been conducted in Allegheny County under the sponsorship of the Urban Redevelopment Authority.

One of the most ambitious programs that has ever been undertaken anywhere in the country is now in progress in Pittsburgh. Doubtless every Member of this House has read about the work that is going on in the section known as Pittsburgh's Golden Triangle. We reached a point there where our business cannot go any further to the left, it cannot go any further to the right because we are right in between the Allegheny and the Monongahela Rivers. There is only one place for it to go and that is to go up into the so-called Hill district, a district that comprises part of the legislative district that I represent. Selfish reasons would prompt me to go along with this bill, because I can see that since these projects have not already been initiated that in all probability we might, through a determined and consistent effort there, be able to stop the march of progress up the hill, and save that part of my district that is affected.

But just like all other progressive moves, some few people have to make sacrifices, some few people have to be inconvenienced. And when I think of the municipal auditorium that is planned; something to be done to eliminate the traffic situation there that is almost intolerable, something to be done to give us parking facilities in an area that is already congested; when I think of the hundreds of people who are living now in the rat traps and fire traps who are waiting for decent homes now, I cannot keep still.

I remember just two or three days ago there was a piece of legislation introduced into this House that was voted upon and voted upon favorably, censuring, if you please, the Philadelphia Housing Authority because it was so slow in providing the houses that were drastically needed over there. I say to you that under this legislation you will not only slow down public housing, but you will stop it altogether.

Only yesterday in the Senate of the United States there was a bill passed providing for a million and a half dollars in new houses. Under the terms of this bill over in Allegheny County where we have 76 boroughs, 51 townships, 3 third class cities and one second class city, we have to go before the electorate. Five percent of those people there who are opposed to public housing can stymie the whole march of progress. I am one of those who say this: give people an opportunity and they will find their own way. Let the people in Pittsburgh and Allegheny County know just what is involved in this bill and they will rise up en masse and ask you to defeat it. We do not want to stop the march of progress there.

I say to you, because this is not a partisan issue and I am not asking for the Members of this side of the House to vote, I am asking for all the friends of public housing wherever you sit here to vote against this. Public housing is no longer in the experimental stage; it is now an accepted part of our national public policy, and I say to you that this legislation, to my mind, represents a backward step. It is not forward looking. All levels of government heretofore have cooperated to see to it that we got decent houses. I submit to you if our housing program had kept up with all the other avenues of development in this state, Pennsylvania today would not have to give up three congressmen. We would have provided homes for our people, and they would have somewhere to live, and our population ratio would have increased as it should have increased in a great industrial state such as Pennsylvania.

I submit to you in closing, public housing is not on trial here today before the bar of public opinion. Those of us who say we are in favor of public housing to the unheard of thousands who cannot be heard here today, who are in need of public housing, in their eyesight and in their judgment, we are on trial, gentlemen. I ask you in all fairness that you vote "no" to House Bill 539.

Mr. GUARNIERI. Mr. Speaker, it is not my purpose to delay the House at this time. I concur wholeheartedly in all the statements of Mr. Jones, Mr. Thompson, Mr. Petrosky and Mr. Rose.

My purpose is to introduce to the record, Mr. Speaker, these resolutions and letters from various authorities and various groups opposing House Bill 539. There is a resolution from the American Legion of Pennsylvania, a letter from the Philadelphia Housing Authority, a statement from the Philadelphia Housing Association and a letter from the Philadelphia Committee on Public Affairs, all opposing the passage of House Bill 539. That is my only purpose; I can add nothing to these statements given today.

The SPEAKER. The resolutions and communications offered by the gentleman from Philadelphia, Mr. Guarnieri, will be noted in the Journal.

Exhibit No. 1. Resolutions Adopted by the Department Executive Committee at its Meeting April 7, 1951, Pittsburgh, Penna.

No. 1. WHEREAS, the National Housing Act of 1949 providing for financial aid to local political subdivisions for redevelopment and low rent housing has been supported by both National and department mandate of The American Legion on a number of occasions, and

WHEREAS, The American Legion had written into the law certain preferences for veterans and their families, and

WHEREAS, failure to implement This act of Congress will cause the greatest loss to veterans and their families by reason of these preferences, and

WHEREAS, House Bill No. 539 now pending in the State Legislature would force a referendum on every single development, and

WHEREAS, Such action is contrary to the principle of representative government, is extremely costly, creates cumbersome machinery with long delays in effect would be the death knoll of the low rent housing program in Pennsylvania, and

WHEREAS, The real purpose is to destroy, by indirection, the low rent housing program in Pennsylvania which would have created decent, safe and sanitary homes for needy veterans unable to otherwise provide for such accommodations at today's inflated prices, now, therefore be it

RESOLVED, That the Executive Committee of the Department of Penna. meeting in Pittsburgh this 7th day of April, 1951, directs the Department Commander to contact all the members of the House and Senate of Penna. and also the Governor to make known its opposition to H. B. 539.

Philadelphia Committee on Public Affairs
2004 Finance Building

Philadelphia, Pa. 2, April 6, 1951.

Hon. George T. Guarnieri,
House of Representatives
The Capitol
Harrisburg, Penna.

My Dear Mr. Guarnieri:

The Philadelphia Committee on Public Affairs at its meeting yesterday instructed me to write to certain members of the legislature and ask them to oppose Bill 539 which would prohibit any public housing project until approved by the electorate. That would be an unwarranted expense and would greatly hamper any housing development.

We hope that you will vote against it.

Very truly yours,

(Signed) Isaac C. Sutton, Chairman.

ICS:r

Philadelphia Housing Association, 1717 Sansom Street,
Philadelphia 3, Pa., Rittenhouse 6-2485

April 6, 1951.

Dear Sir:

The Philadelphia Housing Association has studied House Bill 539 which would require a referendum by local electorates before any slum clearance, redevelopment, limited dividend or low-rent housing project could be started. We believe that this proposed legislation would be harmful not only to slum clearance and housing programs but to the entire legislative process as well.

It is contrary to American representative government on which the American political system is based. The people's representatives are responsible for running public affairs. The referendum, as applied to public housing and redevelopment, is contrary to this system. It is unnecessarily expensive, it takes responsibility away from representative government and places it upon each individual elector. It makes a legislator out of every voter, regardless of whether he is able or willing to be a legislator. It is equivalent to asking the voters to make an administrative decision on the location of every highway, bridge or fire station, or to determine how and when garbage shall be collected.

We cannot believe that the Pennsylvania Legislature intends to abandon the far-reaching purposes of the Housing Authorities Law of 1937, of the Redevelopment Authorities Law of 1945, or the Housing and Redevelopment Assistance Law enacted during Governor Duff's administration by the last session of your Legislature, and yet that would be exactly the result

if H. B. 539 were to pass. Similar legislation adopted in other states has resulted in the complete stoppage of the housing and redevelopment programs.

Pennsylvania, because of its widely diversified industries, has grave responsibilities during the national emergency. We surely learned at great cost during World War II that full production in our factories is impossible without adequate housing for employees. We are certain, therefore, that you would not wish to enact legislation designed to prevent needed new housing. We hope that when this legislation comes up under a special order of business on Tuesday, April 10, that you will oppose its passage.

Very truly yours,

(Signed) William W. Jeanes, President.

The Philadelphia Housing Authority
Ninth Floor — Robinson Building
15th & Chestnut Streets
Philadelphia 2, Pa.

P. Blair Lee
Chairman
John B. Deans
James L. McDevitt
Walter M. Phillips
Philip Sterling
Walter E. Alessandroni
Executive Director

For Release: Thursday, April 5, 1951

From: Drayton S. Bryant, Assistant to the Executive Director.

Office Phone: RI 6-9780

Residence Phone: VI 8-1773

"House Bill No. 539, now pending before the House of Representatives in Harrisburg, would require a general referendum for the selection of sites of every housing and redevelopment project. It would mean the end for all practical purposes of the program for low-rent housing and redevelopment in Pennsylvania," said P. Blair Lee, Chairman of the Philadelphia Housing Authority.

Speaking on behalf of the Authority, Mr. Lee stated that this bill would create cumbersome machinery, long delays and that the task of clearing and rebuilding the blighted areas of cities by the teamwork of private and public enterprise would become nearly impossible.

In asking for the shelving of the bill, Mr. Lee pointed out that local housing authorities are now fully subject to responsible local government according to normal representative processes, similar to other types of local administration. "Public hearings have been held on all sites recommended by the Philadelphia Housing Authority in order to reach decisions in the best interests of the community," said Mr. Lee. In Philadelphia, City Council unanimously approved the Cooperation Agreement which authorized the Authority to proceed with a six-year program of 20,000 homes. Under the agreement the approval of the City Planning Commission is a prerequisite in all cases, and where the side is in a redevelopment area, the prior approval of the Redevelopment Authority is also required. The Cooperation Agreement also provides that the Authority will make payments in lieu of taxes equal to ten percent of shelter rents.

"It is felt," continued Mr. Lee, "that the procedures contained in H. B. No. 539 would be costly to carry out, extremely time-consuming and a denial of the usual methods of representative local government." Such delays, in the opinion of the Philadelphia Housing Authority, will cause Pennsylvania to lose most of the benefits from this already established program. In view of the fact that similar bills have been in-

troduced into the legislatures of fifteen other states this year, it appears to be part of a national campaign to obstruct the redevelopment and housing programs, Mr. Lee indicated. But public housing and redevelopment programs are now established national policy, he pointed out, with 247 localities having begun redevelopment programs and 701 localities throughout the United States having made application for public housing programs. Congress twice approved the low-rent housing program while 42 states have passed enabling legislation.

In view of this situation and in the interest of the progress of the housing and redevelopment programs in the many Pennsylvania communities, the Philadelphia Housing Authority will request that the representatives from Philadelphia and the rest of Pennsylvania vote against H. B. No. 539. Mr. Lee also requested the Governor and the Mayor to use their offices to defeat this attack upon the low-rent housing and redevelopment program in Philadelphia and throughout the Commonwealth.

The Philadelphia Housing Authority
Ninth Floor — Robinson Building
15th & Chestnut Streets
Philadelphia 2, Pa.

April 5, 1951

The Honorable Bernard Samuel
Mayor of the City of Philadelphia
City Hall
Philadelphia 7, Penna.

Dear Mayor Samuel:

H. B. 539, now pending before the Legislature at Harrisburg, will be a body blow at the opportunity to construct low-rent housing in Philadelphia and to begin the task of clearing slums. Its enactment will so long delay the programs as to make it nearly impossible, thus losing to Pennsylvania and this City, the important benefits which are available.

The enclosed news release states clearly our evaluation of this measure. The bill is not what it pretends to be, and is clearly meant to prevent the progress of the redevelopment and housing programs.

May we ask your assistance and support in taking whatever measures may appear appropriate to you to make sure that this legislation is defeated.

Your interest and action in this matter will contribute greatly to the City's low-rent housing program.

Sincerely yours,

P. Blair Lee, Chairman
The Philadelphia Housing Authority

Enclosure

Mr. YOUNG. Mr. Speaker, now that the tumult and the shouting has died I would like to say a few soft words in favor of the bill.

There have been aspersions cast that this is a bill drafted by selfish interests, that it is the brain child of the real estate lobby. I can tell you truthfully that that is not so, and you gentlemen know my word to be the truth. I speak very vigorously at times, but I speak the truth.

My colleague, the gentleman from Mercer, Mr. McConnell, learned that such a bill had been enacted in California. He became interested in the thing. He had Mr. Glidden of the Legislative Reference Bureau draw the bill. In deference to my colleague I endorsed the bill with him; I sponsored the bill with him, much to my chagrin.

The reason that these people should be permitted to

vote on these projects is because these projects are built with their tax money. These projects are tax free. The ten percent shelter allowance or computation is paid in lieu of taxes, should there be sufficient money in the project to pay them.

There has been a great deal of discussion about slum clearance, but my experience has been that when they clear the slums the poor unfortunate people who live in those slums are cast forth into the outer parts of the city, and the people who come in and inhabit these new dwellings are not the people that they evicted.

Take the situation here in Harrisburg. A development was built. Because of the influx of tenants, it became necessary to build an addition on the school building. In order to build an addition to the school building they evicted 35 veterans' families from the area and adjacent to the school building.

Take the county of Allegheny. The Housing Authority went in there to an area which was populated by good old German-Dutch ancestry and they condemned the property. Those people had built their homes, they had lived there long, their roots were deep in the soil of their adopted country. They were going to be cast out forthwith until an aroused citizenry protested.

That is the point that I try to make here. You say that these projects never will be initiated. That is a gross misstatement. Do you mean to say that your people are so heartless in Allegheny and Philadelphia that they are not aware of the situation among your poor unfortunate people in the slum districts? Do you mean to say they are so heartless that they would not approve such a dwelling? I think you are slurring our own people.

In answer to the gentleman from Philadelphia who stated that this would stop his seven projects; it most certainly will not stop them. They can be completed. There is nothing in this act that will stop them.

I do not want to prolong this thing. I understand there is a fraternal meeting tonight—there is a free dinner and I know that you gentlemen are always willing to have a free dinner regardless of who provides it.

I, too, have a number of letters here. I have one from the Americans for Democratic Action that is printed in green ink. I should think they would print that in red ink. I have here a mimeographed circular from the Philadelphia Housing Authority; not for general consumption, however. This is the thing the Housing Authority sent out to all the other Housing Authorities in Pennsylvania. This is the damndest lobbying I ever heard of. However, appended to the top of this thing is a note: "We just wanted you to know what Philadelphia Housing Association is doing. We have no confidence in the Philadelphia Housing Association and we know them well. Good luck to you'."

These people work with the outfit. These referendums are nothing new. It takes twenty percent of your people to petition to vote on Sunday movies and you have Sunday movies. Twenty-five percent of your people must petition for beer and liquor and you have beer and liquor; you have it in Philadelphia and Allegheny County.

This morning in my hotel room I was looking at this

little brochure that was put on my desk. Here is a picture of a very wistful looking young boy on the front here and is entitled "What kind of a country are you leaving me?"

And it says "When I am able to afford a house, will I be able to build one just as good as I can make it, or will it be a Government bill passed with only part of what the Government taxed me for housing?"

Now that is our argument. Why not let the people vote? Why should they not vote? Paradoxically enough, about twenty Members on that side of the House have come to me and said "Ed, we are in favor of this, but we can't vote for it." They are my good friends. I would not embarrass them by saying their names. I do not think that anything can be resolved, the issue has been joined here.

I am reminded of a paragraph from the Rubaiyat of Omar Khayyam, which went like this:

"When I was young I did eagerly frequent doctor and saint, and listened to great argument about it, but forevermore came out by the same door by which I went in."

I mean to say that this argument is resolving nothing. Let us call the roll.

Mr. ROSEN. Mr. Speaker, I want to take exception to some of the remarks of the gentleman from Mercer in regard to Americans for Democratic Action. Men like Richardson Dilworth, Joseph Clark, Mr. Otto, do not need their printing in red ink, and for the record, I want to submit this letter from the Americans for Democratic action.

The SPEAKER. The communication will be noted in the Journal.

Americans for Democratic Action
Philadelphia Chapter

April 7, 1951.

To the Philadelphia Area Members of the State House
of Representatives

Gentlemen:

The Philadelphia Chapter of the Americans for Democratic Action urges all Philadelphia area legislators to join together and resoundly defeat House Bill 539 when it comes to the floor of the House for final vote this Tuesday, April 10th.

This bill, companion to one introduced in fifteen legislatures, represents a deliberate nation-wide campaign by selfish to kill housing projects.

It is a cleverly designed bill which tries to use the very techniques of democracy to destroy the purposes of democratic government. House Bill 539 provides that every proposal for slum clearance, low rent housing, redevelopment must be submitted to the voters for referendum at subsequent elections. This is a travesty on democratic procedure and would make every voter a legislator, who in the future could be called on to decide every public improvement by separate vote. Such a proposal, besides being an unjustifiably expensive one, not only would destroy and delay public housing but would constitute a set-back to American representative government.

The various housing and redevelopment laws have been part of our state program for the last fifteen years. Our Philadelphia area is on the threshold of a great expansion because of the new plants building along the Delaware. The future of this great area, the demands of the mobilization prices and the needs

of our people call on you to defeat this desperate maneuver.

Sincerely yours,

Harry Ferleger, Executive Vice-Chairman.

hf/bs

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—80

Barkdoll,	Geer,	Light,	Scott,
Bear,	Gibson,	Lyons,	Shotwell,
Beech,	Gleason,	Madigan,	Smith,
Blair,	Goodling,	Markley,	Sollenberger,
Bolton,	Graybill,	McConnell,	Spencer,
Bomberger,	Greenwood,	McCullough,	Stimmel,
Boorse,	Greer,	McInroy,	Stoner,
Bower,	Guthrie,	McKinney,	Thompson, R. L.,
Breisch,	Hall,	McMillen,	Toomey,
Clapper,	Hamilton, W. H.,	Miller, J. C.,	VanSant,
Clendenning,	Haudenshield,	Moore, C. E.,	Wachhaus,
Davis,	Helm,	Moore, H. A.,	Waterhouse,
Dennison,	Hewitt,	Murray,	Weldner,
DuBois,	Johnson,	Najaka,	Wescott,
Erb,	Jones, T. H. W.,	Naugle,	Whalley,
Ewing,	Keller,	Pitzer,	White,
Ferster,	Kent,	Reagan,	Wilt,
Firmstone,	Kohl,	Reilly, J. M.,	Yeakel,
Flack,	Lafore,	Rigby,	Young,
Frost,	Leonard, W. C.,	Riley, R. L.,	Sorg,

Speaker

NAYS—113

Amarando,	Hagerty,	McGee,	Rubin,
Andrews,	Hamilton, R. K.,	McNally,	Sarraf,
Banker,	Harney,	Mikula,	Sax,
Beaver,	Headlee,	Miller, H. G.,	Scanlon,
Berkstresser,	Hersch,	Mills,	Schmidt,
Bloom,	Hocker,	Mintess,	Schuster,
Boles,	Hoggard,	Monroe,	Seyler,
Breth,	Hunter,	Moran,	Shoemaker,
Brown,	Jenkins,	Muldowney,	Snider,
Bucchin,	Jones, G. E.,	Munley,	Stank,
Byrne,	Jones, J. M.,	Musto,	Swartz,
Cella,	Jones, P. F.,	Needham,	Swope,
Cochran,	Kamyk,	Olsen,	Tahl,
Conway,	Kolankiewicz,	Penglase,	Taylor,
Corr,	Kornick,	Peta,	Thompson, E. F.,
Costa,	Kratz,	Petrosky,	Toil,
Coyle,	Kubacki,	Pettigrew,	Tompkins,
Dalrymple,	Lederer,	Pfaff,	Varallo,
Dougherty,	Lelsey,	Pichney,	Verona,
Dowling,	Leonard, L.,	Polaski,	Wargo,
Duffy,	Leven,	Polen,	Welsh,
Dunn,	Limper,	Price, H. W. Jr.,	Westrick,
Fenrich,	Loftus,	Price, R. A.,	Wheeler,
Fillip,	Lopresti,	Readinger,	Williams,
Filo,	Lovett,	Reese,	Wood,
Gaffney,	Lutty,	Reidenbach,	Yester,
Good,	Maxwell,	Rose,	Yetzer,
Guarnieri,	Mazza,	Rosen,	Ziegler,
Gutendorf,	McDermitt,	Rovansek,	

NOT VOTING—14

Baumunk,	Kline,	Metz,	Royer,
Cooper,	Madden,	Mihm,	Varnier,
Jump,	McCormack,	Robertson,	Watkins,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILL PASSED OVER

There being no objection

House Bill No. 554, Printer's No. 199, was passed over at the request of the SPEAKER.

REPUBLICAN CAUCUS

The SPEAKER. For the information of the Members, there will be a Republican Caucus at 11:00 o'clock tomorrow morning in the new House Caucus Room.

DEMOCRATIC CAUCUS

The SPEAKER. There will be a caucus of the Democratic Members in the old House Caucus Room at 12:00 o'clock noon.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill 681, as follows:

An Act to further amend the title and Section 1 of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 477) entitled as amended "An act providing for the payment of the salary medical and hospital expenses of policemen and firemen by cities boroughs towns and townships who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period" by extending the provisions thereof to park guards

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 477) entitled as amended "An act providing for the payment of the salary medical and hospital expenses of policemen and firemen by cities boroughs towns and townships who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period" as last amended by the act approved the twenty-ninth day of March one thousand nine hundred forty-five (P. L. 100) is hereby further amended to read as follows

An Act

Providing for the payment of the salary medical and hospital expenses of policemen [and] firemen and park guards by cities boroughs towns and townships who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period

Section 3 Section 1 of said act as last amended by the act approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1081) is hereby further amended to read as follows

Section 1 Be it enacted &c That any policeman [or] fireman or park guard of any city borough town or township who is injured in the performance of his duties including in the case of firemen duty as special fire police and by reason thereof is temporarily incapacitated from performing his duties shall be paid by the municipality by which he is employed his full rate of salary as fixed by ordinance or resolution until the disability arising therefrom has ceased All medical and hospital bills incurred in connection with any such injury shall be paid by such municipality During the time salary for temporary incapacity shall be paid by the city borough town or township any workmen's compensation received or collected by a policeman [or] fireman or park guard for such period shall be turned over to such city borough town or township and paid into the treasury thereof and if such payment shall not be so made by the policeman [or] fireman or park guard the amount so due the city borough town or township shall be deducted from any salary then or thereafter becoming due and owing

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mikula,	Snider,
Bomberger,	Headlee,	Miller, H. G.,	Sollenberger,
Boorse,	Helm,	Miller, J. C.,	Spencer,
Bower,	Hersch,	Mills,	Stank,
Breisch,	Hewitt,	Mintess,	Stimmel,
Breth,	Hocker,	Monroe,	Stoner,
Brown,	Hoggard,	Moore, C. E.,	Swartz,
Bucchin,	Hunter,	Moore, H. A.,	Swope,
Byrne,	Jenkins,	Moran,	Tahl,
Cella,	Johnson,	Muldowney,	Taylor,
Clapper,	Jones, G. E.,	Munley,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Murray,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Musto,	Toll,
Conway,	Jones, T. H. W.,	Najaka,	Tompkins,
Cooper,	Jump,	Naugle,	Toomey,
Corr,	Kamyk,	Needham,	VanSant,
Costa,	Keller,	Olsen,	Varallo,
Coyle,	Kent,	Penglase,	Varnier,
Dalrymple,	Kline,	Peta,	Verona,
Davis,	Kohl,	Petrosky,	Wachhaus,
Dennison,	Kolankiewicz,	Pettigrew,	Wargo,
Dougherty,	Kornick,	Pfaff,	Waterhouse,
Dowling,	Kratz,	Pichney,	Watkins,
DuBois,	Kubacki,	Pitzer,	Weldner,
Duffy,	Lafore,	Polaski,	Welsh,
Dunn,	Lederer,	Polen,	Wescott,
Erb,	Lelsey,	Price, H. W. Jr.,	Westrick,
Ewing,	Leonard, L.,	Price, R. A.,	Whalley,
Fenrich,	Leonard, W. C.,	Readinger,	Wheeler,
Ferster,	Leven,	Reagan,	White,
Filip,	Light,	Reese,	Williams,
Filo,	Limper,	Reidenbach,	Wilt,
Firmstone,	Loftus,	Reilly, J. M.,	Wood,
Flack,	Lopresti,	Rigby,	Yeakel,
Frost,	Lovett,	Riley, R. L.,	Yester,
Gaffney,	Lutty,	Robertson,	Yetzer,
Geer,	Lyons,	Rose,	Young,
Gibson,	Madden,	Rosen,	Ziegler,
Gleason,	Madigan,	Rovansek,	Sorg,
Good,	Markley,		Speaker

NAYS—0

NOT VOTING—1

Mihm.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 721, as follows:

An Act to further amend clause (c) of Section 285 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by authorizing the Board of Fish Commissioners to make certain expenditures with or without bids

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (c) of Section 285 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" as last amended by the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 801) is hereby further amended to read as follows

Section 285 Fish License Fund Established

* * * * *

(c) The purchase of any item costing up to twenty-five dollars (\$25) may be made without obtaining competitive bids the purchase of any item costing over twenty-five dollars (\$25) but less than one hundred dollars (\$100) shall be made only upon obtaining at least two competitive bids items costing over one hundred dollars (\$100) shall be made through the Department of Property and Supplies as purchasing agency of such furniture furnishings stationery supplies materials equipment fuel motor vehicles and printing and binding as may be necessary in the conduct of the work of the board and the payment of premiums on surety bonds for such officers or employees of the board as may be required to furnish them policies of Workmen's Compensation Insurance and policies of liability insurance covering the aforesaid motor vehicles and persons operating same which bonds or insurance policies shall have been contracted for by the Department of Property and Supplies as agent of the board

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mikula,	Snider,
Bomberger,	Headlee,	Miller, H. G.,	Sollenberger,
Boorse,	Helm,	Miller, J. C.,	Spencer,
Bower,	Hersch,	Mills,	Stank,
Breisch,	Hewitt,	Mintess,	Stimmel,
Breth,	Hocker,	Monroe,	Stoner,
Brown,	Hoggard,	Moore, C. E.,	Swartz,
Bucchin,	Hunter,	Moore, H. A.,	Swope,
Byrne,	Jenkins,	Moran,	Tahl,
Cella,	Johnson,	Muldowney,	Taylor,
Clapper,	Jones, G. E.,	Munley,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Murray,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Musto,	Toll,
Conway,	Jones, T. H. W.,	Najaka,	Tompkins,
Cooper,	Jump,	Naugle,	Toomey,
Corr,	Kamyk,	Needham,	VanSant,
Costa,	Keller,	Olsen,	Varallo,
Coyle,	Kent,	Penglase,	Varnier,
Dalrymple,	Kline,	Peta,	Verona,
Davis,	Kohl,	Petrosky,	Wachhaus,
Dennison,	Kolankiewicz,	Pettigrew,	Wargo,
Dougherty,	Kornick,	Pfaff,	Waterhouse,
Dowling,	Kratz,	Pichney,	Watkins,
DuBois,	Kubacki,	Pitzer,	Weldner,
Duffy,	Lafore,	Polaski,	Welsh,
Dunn,	Lederer,	Polen,	Wescott,
Erb,	Lelsey,	Price, H. W. Jr.,	Westrick,
Ewing,	Leonard, L.,	Price, R. A.,	Whalley,
Fenrich,	Leonard, W. C.,	Readinger,	Wheeler,
Ferster,	Leven,	Reagan,	White,
Filip,	Light,	Reese,	Williams,
Filo,	Limper,	Reidenbach,	Wilt,

Firmstone,	Loftus,	Relly, J. M.,	Wood,
Flack,	Lopresti,	Rigby,	Yeakel,
Frost,	Lovett,	Riley, R. L.,	Yester,
Gaffney,	Lutty,	Robertson,	Yetzer,
Geer,	Lyons,	Rose,	Young,
Gibson,	Madden,	Rosen,	Ziegler,
Gleason,	Madigan,	Revanssek,	Sorg,
Good,	Markley,		Speaker

NAYS—0

NOT VOTING—1

Mihm.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 726, as follows:

An Act to amend the title and further amend Subsections A and C of Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to asses and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" by including townships of the second class within the classes of political subdivisions authorized to impose taxes under the provisions thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" is hereby amended to read as follows

An Act

Empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class townships of the second class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court

Section 2 Subsections A and C of Section 1 of said act as amended by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 898) are hereby further amended to read as follows

Section 1 A Delegation of Taxing Powers and Restrictions Thereon The duly constituted authorities of the following political subdivisions cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class townships of the second class school districts of the second class school districts of the third class and school districts of the fourth class may in their discretion by ordinance or resolution for general revenue purposes levy assess and collect or provide for the levying assessment and collection of such taxes on persons transactions occupations privileges subjects and personal property within the limits of such political subdivisions as they shall determine except that such local authorities shall not have authority by virtue of this act (1) to levy assess and collect or provide for the levying assessment and collection of any tax on a privilege transaction subject occupation or personal property which is now or does hereafter become subject to a State tax or license fee or (2) to levy assess or collect a tax on the gross receipts from utility service of any person or company whose rates and services are fixed and regulated by the Pennsylvania Public Utility Commission or on any public utility services rendered by any such person or company or on any privilege or transaction involving the rendering of any such public utility service or (3) except on sales of admission to places of amusement or on sales or other transfers of title or possession of property to levy assess or collect a tax on the privilege of employing such tangible property as is now or does hereafter become subject to a State tax or (4) to levy assess and collect a tax on goods and articles manufactured in such political subdivision or on the by-products of manufacture or on minerals timber natural resources and farm products produced in such political subdivision or on the preparation or processing thereof for use or market or on any privilege act or transaction related to the business of manufacturing the production preparation or processing of minerals timber and natural resources or farm products by manufacturers by producers and by farmers with respect to the goods articles and products of their own manufacture production or growth or on any privilege act or transaction relating to the business of processing by-products of manufacture or on the transportation loading unloading or dumping or storage of such goods articles products or by-products (5) to levy assess or collect a tax on salaries wages commissions compensation and earned income of nonresidents of the political subdivision Provided That this limitation (5) shall apply only to school districts of the second third and fourth classes (6) to levy assess or collect a tax on personal property subject to taxation by counties or on personal property owned by persons associations and corporations specifically exempted by law from taxation under the county personal property tax law Provided That this limitation (6) shall not apply to cities of the second class

* * * * *

C Over-all Limit of Tax Revenues The aggregate amount of taxes imposed by enactment of an ordinance or resolution by any political subdivision under this section and in effect during any fiscal year shall not exceed an amount equal to the product obtained by multiplying the total assessed valuation of real estate in such political subdivision at the time of the said enactment by ten (10) mills in cases of cities of the second class cities of the second class A cities of the third class boroughs towns [and] townships of the first class and townships of the second class and by fifteen (15) mills in cases of school districts of the second class third class and fourth class

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, until the question of a wage state tax has been resolved we question the wisdom of bringing any other political subdivision into the wage tax category. Therefore we felt that this bill should be defeated.

Mr. GOOD. Mr. Speaker, I ask the Members of the House to give every consideration to the second class townships in regard to being included under 481. I ask the Members to vote for this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—102

Banker,	Geer,	Loftus,	Smith,
Barkdoll,	Gleason,	Madigan,	Snider,
Baumunk,	Good,	Markley,	Sollenberger,
Bear,	Goodling,	Mazza,	Spencer,
Beech,	Graybill,	McConnell,	Stimmel,
Blair,	Greenwood,	McCormack,	Stoner,
Bolton,	Greer,	McInroy,	Tahl,
Bomberger,	Gutendorf,	McKinney,	Thompson, E. F.,
Bower,	Guthrie,	Miller, H. G.,	Thompson, R. L.,
Breisch,	Hall,	Miller, J. C.,	Tompkins,
Brown,	Hamilton, W. H.,	Mintess,	Toomey,
Cella,	Harney,	Moore, C. E.,	VanSant,
Clapper,	Haudenschild,	Moore, H. A.,	Varner,
Cooper,	Headlee,	Naugle,	Wachhaus,
Costa,	Helm,	Pichney,	Waterhouse,
Dalrymple,	Hewitt,	Pitzer,	Weldner,
Davis,	Johnson,	Readinger,	Wescott,
Dennison,	Jones, J. M.,	Reilly, J. M.,	Whalley,
Dowling,	Jones, T. H. W.,	Rigby,	White,
Erb,	Jump,	Riley, R. L.,	Wilt,
Ewing,	Keller,	Robertson,	Yeakel,
Ferster,	Kent,	Rubin,	Young,
Firmstone,	Kline,	Sax,	Ziegler,
Flack,	Kratz,	Scott,	Sorg,
Frost,	Lafore,	Shoemaker,	Speaker
Gaffney,	Light,	Shotwell,	

NAYS—91

Amarando,	Hamilton, R. K.,	McGee,	Reese,
Andrews,	Hersch,	McNally,	Reidenbach,
Beaver,	Hocker,	Metz,	Rose,
Bloom,	Hoggard,	Mikula,	Rosen,
Boles,	Hunter,	Mills,	Rovansek,
Boorse,	Jenkins,	Monroe,	Sarraf,
Breth,	Jones, G. E.,	Moran,	Scanlon,
Bucchin,	Jones, P. F.,	Muldowney,	Schuster,
Byrne,	Kamyk,	Munley,	Seyler,
Clendenning,	Kohl,	Murray,	Stank,
Conway,	Kolankiewicz,	Musto,	Swope,
Corr,	Kornick,	Najaka,	Toll,
Coyle,	Kubacki,	Needham,	Varallo,
Dougherty,	Leisey,	Olsen,	Verona,
DuBois,	Leonard, L.,	Penglase,	Wargo,
Duffy,	Leven,	Peta,	Welsh,
Dunn,	Limper,	Petrosky,	Westrick,
Fenrich,	Lopresti,	Pettigrew,	Wheeler,
Fillp,	Lovett,	Pfaff,	Williams,
Filo,	Lutty,	Polaski,	Wood,
Gibson,	Lyons,	Polen,	Yester,
Guarnieri,	Maxwell,	Price, H. W. Jr.,	Yetzer,
Hagerty,	McDermitt,	Price, R. A.,	

NOT VOTING—14

Berkstresser,	Madden,	Reagan,	Swartz,
Cochran,	McCullough,	Royer,	Taylor,
Lederer,	McMillen,	Schmidt,	Watkins,
Leonard, W. C.,	Mihm,		

Less than the majority required by the Constitution having voted in the affirmative the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 746, as follows:

A Joint Resolution Proposing an amendment to section four of article two of the Constitution of Pennsylvania establishing annual sessions of the General Assembly The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 The following amendment to the Constitution of the Commonwealth of Pennsylvania is hereby proposed in accordance with the eighteenth article thereof

That section four or article two is hereby amended to read as follows

Section 4 The General Assembly shall meet in regular session at twelve o'clock noon on the first Tuesday of January in the year one thousand nine hundred fifty-five and annually thereafter and at other times when convened by the Governor

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mikula,	Snider,
Bomberger,	Headlee,	Miller, H. G.,	Sollenberger,
Boorse,	Helm,	Miller, J. C.,	Spencer,
Bower,	Hersch,	Mills,	Stank,
Breisch,	Hewitt,	Mintess,	Stimmel,
Breth,	Hocker,	Monroe,	Stoner,
Brown,	Hoggard,	Moore, C. E.,	Swartz,
Bucchin,	Hunter,	Moore, H. A.,	Swope,
Byrne,	Jenkins,	Moran,	Tahl,
Cella,	Johnson,	Muldowney,	Taylor,
Clapper,	Jones, G. E.,	Munley,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Murray,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Musto,	Toll,
Conway,	Jones, T. H. W.,	Najaka,	Tompkins,
Cooper,	Jump,	Naugle,	Toomey,
Corr,	Kamyk,	Needham,	VanSant,
Costa,	Keller,	Olsen,	Varallo,
Coyle,	Kent,	Penglase,	Varner,
Dalrymple,	Kline,	Peta,	Verona,
Davis,	Kohl,	Petrosky,	Wachhaus,
Dennison,	Kolankiewicz,	Pettigrew,	Wargo,
Dougherty,	Kornick,	Pfaff,	Waterhouse,
Dowling,	Kratz,	Pichney,	Watkins,
DuBois,	Kubacki,	Pitzer,	Weidner,
Duffy,	Lafore,	Polaski,	Welsh,
Dunn,	Lederer,	Polen,	Wescott,
Erb,	Leisey,	Price, H. W. Jr.,	Westrick,
Ewing,	Leonard, L.,	Price, R. A.,	Whalley,
Fenrich,	Leonard, W. C.,	Readinger,	Wheeler,
Ferster,	Leven,	Reagan,	White,
Fillp,	Light,	Reese,	Williams,
Filo,	Limper,	Reidenbach,	Wilt,
Firmstone,	Lopresti,	Reilly, J. M.,	Wood,
Flack,	Lovett,	Rigby,	Yeakel,
Frost,	Lutty,	Riley, R. L.,	Yester,
Gaffney,	Lyons,	Robertson,	Yetzer,
Geer,	Madden,	Rose,	Young,
Gibson,	Maddigan,	Rosen,	Ziegler,
Gleason,	Madigan,	Rovansek,	Sorg,
Good,	Markley,		Speaker

NAYS—0

NOT VOTING—1

Mihm.

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 16, as follows:

An Act to further amend clauses six seven twenty and twenty-three of Section two of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by exempting from the provisions thereof transportation of pulpwood or chemical wood from woodlots

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses six seven twenty and twenty-three of section two of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regu-

lating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" as last amended by the acts approved the second day of May one thousand nine hundred forty-nine (P. L. 838) and the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1705) are hereby further amended to read as follows

Section 2 Definitions The following words terms and phrases shall have the meanings ascribed to them in this section unless the context clearly indicates otherwise

* * * * *

(6) "Common Carrier by Motor Vehicle" means any common carrier who or which holds out or undertakes the transportation of passengers or property or both or any class of passengers or property between points within this Commonwealth by motor vehicle for compensation whether or not the owner or operator of such motor vehicle or who or which provides or furnishes any motor vehicle with or without driver for transportation or for use in transportation of persons or property as aforesaid and shall include common carriers by rail water or air and express or forwarding public utilities in so far as such common carriers or such public utilities are engaged in such motor vehicle operations but shall not include (a) a lessor under a lease given on a bona fide sale of a motor vehicle where the lessor retains or assumes no responsibility for maintenance supervision or control of the motor vehicle so sold or (b) transportation of school children in any motor vehicle owned by any school district or operated under contract with any school district which transportation is lawfully paid for by the school district from district funds or (c) any owner or operator of a farm transporting agricultural products from or farm supplies to such farm or any independent contractor or cooperative agricultural association hauling agricultural products or farm supplies exclusively for one or more owners or operators of farms (d) any person or corporation who or which uses or furnishes for use dump trucks for the transportation of ashes rubbish excavated and road construction materials

(e) transportation of property by the owner to himself or to purchasers directly from him in vehicles owned and operated by the owner of such property and not otherwise used in transportation of property for compensation for others (f) transportation of voting machines to and from polling places by any person or corporation for or on behalf of any political subdivision of this Commonwealth for use in any primary general or special election (g) transportation of pulpwood or chemical wood from woodlots (h) transportation by towing of wrecked or disabled motor vehicles or (i) any person or corporation who or which furnishes transportation for any injured ill or dead person

(7) "Contract Carrier by Motor Vehicle" means any person or corporation who or which provides or furnishes transportation of passengers or property or both or any class of passengers or property between points within this Commonwealth by motor vehicle for compensation whether or not the owner or operator of such motor vehicle or who or which provides or furnishes with or without drivers any motor vehicle for such transportation or for use in such transportation other than as a common carrier by motor vehicle but shall not include (a) a lessor under a lease given on a bona fide sale of a motor vehicle where the lessor retains or assumes no responsibility for maintenance supervision or control of the motor vehicle so sold or (b) any bona fide agricultural cooperative association transporting property exclusively for the members of such association on a non-profit basis or any independent contractor hauling exclusively for such association or (c) any owner or operator of a farm transporting agricultural products from or farm supplies to such farm or any independent contractor hauling agricultural products or farm supplies exclusively for one or more owners or operators of farms (d) transportation of school children in any motor vehicle owned by any school district or operated under contract with any school district which transportation is lawfully paid for by the school district from district funds or (e) any person or corporation who or which uses or furnishes for use dump trucks for the transportation of ashes rubbish excavated or road construction materials or (f) transportation of voting machines to and from polling places by any person or corporation for or on behalf of any political subdivision of this Commonwealth for use in any primary general or special election (g) transportation of pulpwood or chemical wood from woodlots (h) transportation by towing of wrecked or disabled motor vehicles or (i) any person or corporation who or which furnishes transportation for any injured ill or dead person

(20) "Service" is used in this act in its broadest and most inclusive sense and includes any and all acts done rendered or performed and any and all things furnished or supplied and any and all facilities used furnished or supplied by public utilities or contract carriers by motor vehicle in the performance of their duties under this act to their patrons employes other public utilities and the public as well as the interchange of facilities between two or more of them but shall not include any acts done rendered or performed or any thing furnished or supplied or any facility used furnished or supplied by public utilities or contract carriers by motor vehicle in the transportation of voting machines to and from polling places for or on behalf of any political subdivision of this Commonwealth for use in any primary general or special election or in the transportation of any injured ill or dead person or in the transportation by towing of wrecked or disabled motor vehicles or in the transportation of pulpwood or chemical wood from woodlots

(23) "Transportation of Passengers or Property" means any and all service in connection with the receiving transportation elevation transfer in transit ventilation refrigeration icing storage handling and delivering of property baggage or freight as well as any and all service

in connection with the transportation or carrying of passengers but shall not mean any service in connection with the receiving transportation handling or delivering of voting machines to and from polling places for or on behalf of any political subdivision of this Commonwealth for use in any primary general or special election or [in] the transportation of any injured ill or dead person or the transportation by towing of wrecked or disabled motor vehicles or the transportation of pulpwood or chemical wood from woodlots

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mikula,	Snider,
Bomberger,	Headlee,	Miller, H. G.,	Sollenberger,
Boorse,	Helm,	Miller, J. C.,	Spencer,
Bower,	Hersch,	Mills,	Stank,
Breisch,	Hewitt,	Mintess,	Stimmel,
Breth,	Hocker,	Monroe,	Stoner,
Brown,	Hoggard,	Moore, C. E.,	Swartz,
Buchin,	Hunter,	Moore, H. A.,	Swope,
Byrne,	Jenkins,	Moran,	Tahl,
Cella,	Johnson,	Muldowney,	Taylor,
Clapper,	Jones, G. E.,	Munley,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Murray,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Musto,	Toil,
Conway,	Jones, T. H. W.,	Najaka,	Tompkins,
Cooper,	Jump,	Naugle,	Toomey,
Corr,	Kamyk,	Needham,	VanSant,
Costa,	Keller,	Olsen,	Varallo,
Coyle,	Kent,	Penglase,	Varner,
Dalrymple,	Kline,	Peta,	Verona,
Davis,	Kohl,	Petrosky,	Wachhaus,
Dennison,	Kolankiewicz,	Pettigrew,	Wargo,
Dougherty,	Kornick,	Praff,	Waterhouse,
Dowling,	Kratz,	Pichney,	Watkins,
DuBois,	Kubacki,	Pitzer,	Weidner,
Duffy,	Lafore,	Polaski,	Welsh,
Dunn,	Lederer,	Polen,	Wescott,
Erb,	Leisey,	Price, H. W. Jr.,	Westrick,
Ewing,	Leonard, L.,	Price, R. A.,	Whalley,
Fenrich,	Leonard, W. C.,	Readinger,	Wheeler,
Ferster,	Leven,	Reagan,	White,
Filip,	Light,	Reese,	Williams,
Filo,	Limper,	Reidenbach,	Wilt,
Firmstone,	Loftus,	Reilly, J. M.,	Wood,
Flack,	Lopresti,	Rigby,	Yeakel,
Frost,	Lovett,	Riley, R. L.,	Yester,
Gaffney,	Lutty,	Robertson,	Yetzer,
Geer,	Lyons,	Rose,	Young,
Gibson,	Madden,	Rosen,	Ziegler,
Gleason,	Madigan,	Rovansek,	Sorg,
Good,	Markley,		Speaker

NAYS—0

NOT VOTING—1

Mihm.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 195 entitled:

A Joint Resolution proposing an amendment to section eighteen, article nine of the Constitution of the Commonwealth of Pennsylvania authorizing the use of certain revenues for the acquisition of bridges and toll bridges.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. WOOD. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for further study.

The motion was agreed to.

BILL ON SECOND READING POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar, by Mr.

The House resumed the consideration on second reading of House Bill No. 486, entitled:

An Act to further amend the act approved the third day of June, one thousand nine hundred thirty-three (P. L. 1449), entitled "An act establishing a court of record in the county of Allegheny for control, care, guidance, treatment, trial, placement and commitment of delinquent, neglected and dependent children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging relinquency, neglect or dependency of children; defining the jurisdiction and powers of the court, and regulating procedure therein; providing for the transfer thereto of certain powers, functions and duties from other courts, providing for the election of judges thereof, the appointment of probation officers, other necessary staff officials and assistants, providing for housing of same, and providing for detention facilities; making the contributing to or encouraging of the delinquency, neglect or dependency of children a misdemeanor; and providing penalties," by further regulating the powers, duties and procedure of the juvenile court; and allowing appeals to the county court of Allegheny County.

The first section was read.

On the question,

Will the House agree to the section?

Mr. GEER offered the following amendments:

Amend Sec. 1, page 2, line 1, by striking out the following "Sections 403 and 405" and inserting in lieu thereof "Section 414."

Amend Sec. 1, page 3, lines 8, 9 and 10, by striking out the words "as amended by the act approved the fifteenth day of June" in line 8, all of line 9, and the word "further" in line 10, and inserting in lieu thereof "is hereby."

Amend Sec. 1 (Sec. 403), page 3, lines 11 to 20, both inclusive, by striking out all of said lines.

Amend Sec. 1 (Sec. 403), page 4, lines 1 to 14, both inclusive, by striking out all of said lines.

Amend Sec. 1 (Sec. 405), page 4, lines 15 to 19, both inclusive, by striking out all of said lines.

Amend Sec. 1 (Sec. 405), page 5, lines 1 to 20, both inclusive, by striking out all of said lines.

Amend Sec. 1 (Sec. 405), page 6, lines 1 to 20, both inclusive, by striking out all of said lines.

Amend Sec. 1 (Sec. 405), page 7, lines 1 to 17, both inclusive, by striking out all of said lines.

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. GEER offered the following amendments:

Amend Sec. 2, page 7, lines 18 and 19, by striking out both of said lines.

Amend Sec. 2 (Sec. 405.1), page 8, lines 1 to 20, both inclusive, by striking out all of said lines.

Amend Sec. 2 (Sec. 405.1), page 9, lines 1 to 14, both inclusive, by striking out all of said lines.

They were agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the House agree to the section?

Mr. GEER offered the following amendments:

Amend Sec. 3, page 9, lines 5 and 6, by striking out both of said lines.

Amend Sec. 3 (Sec. 407), page 9, lines 7 to 19, both inclusive by striking out all of said lines.

Amend Sec. 3 (Sec. 407), page 10, lines 1 to 17, both inclusive, by striking out all of said lines.

They were agreed to.

The section was agreed to as amended.

The fourth section was read.

On the question,

Will the House agree to the section?

Mr. GEER offered the following amendments:

Amend Sec. 4, page 10, lines 18 and 19, by striking out both of said lines.

Amend Sec. 4 (Sec. 407.1), page 11, lines 1 to 19, both inclusive, by striking out all of said lines.

Amend Sec. 5, page 12, lines 1 and 2, by striking out both of said lines and inserting in lieu thereof: "Section 414. Rehearing and Appeals [Where Error of Law and Fact Are Alleged]. (a) Within twenty-one days after the final order of any judge of the juvenile court, committing or placing any dependent, neglected or delinquent child, such child shall, as a matter of right, by his or her parent or parents or next friend, have the right to present to the court a petition to have his or her case or cases reviewed and reheard, [if, in the opinion of such parent, parents, or next friend, an error of fact or of law or of both has been made in such proceedings or final order, or if said order has been improvidently or inadvertently made.]

Upon the presentation of such petition, the court shall grant such review and rehearing as a matter of right. The testimony at such reviews and rehearings shall be taken down and transcribed by an official court stenographer, which testimony shall be duly made a part of the record in such case. [From the final order of such court, in proceedings for such rehearings and reviews, appeals shall lie as a matter of right to the Superior Court, upon the same terms and with the same regulations as are provided by law with respect to appeals from any decree of the orphans' court. In hearing such appeals, the Superior Court shall consider the testimony as a part of the record.]

(b) An appeal may be taken from any decision, refusal of a petition for review or refusal of a petition for revocation or modification of an order of Juvenile Court, within sixty (60) days thereafter to the County Court of Allegheny County. Every petition for appeal shall identify the parties, state the facts of the case, state the decision of the court, and state the reasons for complaint.

(c) Such petition shall be presented either in person or by registered mail to the President Judge of the County Court of Allegheny County and a copy filed with the judge of juvenile court. Within ten days thereafter, the judge of juvenile court shall certify to County Court of

Allegheny County a complete account of the case, showing the facts, the decision and the basis on which such decision was made.

(d) The President Judge of County Court shall appoint three members of the court to examine the case on its pleadings to determine whether or not prima facies cause for appeal exists. The court en banc may determine the cause upon the pleadings or order a hearing on the petition.

(e) If after determination of the petition for appeal, the court finds that cause for appeal exists, the court shall set a date for a hearing and the case shall be heard de novo by three judges of County Court of Allegheny County.

(f) Cause for appeal shall be established in pleading or evidence if it is shown.

(1) That the case as heard by Juvenile Court was determined on material beliefs of fact which are untrue.

(2) That the neglected child may be better cared for or the delinquent child better corrected by some manner or treatment other than that ordered and directed by Juvenile Court.

(3) That the decision was improper under all the circumstances.

(g) Hearing may be held in private in county court, but records may be taken for the purpose of appeal to Superior Court.

(h) An appeal from any decision of County Court of Allegheny County may be taken to Superior Court as appeals are taken in other cases.

They were agreed to.

The section was agreed to as amended.

The fifth section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. GEER offered the following amendments:

Amend Title, page 2, lines 8 and 9 of Title, by striking out the words "further regulating the powers, duties and procedure of the juvenile court and."

Amend Title, page 2, last line of Title, by inserting after the word "COUNTY," where it appears the second time in said line, the following: "and Superior Court, and regulating the procedure therefore."

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to as amended.

Ordered, To be transcribed for third reading.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed the the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, April 10, 1951.

The proverbial showers of April that carry life-giving moisture to the winter-scarred land also brought to this Commonwealth fifty-eight years ago an individual who was destined to invest its governmental structure with grace and vitality.

Although Governor Fine was born in Luzerne County and his youthful experiences were restricted to its confines, yet on attaining man's estate his vision broadened and his interests soon encompassed the welfare and prosperity of every section of the Commonwealth.

As a young lawyer, his zeal for social justice always took precedence over any desire for personal advantage or legal prestige.

As a judge, he envisaged the numerous problems that came before him, along with their sources and back-

ground, in this selfsame impartial manner that became the basis for many fair and objective decisions.

Although a judicial sanctuary is a prize of security that many a man would covet, yet Governor Fine in spite of the hazards of political existence and his abandonment of an assured career courageously responded to the call of the people to serve them in the capacity of their Chief Magistrate.

Since the anniversary of his birthday falls in the midst of unusual legislative activity; therefore be it

Resolved, That the General Assembly (if the Senate concur) extend to Governor John S. Fine its heartfelt and sincere greetings on the occasion of his fifty-eighth birthday anniversary; and be it further

Resolved, That the General Assembly express its fondest hope that the Governor will be privileged to move along the pathway of many more milestones of sustained health, increasing prosperity, and expanding governmental service and opportunity to the end that the people of this Commonwealth may become the beneficiaries of his administrative skill and sagacity into the indefinite future; and it further

Resolved, That the Chief Clerk be instructed to transmit a copy of this resolution to His Excellency, Governor John S. Fine.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, apparently the headquarters staff of the PSEA has circulated reports leading the teachers of this Commonwealth to believe that possible salary increases are wholly dependent upon the rise or fall of the proposed flat income tax.

Many teachers as a result of this wholly malicious, misleading propaganda have been reduced practically to a state of hysteria. I know of no occasion in the history of Pennsylvania when an organization staff which should uphold high standards has descended to the malicious deception that the headquarters staff of the PSEA has descended to.

It is not true in any sense that the teachers' salary program stands or falls upon the success of the wage or the income tax measure. Both the majority and minority Members of this House regard the figure fixed in the Governor's budget for the public schools as a minimum figure. We do not regard it as a maximum in one way or another, irrespective of the thing that befalls any particular tax measure. I am sure that the teachers of this Commonwealth, those interested in the mental health institutions, and those interested in the other essential services that the Commonwealth renders can rest assured that those needs will be financed. It is unsportsmanlike; it is playing a low standard of politics for any organization to so delude the teachers of the Commonwealth that they shower telegrams and letters upon the Members of this House, because of their belief that if a particular tax measure falls then they do not receive any salary increase.

PERMISSION TO ADDRESS HOUSE

Mr. SMITH asked and obtained unanimous consent to address the House.

Mr. Speaker, I would just like to make a brief statement to the Minority Leader, and say that certainly the teachers' and all other programs will rise or fall on whether or not we provided the money, whether it be this type of tax or any other tax. But we do have to

provide the money in this House for everything we have promised.

Mr. ANDREWS. Mr. Speaker, I thoroughly agree with the Majority Leader, and I hope, since he has been so broad minded since this session began, that he does not now develop a single-track mind and center his attention solely upon a particular tax program which is inherently so questionable that there has up to this time been a refusal to submit it to public scrutiny, and offer the opportunity for those that might have suggestions to make to appear at a public hearing.

PERMISSION TO ADD ADDITIONAL SPONSOR

Mr. HARRY W. PRICE, JR., asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

Mr. HAUDENSHIELD asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

Mr. TOLL asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

REPORT OF PENNSYLVANIA COMMISSION ON INTERSTATE COOPERATION

Mr. WOOD presented the report of the Pennsylvania Commission on Interstate Cooperation.

(For report see Appendix)

RESOLUTION

CONDOLENCE

Mr. BERKSTRESSER offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, April 10, 1951.

Harvey H. Clevenger, a member of the 1947-1949 session of the House of Representatives, succumbed to a cardiac ailment while on duty as a maintenance inspector of the Pennsylvania Turnpike.

Mr. Clevenger was an active participant in church, fraternal, and political circles. He was a member of the Methodist Church of McConellsburg. He held membership in the F. and A. M. at Chambersburg, the Harrisburg Consistory and the Jaffa Shrine at Altoona.

He was an ardent Republican for many years and at the time of his death was the Chairman of the Republican County Committee for Fulton County.

Vocationally, Mr. Clevenger was a construction engineer

for over twenty-five years. His magnificent personality was the key to a host of admirers and friends and his untimely death will be mourned by many who had the rare fortune to associate with him. He is survived by his wife, one son, three daughters, and three sisters; therefore be it

Resolved, That this House pause to express respect and sorrow at the passing of one of its outstanding members; and be it further

Resolved, That this House note the great loss which McConellsburg has sustained in its deprivation of an outstanding citizen and a civic leader; and be it further

Resolved, That the Chief Clerk be instructed to transmit a copy of this resolution to the widow of Harvey H. Clevenger—Mrs. Amy Lodge Clevenger of McConellsburg.

REPORT FROM COMMITTEE

Mr. JUMP from the Committee on Cities—Third Class, reported as committed House Bill No. 955, entitled:

An Act to amend section 10 of the act, approved the twenty third day of May, one thousand nine hundred forty-five (P. L. 903) entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employees independently of any pension system or systems existing in such cities," by removing the limitations on contributions by the city.

COMMITTEE MEETINGS

Boroughs, Mr. Baumunk, Chairman, Room 324, Wednesday, April 11, 1951 at 11:00 a. m.

Game and Forestry, Mr. Goodling, Chairman, Room 331, Wednesday, April 11, 1951 at 10:00 a. m.

Military Affairs, Mr. McMillen, Chairman, Room 323, Wednesday, April 11, 1951 at 9:30 a. m.

Motor Vehicles, Mr. Dennison, Chairman, Room 522, Wednesday, April 11, 1951, at 10:00 a. m.

Municipal Corporations, Mr. Boorse, Chairman, Room 521, Wednesday, April 11, 1951 at 10:00 a. m.

Public Health and Sanitation, Mr. Frost, Chairman, Room 329, Wednesday, April 11, 1951, at 10:00 a. m.

Townships, Mr. Reagan, Chairman, Room 522, Wednesday, April 11, 1951 at 10:30 a. m.

ADJOURNMENT

Mr. KUBACKI. Mr. Speaker, I move that this House do now adjourn until Wednesday, April 11, 1951 at 1:00 p. m.

The motion was agreed to, and (at 6:05 p. m.) the House adjourned.

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Session 1951.

139th of the General Assembly.

Vol. 32.

HARRISBURG, PA., WEDNESDAY, APRIL 11, 1951.

No. 36.

SENATE

WEDNESDAY, April 11, 1951.

The Senate met at 11:00 o'clock, a. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

PRAYER

The Chaplain, Rev. GILBERT L. BENNETT, Pastor of the First Methodist Church, Huntingdon, Pennsylvania, offered the following prayer:

Almighty God, who has called our fathers to Thy service and opened their eyes to behold Thy wondrous works, Thou art the same today even as Thou wast in the beginning. Thou art our refuge in this life. Our fathers believed and trusted in Thee. Therefore didst Thou teach them the laws of life and the way of wisdom.

Thy blessing we invoke upon our Governor, the Presiding Officer and Members of this body, and the people of this great Commonwealth. Grant unto us all a faith equal to our several tasks. We pray in the name of Christ our Lord. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding Session.

The Clerk proceeded to read the Journal of the preceding Session, when, on motion of Mr. WALKER and Mr. MALLERY, further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. HARE asked and obtained leave of absence for Mr. WOOD, for today.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE BILL No. 16

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 16, entitled:

An Act to further amend clause six seven twenty and twenty-three of Section two of the act approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the registration of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engageng in public

utility business by perscribing defining and limiting their duties powers and liabilities and regulatng the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other maters authorizing a permissive or manadatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by exempting from the provisions thereof transportation of pulpwood or chemical wood from wood-lots,

with the information that the House has passed the same without amendments.

SENATE BILL No. 318 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 318, entitled:

An Act authorizing counties of the second class to establish fire training schools for the paid and volunteer firemen of municipalities within the county.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on Monday's Calendar.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, April 9, 1951.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday, April 16, 1951, at three o'clock p. m., Eastern Standard Time; and when the House of Representatives adjourns this week, it reconvene on Monday, April 16, 1951, at four thirty o'clock p. m., Eastern Standard Time.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 24, entitled:

An Act to amend section 304 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by increasing the membership of the Pennsylvania Historical and Museum Commission.

Which was committed to the Committee on State Government.

House Bill No. 48, entitled:

An Act relating to and defining chiropractic and the right to practice chiropractic requiring licensure conferring powers and imposing duties upon the State Board of Chiropractic Examiners providing for the granting suspension and revocation of licenses issued by the board conferring jurisdiction upon the Court and Common Pleas of Dauphin County and prescribing penalties.

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 218, entitled:

An Act to further amend section 30 of the act, approved the eleventh day of May, one thousand nine hundred twenty-one (P. L. 522), entitled as amended "Dog Law of 1921," by increasing the maximum amounts of payments by the State and requiring additional proof of claims in certain cases.

Which was committed to the Committee on Agriculture.

House Bill No. 268, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1046) entitled as amended "An act appropriating the moneys in the Motor License Fund" by providing for appropriations to the Department of Public Instruction for its expenses and payments to school districts in carrying out a driver-training program.

Which was committed to the Committee on Education.

House Bill No. 269, entitled:

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by providing for the establishment by the Department of Public Instruction of a standardized driver-training program in the public schools and providing for assistance to school districts in certain cases.

Which was committed to the Committee on Education.

House Bill No. 270, entitled:

An Act to add Section 2511.2 to the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 301), entitled "Public School Code of 1949," by providing for payments to school districts and vocational school districts on account of employment of highway safety education instructors.

Which was committed to the Committee on Education.

House Bill No. 375, entitled:

An Act to further amend subsection (b) of Section 1103 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by authorizing townships of the first class to remove and impound vehicles.

Which was committed to the Committee on Highways.

House Bill No. 466, entitled:

An Act requiring cities of the first class to make annual appropriations to Firemen's Pension Funds.

Which was committed to the Committee on Local Government.

House Bill No. 492, entitled:

An Act to further amend Section 1311 of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "Public Utility Law," by providing for sentences of imprisonment in default of fines imposed under that section for first and second offenses by motor carriers, common carriers by air-plane or brokers.

Which was committed to the Committee on Corporations.

House Bill No. 681, entitled:

An Act to further amend the title and Section 1 of the act, approved the twenty-eighth day of June, one thousand nine hundred thirty-five (P. L. 477), entitled as amended "An act providing for the payment of the salary, medical and hospital expenses of policemen and firemen by cities, boroughs, towns, and townships who are injured in the performance of their duty; and providing that absence during such injury shall not reduce any usual sick leave period," by extending the provisions thereof to park guards.

Which was committed to the Committee on Local Government.

House Bill No. 721, entitled:

An Act to further amend clause (c) of Section 285 of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "Fish Law of 1925," by authorizing the Board of Fish Commissioners to make certain expenditures with or without bids.

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 746, entitled:

A Joint Resolution proposing an amendment to section four of article two of the Constitution of Pennsylvania, establishing annual sessions of the General Assembly.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

REPORTS FROM COMMITTEES

Mr. HARE, from the Committee on Education, reported as committed, Senate Bill No. 415, entitled:

An Act authorizing the establishment in the Pennsylvania State College, through the extension services of said institution an educational program in industrial and labor relations, stating the objectives and purposes of said program; conferring obligations and duties on the trustees and president of said institution; providing for the establishment of an advisory committee, its appointment, and defining its powers and duties; making an appropriation therefor.

Mr. FLEMING, from the Committee on Local Government, reported as committed, House Bill No. 120, entitled:

An Act to further amend the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 803) entitled as amended "An act providing for the creation maintenance and operation of a county employees' retirement system in counties of the fifth sixth seventh and eighth class imposing certain charges on counties and prescribing penalties" by further defining county employee substituting the chief clerk for the auditor as a member of and secretary to the board in certain cases and extending the period in which a certain option may be exercised

Mr. FREED, from the Committee on Local Government, reported as committed, House Bill No. 202, entitled:

An Act to further amend Section 2445 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," by authorizing the issuance of non-debt revenue bonds for the alteration, addition to or enlargement of existing sewers, sewer systems and sewage treatment works and the pledging of revenue derived from the existing system in payment of such bonds and authorizing the issue and sale of non-debt revenue bonds at one time.

Mr. KESSLER, from the Committee on Education, reported as committed, House Bill No. 221, entitled:

An Act to reenact and amend the title of and the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1676) entitled "An act to provide revenue in school districts of the first class by imposing a temporary tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county assessing authority board of revision of taxes receiver of school taxes school treasurer board of public education in such districts and courts providing for compensation to certain officers and employees and imposing penalties" by continuing the provisions thereof for the year one thousand nine hundred fifty-two and succeeding years and deleting certain obsolete provisions

He also, from the Committee on Education, reported as amended, House Bill No. 222, entitled:

An Act to reenact and amend the title of and the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1669) entitled "An act to pro-

vide revenue for school districts of the first class by imposing a temporary tax on persons engaging in certain businesses professions occupations trade vocations and commercial activities therein providing for its levy and collection conferring and imposing powers and duties on the Board of Public Education receiver of school taxes and school treasurer in such districts and prescribing penalties" by continuing the provisions thereof for the year one thousand nine hundred fifty-two and succeeding years and deleting certain obsolete provisions

Mr. LETZLER, from the Committee on Education, reported as committed House Bill No. 538, entitled:

An Act to amend section one thousand one hundred fifty-four of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the payment of salaries of professional and temporary professional employees in cases of sickness or death.

Mr. BARR, from the Committee on Local Government, reported as committed, House Bill No. 602, entitled:

An Act to reenact and amend the title and the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled as amended "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employees' Retirement System and for Pension Annuity Contracts and in certain other cases into the State Employees' Retirement Fund for certain purposes" by extending the benefits of the act to certain county police pension funds.

Mr. DIEHM, from the Committee on Local Government, reported as committed, House Bill No. 512, entitled:

An Act to further amend subsection (b) of Section 4 of and to add Section 36.1 to the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by requiring taxing districts to pay the premiums on corporate bonds of the tax collector in townships of the first class and further regulating the fixing of the compensation of elected tax collectors

BILLS INTRODUCED AND REFERRED

Messrs. WALKER and BARR read in place and presented to the Chair Senate Bill No. 494, entitled:

An Act to amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by providing a system for the nomination of candidates to fill certain vacancies in public offices occurring under conditions for which said election codes does not prescribe machinery.

Which was committed to the Committee on Elections.

Mr. WALKER read in his place and presented to the Chair Senate Bill No. 495, entitled:

An Act to amend clause (3) of Section 203 of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "An act relating to non-profit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State department to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by further regulating the manner in which the corporate purposes may be set forth in the articles of incorporation.

Which was committed to the Committee on Corporations.

Mr. MALLERY read in his place and presented to the Chair Senate Bill No. 496, entitled

An Act authorizing the Department of Highways to erect and construct a bridge on Race Street between Sixth and Broad Avenues over certain railroad tracks in the City of Altoona, empowering the Public Utility Commission to fix and determine the proportionate shares of the cost and maintenance thereof, including compensation for damages to adjacent land owners; and making an appropriation.

Which was committed to the Committee on Highways.

SENATE RESOLUTION

COMMENDING THE RESIDENTS OF SOMERSET COUNTY FOR ORIGINATING THE SOMERSET COUNTY MAPLE FESTIVAL

Mr. HARE offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 11, 1951.

Whereas, the Fourth Annual Somerset County Maple Festival will be held on April 12th and 13th of this week in Meyersdale, Pennsylvania, and

Whereas, this event has captured the public fancy throughout the Nation, by calling attention to this sweet distillation of the sugar maple tree, and

Whereas, the Meyersdale Chamber of Commerce is the guiding light in thus calling attention to an almost forgotten art and

Whereas, it is common knowledge and a generally accepted fact that the residents of Somerset County have been singularly blessed with an abundance of the better traits found in man, and

Whereas, on many occasions discussions concerning the County have been matters of public debate embracing the productivity of our fields, the size and color of our barns, and the pulchritude of our fair ladies, inevitably ending up on the sweet subject of maple syrup, and

Whereas, the County's inhabitants have been known for generations as the Frosty Sons of Thunder, and their abiding place has been called the Roof Garden of Pennsylvania, The Foothills of Heaven, and

Whereas, our third grade maple syrup is regularly sold to the city slickers as first grade Vermont syrup, and

Whereas, the Senate of Pennsylvania is always ready to

commend any person or group of persons who publicize the natural products of our great State,

Therefore, be it resolved, that the Senate of Pennsylvania commends the Community and the County for their initiative in originating and carrying forward The Somerset County Maple Festival and that the Chief Clerk of the Senate forward copies of this resolution to Mr. Herman Bashore and to Mr. Thomas Shipley, Meyersdale, Pennsylvania. Co-Chairman of the Festival Committee.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 77, on concurrence in House amendments, entitled:

An Act to further amend Section 319 of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by providing for the proration of attorney's fees and expenses in subrogation cases

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

THIRD READING CALENDAR

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 96, as follows:

An Act to reenact sections one to nine inclusive of the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2803) entitled "An act providing a method of annexation of townships of the first class and parts thereof to cities and boroughs and regulating the proceedings pertaining thereto" by making the same applicable in counties of the second class and repealing inconsistent laws excepting as to proceedings now pending

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one to nine inclusive of the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2803) entitled "An act providing a method of annexation of townships of the first class and parts thereof to cities and boroughs and regulating the proceeding pertaining thereto" are hereby reenacted to read as follows

Section 1 Be it enacted &c That whenever electors equal to at least ten per centum of the highest vote cast for any office in any township of the first class contiguous to a city or borough at the last preceding general election or whenever ten per centum of the qualified electors residing within any part of a township of the first class contiguous to a city or borough shall petition the council of such city or borough for the annexation of the township of the first class or part thereof to the contiguous city or borough and for a referendum on the question of such annexation the council shall cause a question to be submitted at the primary election occurring at least sixty days thereafter by certifying a resolution duly adopted to the county commissioners of the county or counties in which any part of the city or borough or the township of the first class is located for submission of such question on the ballot or on voting machines at such election both

in such township and in the city or borough to which annexation is desired in the manner provided by the election laws of this Commonwealth

Such question shall be in the following form

Do you favor the annexation of the township of (or the part of the township briefly described) to the city (or borough) of?	Yes	
	No	

If a majority of the persons voting on such question in the entire township and a majority of the persons voting on such question in the city or borough shall vote "yes" then the township of the first class or part thereof as the case may be shall on the first Monday of January next following be and become a part of the city or borough

All petitions shall be accompanied by a plot or plots of the territory to be annexed showing all streets and highways municipal improvements and public buildings and all petitions for the annexation of a part of a township of the first class shall include a description of the part of the township sought to be annexed

Section 2 Until changed in the manner provided by law the township of the first class or part thereof if not divided into wards shall constitute a separate new ward of the enlarged city or of the enlarged borough if such borough is at the time divided into wards and if the township or part of a township at the time of the annexation was divided into wards then each ward of the township or part of a township shall constitute a separate new ward of the enlarged city or borough (if divided into wards) and shall be numbered by the council of the city or borough consecutively beginning with the next highest number after the existing highest numbered ward of the city or borough Until changed in the manner provided by law all election districts in the township of the first class or part thereof shall remain as constituted at the time of the annexation and shall become election districts of the enlarged city or borough All election and other officers of such election districts in office at the time of the taking effect of the annexation shall continue in office until the expiration of their respective terms unless sooner removed as provided by law

Section 3 In the case of the annexation of an entire township of the first class all the indebtedness of the township as well as the indebtedness of the city or borough to which the same is annexed shall be paid by the city or borough as enlarged by such annexation and all territory included within the limits of the same shall be liable for the payment of the floating and bonded indebtedness and the interest thereon of all the territory included within such enlarged city or borough All taxes thereafter levied therefor shall be uniform throughout the territorial limits of the enlarged city or borough

All of the public property owned by any such township shall become and remain the public property of the city or borough to which it is annexed

Section 4 Where any part of any township of the first class is annexed to any city or borough the township officers of that part of the township not annexed and the city or borough council shall make a just and proper adjustment and apportionment of all public property owned by the township at the time of annexation both real and personal including funds as well as of indebtedness if any to and between the township and the city or borough In making such adjustment and apportionment of the property and indebtedness the township and the city or borough shall be entitled respectively to share in a division of the property and indebtedness in the proportion that the assessed valuation of the land remaining in the township bears to the assessed valuation of the land annexed The adjustment and apportionment as made shall be reduced to writing in proper form and duly executed and acknowledged by the proper officials

and filed in the office of the clerk of the court of quarter sessions in the county in which said city is located

Section 5 In case the council of the city or borough and the township authorities cannot make such amicable apportionment and adjustment of their property and indebtedness in compliance with this act within six months after any such annexation then the council or any officer of the township may present a petition to the court of quarter sessions of the county in which the city or borough is located whereupon the court shall appoint three disinterested commissioners residents and taxpayers of the county not residing in the city or borough nor in the township who after hearing notice of which shall be given to the city or borough and township interested as the court shall direct shall make report to the court making an apportionment and adjustment of all the property as well as indebtedness if any to and between the city or borough and the township said report to state the amount if any that shall be due and payable from the city or borough to the township or from the township to the city or borough as well as the amount of indebtedness if any that shall be assumed by the city or borough or by the township or both of them

Section 6 The commissioners shall give the city or borough and the township at least five days notice of the filing of their report and unless exceptions are filed thereto by the city or borough or by the township within thirty days after filing thereof the same shall be confirmed by the court absolutely and any sum awarded by said report to the city or borough or to the township shall be a legal and valid claim in its favor against the city or borough or township charged therewith and the amount of debt if any apportioned to any city or borough or township shall be a legal and valid claim against such city or borough or township charged therewith and any property real or personal given and adjudged to the city or borough or the township shall become and be the property of the city or borough or the township to whichever one the same is given and adjudged and upon such report being confirmed such claim or indebtedness charged against any city or borough or against any township may be collected in the same manner as a judgement is collected against any city or borough or township Such commissioners shall be allowed five dollars per day for each day actually spent by them in the performance of their duties together with their actual necessary expenses All costs and expenses of such proceedings shall be apportioned by the court to and between the township as it shall deem proper

In case exceptions are filed to the report of such commissioners the court shall dispose of the same taking testimony therein if deemed advisable and the decision of the court thereon shall be final and binding on the several cities boroughs and townships unless an appeal is taken within thirty days to the Superior or Supreme Court as in other cases

Section 7 In cases in which such cities boroughs or townships of the first class are situated in two or more counties the court of quarter sessions of the county in which the city or borough is located shall have exclusive jurisdiction over the matter but the same shall be heard by a judge not a resident of either of the judicial districts affected who shall be called to preside specially in the matter and in such case the court shall appoint the commissioners hereinbefore provided for them both or all of such counties

Section 8 When an election is held on the question of annexation under the provisions of this act and the township of the first class proposed to be annexed or in which the territory proposed to be annexed is located votes against such annexation the question of such annexation shall not again be voted upon for a period of two years from the date of such election

Section 9 All proceedings for the annexation of a township of the first class or a part thereof to any city or borough under the provisions of any existing law that are pending and not finally disposed of on the effective date of this act shall in the discretion of the courts before which they are pending or if not pending

in any court upon petition of any city borough or township affected to the court of quarter sessions of the county in which the township is located be discontinued and vacated and all proceedings for the annexation of any township of the first class or part thereof to any city or borough shall thereafter be had only under the provisions of this act

Section 2 The act approved the nineteenth day of June one thousand nine hundred thirty-nine (P. L. 430) entitled "An act providing a method of annexation of parts of townships of the first class in counties of the second class not in excess of twenty per centum of the assessed value of any such township in counties of the second class to contiguous cities of the second class boroughs or other contiguous townships of the first class and regulating the proceedings pertaining thereto" and all other acts and parts of the acts inconsistent herewith are hereby repealed except as to proceedings now pending

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Snowden,
Barr,	Hare,	McPherson, Jr.,	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Taylor,
Blass,	Kessler,	Pechan,	Toole,
Byrne,	Lane,	Peelor,	Wade,
Chapman,	Leader,	Probert,	Wagner,
Crowe,	Letzler,	Robinson,	Walker,
Dent,	Mahany,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 126, entitled:

An Act to amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further regulating insurance companies associations and inter-insurance exchanges and their powers investments policy provisions joint policies premium tax returns and the licensing of foreign companies and repealing existing law.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WADE. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 10 (Sec. 420) page 28, lines 16 to 19, by striking out the words "If evidence of insurability is required in conjunction" in line 16, all of lines 17 and 18 and the words "added differing from those in the original policy" in line 19. Amend Sec. 17 (Sec. 354), page 48, lines 14 and 15, by striking out the words "insurance as specified in subsection (b) of section two hundred two of this act issued by"

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. WADE. Mr. President, I ask unanimous consent that Senate Bill No. 126, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 128 as follows:

An Act to amend subsections (d) and (f) of section 211.1 and to further amend section 212 and subsection (a) of section 301 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by further regulating assessments made by the Insurance Commissioner against life insurance companies to defray certain expenses providing for reciprocity with other states in assessing taxes and fees on insurance companies permitting foreign companies to write workmen's compensation insurance in Pennsylvania limiting the basis for valuation of reserve liability of life insurance companies organized in foreign countries

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsections (d) and (f) of section 211.1 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution and insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" as added by the act approved the

twentieth day of May one thousand nine hundred forty-nine (P. L. 1529) is hereby amended to read as follows

Section 211.1 Assessments to Defray Expenses of Committee on Valuation of Securities of the National Association of Insurance Commissioners

(d) If the Insurance Commissioner shall be satisfied as to the reasonableness of such budget estimate he shall determine the portion of the funds required by such budget estimate to be assessed as hereinafter provided by deducting from such budget estimate or from the sum of two hundred fifty thousand dollars whichever is less any amounts received or receivable by the committee from other states whose laws do not substantially conform to the method of assessment herein provided and applying to the remainder the proportion which the total investments in securities of domestic life insurers bear to the total investments in securities of life insurers domiciled in this and other states whose laws authorize and require assessment on substantially the same base as herein provided. The Insurance Commissioner shall thereafter as soon as convenient by notice stating the method of computation thereof assess the amount of be paid on account of such expense pro rata upon all domestic life insurers in the proportion which the total investments in securities of each domestic life insurer shall bear to the total investments in securities of all such insurers. Provided That the aggregate amount assessed upon all domestic life insurers pursuant to this section in any one year shall not exceed an amount determined by applying to the "remainder" referred to in the first sentence of this subsection the proportion which the total investments in securities of domestic life insurers bear to seventyfive per cent of the total investments in securities of all life insurers domiciled in all the states of the United States and the District of Columbia. The total investments in securities of any life insurer for purposes of this section shall be the total admitted value of stock and bonds reported as such in its annual statement last filed prior to such assessment with the insurance department or with the supervisory official of its state of domicile. Upon receipt of such notice each such insurer shall within thirty days pay said assessment to the Insurance Commissioner. The Insurance Commissioner shall deposit all moneys collected by him pursuant to this section in an account entitled "Insurance Commissioner Security Valuation Expense Account" in a bank or trust company in the Commonwealth. Such moneys shall be paid by the Insurance Commissioner to the Committee on Valuation of Securities of the National Association of Insurance Commissioners after audit by the Auditor General.

* * * * *

(f) This section shall become effective the first day of June one thousand nine hundred forty-nine and shall continue in effect until and including the thirty-first day of May [one thousand nine hundred fifty-one] one thousand nine hundred fifty-three

Section 2 Section 212 of said act as last amended by the act approved the fifth day of May one thousand nine hundred forty-five (P. L. 430) is hereby further amended to read as follows

Section 212 Effect of Additional Restrictions of Other States As used in this section the term

"Insurance Companies" includes insurance companies insurance associations and insurance exchanges

"Agents" includes insurance agents insurance brokers public adjusters and public adjusters' solicitors

"Burdens or Prohibitions" includes taxes fines penalties licenses fees rules regulations obligations and prohibitions including prohibitions against writing particular kinds of insurance by insurance companies [and including laws rules or regulations which provide that a particular kind or kinds of insurance may be written only by a state or an agency or instrumentality thereof]

If any other state imposes any burdens or prohibitions on insurance companies or agents of this state doing business in such other state which are in addition to or in excess of the burdens or prohibitions imposed by this Commonwealth on insurance companies and agents like burdens and prohibitions shall be imposed on all insurance

companies and agents of such other state doing business in this Commonwealth so long as the burdens and prohibitions of such other state remain in force. In applying this section to an insurance company of another state such company shall not be required to pay any taxes and fees which are greater in aggregate amount than those which would be imposed by the laws of such other state and any political subdivision thereof upon a like company of this Commonwealth transacting the same volume and kind of business in such other state

If any other state requires additional or other insurance covering motorists or motor vehicles that are insured in Pennsylvania insurance companies or in insurance companies of other states that are licensed to do business in this Commonwealth in order to use the highways of such other state like additional or other insurance shall be required to cover all motorists and motor vehicles of such other state using the highways of this Commonwealth so long as the requirement of such other state shall remain in force

The existence of a monopolistic State Fund for the writing of any class or classes of insurance in another state shall not be construed as a reason to deny to a company association or exchange of that state a license to transact such classes of insurance in this Commonwealth

Section 3 Subsection (a) of Section 301 of said act as last amended by the act approved the first day of May one thousand nine hundred forty-five (P. L. 346) is hereby further amended to read as follows

Section 301 Computation of Reserve Liability (a) The Insurance Commissioner shall each year value or cause to be valued the reserve liabilities (hereinafter called reserves or net value) as of the thirty-first day of December of the preceding year for all outstanding life insurance policies and annuity and pure endowment contracts of every life insurance company doing business in this Commonwealth except that in the case of any company organized under the laws of any foreign country such valuation shall be limited to its United States business in accordance with the terms of the policy contract and rules following and may certify the amount of any such reserves specifying the mortality table or tables rate or rates of interest and methods (net level premium method or other) used in the calculation of such reserves. In calculating such reserves he may use group methods and approximate averages for fractions of a year or otherwise

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Snowden,
Barr,	Hare,	McPherson, Jr.,	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Taylor,
Blass,	Kessler,	Pechan,	Toole,
Byrne,	Lane,	Peelor,	Wade,
Chapman,	Leader,	Probert,	Wagner,
Crowe,	Letzler,	Robinson,	Walker,
Dent,	Mahany,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 187, as follows:

An Act to further amend Article XIV of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by authorizing the appointment of special school police and defining their powers and duties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article XIV of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" as reenacted and amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1955) is hereby further amended by adding immediately following section 1415 thereof a new section to read as follows

Section 1416 Special School Police The board of township commissioners by resolution may appoint special school police who shall have the duty of controlling and directing traffic at or near schools and who shall be in uniform and shall display a badge or other sign of authority and who shall be vested with all of the powers of local police officers Such police shall serve at the pleasure of the board of township commissioners and shall not come within the civil service provisions of this act

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Snowden,
Barr,	Hare,	McPherson, Jr.,	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Taylor,
Blass,	Kessler,	Pechan,	Toole,
Byrne,	Lane,	Peelor,	Wade,
Chapman,	Leader,	Propert,	Wagner,
Crowe,	Letzler,	Robinson,	Walker,
Dent,	Mahany,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 191, as follows:

An Act to further amend Section 671 of the act approved the tenth day of March one thousand nine hundred

forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing the change of the fiscal year by districts of the second class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 671 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" as amended by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1722) is hereby further amended to read as follows

Section 671 Fiscal Year In all school districts of the second third and fourth class the fiscal year shall begin on the first Monday of July in each year Provided That in order to conform to the provisions of existing law requiring school taxes in cities of the second class A to be included in the same statement as taxes of political subdivisions which levy their taxes on the basis of the calendar year the board of school directors of any district of the second class may by resolution adopted by two-thirds vote of the members thereof at a meeting of the board after not less than ten days' notice of the fact that such resolution would be presented for action at such meeting fix the fiscal year of such school district so as to begin on the first day of January in each year instead of on the first Monday of July as hereinabove provided

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Snowden,
Barr,	Hare,	McPherson, Jr.,	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Taylor,
Blass,	Kessler,	Pechan,	Toole,
Byrne,	Lane,	Peelor,	Wade,
Chapman,	Leader,	Propert,	Wagner,
Crowe,	Letzler,	Robinson,	Walker,
Dent,	Mahany,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 432, as follows:

An Act to amend the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of

elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing for nominations and elections of county officers in counties about to undergo a change in classification and imposing certain duties upon county commissioners county boards of elections and others

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" is hereby amended by adding to Article IX thereof a new subdivision subdivision (d) and two new sections therein sections 990 and 991 to read as follows

(d) Nominations and Elections in Counties about to Undergo a Change in Classification

Section 990 County Boards to Ascertain Offices to be Filled Whenever pursuant to the provisions of The General County Law the Governor certifies a change of classification to any county the board of county commissioners shall immediately after the recording of such change notify the county board of elections of the change in classification The board of elections shall thereupon promptly ascertain all county offices to be filled at the ensuing municipal election as a result of the impending change in classification and any existing county offices which are not to be filled at said election For this purpose it shall be the duty of the chairman of the county committee of each party to send to the board a written notice setting forth all party offices to be filled in the county at the ensuing municipal election

Section 991 Procedure upon Ascertaining Offices When the board shall have ascertained all offices to be filled at the ensuing municipal election it shall proceed as already provided in this article if it is still possible to secure nominations for such offices in accordance with this article at the primary election But if notice of an impending change in classification as hereinbefore provided for does not come to the election board in time for it to ascertain the county offices for the primary election then all candidates who have been or are nominated for county offices pursuant to subdivision (a) or to subdivision (b) of this article shall in all cases where the offices for which they are nominated are the same under the county's present classification and under its new classification which is impending as a result of the Governor's certification be the candidates for those offices except for deaths or withdrawals provided for in this act Provided however That no office which is not automatically established by law for the impending classification shall be deemed to be established by this section Any nomination either for joint county offices or for any separate county office when such offices or office will become either partly or wholly separate or will become joint with one or more presently separate county office upon the ensuing first Monday of January shall not be construed as a nomination for any of the said offices but any person being such a nominee may be nominated for any new office or offices ascertained All offices ascertained which are to be filled at the municipal election in anticipation of the new classification and for which nominations have not been made pursuant to the foregoing provisions of this subdivision may have candidates nominated for them as if vacancies had occurred as to the candidates for such offices and as if they were substituted nominations in accordance with the procedure insofar as it is applicable provided by sections 979 980 and 981

(b) of this act for substituted nominations except that the cause of vacancy set out in the nomination certificates shall not be death or withdrawal but that the office was not ascertained for nominations in time for the regular procedures established by this article

Upon the ascertainment of the offices to be filled at the ensuing municipal election if it shall appear that any candidates have been or will be nominated for offices which are to be abolished as a result of the impending change in classification the county board of elections shall proceed to keep off or to remove from the ballots or ballot labels all such nominations together with the offices involved

Upon the ascertainment of offices to be filled at the municipal election pursuant to notice of change in classification the board shall give notice of all such offices by newspaper publication at least twice in accordance with section 106 of this act indicating whether the nominations thereto were obtained at the primary election or are to be obtained as hereinbefore provided Notice of the November election shall be given as provided in section 1201 of this act and shall set forth (1) any existing county offices which will cease to exist on the ensuing first Monday of January indicating that those offices and any candidates therefor will not appear as such upon the ballots or ballot labels (2) existing county offices which will subsist and the candidates therefor (3) county offices which will come into existence on the ensuing first Monday of January and the candidates therefor

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Snowden,
Barr,	Mare,	McPherson, Jr.,	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Taylor,
Blass,	Kessler,	Pechan,	Toole,
Byrne,	Lane,	Peelot,	Wade,
Chapman,	Leader,	Propert,	Wagner,
Crowe,	Letzler,	Robinson,	Walker,
Dent,	Mahany,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silver,	Yosko,
Freed,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 555, as follows:

An Act to amend Section 1704 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by clarifying the powers of joint school committees in managing the affairs of joint schools or departments

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1704 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30)

entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 1704 Joint Authority of Boards Title of Property The several boards of school directors establishing and maintaining such joint schools or departments are hereby authorized to meet jointly and exercise the same power and authority over the same as the several boards exercise over the schools in their respective districts or they may agree that the affairs of the joint school or department shall be managed by a joint school committee as provided in section one thousand seven hundred seven of the act to which this is an amendment Whatever matter is required by law to be decided by a vote of the majority of all the directors of a school district shall in a joint school or department also be required to be decided by a majority vote of all the directors in each district except where the affairs of a joint school or department are managed by a joint school committee in which case such matters shall be decided by a majority vote of all the members of the committee The title to any real estate acquired for the purpose of establishing any such joint school or department shall be held in the name of one or more of the districts establishing the same as they may agree

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Snowden,
Barr,	Hare,	McPherson, Jr.	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Taylor,
Blass,	Kessler,	Pechan,	Toole,
Byrne,	Lane,	Peelor,	Wade,
Chapman,	Leader,	Probert,	Wagner,
Crowe,	Letzler,	Robinson,	Walker,
Dent,	Mahanay,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yosko,
Freud,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 716, entitled:

A Supplement to an act approved the twenty-seventh day of May one thousand nine hundred forty-nine (Appropriation Acts page 62) entitled "An act to provide for the ordinary expenses of the Executive Legislation and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-nine and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and

forty-nine" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred and fifty-one

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. YOSKO. Mr. President, I would like to interrogate the Majority Floor Leader, Senator Walker.

The PRESIDENT. Will the gentleman from Allegheny, Mr. Walker, permit himself to be interrogated?

Mr. WALKER. I will, Mr. President.

Mr. YOSKO. Senator Walker, is there a breakdown of the deficiency appropriations requested by the various departments involved in House Bill No. 716 available to us?

Mr. WALKER. Mr. President, there is a breakdown furnished to the Senate and the House Appropriations Committees which is available to any Member of the General Assembly.

Mr. YOSKO. Thank you. Mr. President, I do not know whether there is a breakdown of the deficiency items represented by House Bill No. 716.

POINT OF ORDER

Mr. WALKER. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Allegheny, Mr. Walker, will state his point of order.

Mr. WALKER. Mr. President, I do not know whether the gentleman heard my answer to his question or not. As I understand it, the interrogation was, is there a breakdown available. Mr. President, my answer was in the affirmative. I just now thought I heard the gentleman say he did not know whether there is a breakdown available or not. I again desire to inform the gentleman that there is a breakdown available.

Mr. YOSKO. Mr. President, may I further interrogate the Majority Floor Leader, Senator Walker?

The PRESIDENT. Will the gentleman from Allegheny, Mr. Walker, permit himself to be further interrogated?

Mr. WALKER. Certainly, Mr. President.

Mr. YOSKO. Senator Walker, will you agree to temporarily hold up House Bill No. 716, pass it over, until we get a chance to look at this breakdown? I would like to know what I am voting for.

Mr. WALKER. Mr. President, over in the Committee on Appropriations in the House and in the Senate there are breakdowns available. There are represented on the Appropriations Committee members of both the Republican and the Democratic groups, and by a very rapid count there are seven—

Mr. BARR. Mr. President, will the gentleman yield a moment?

Mr. WALKER. Yes, Mr. President.

Mr. BARR. Mr. President, maybe Senator Walker does not remember, but this bill was reported to the floor by consent. There was no meeting where we could see this breakdown of the Appropriations Committee.

Mr. WALKER. Mr. President, the only thing I am trying to say is there are seven members of the Minority Party on this Committee, one of whom practically lives in the appropriation office. Now, I have no objection to

them obtaining the information that they so desire. The only thing I am suggesting is, Mr. President, if they wanted this information they should never have agreed to report this bill out on the floor by agreement. It seems to me there is too much of that.

Mr. BARR. Mr. President, will the gentleman yield?

Mr. WALKER. Mr. President, I have yielded as long as I am going to yield. I am going to finish my statement and then they can have the floor.

Mr. President, I have no objection to this bill going over until Monday, and any information that they desire I think should be made available to them, and if there is not sufficient information in the Appropriation Committee's hands, then, Mr. President, I think that they would have sufficient time and I am heartily in favor of them checking up with the various departments that are represented in this deficiency appropriation bill.

Mr. YOSKO. Thank you very much. Will the bill go over until Monday?

Mr. BARR. Mr. President, for the information of the Majority Floor Leader, the request that he made to me was that the bill that had the deficiency appropriation for the Department of Public Assistance be reported to the floor, but instead of only that bill being reported there were three bills reported. That is the actual thing that happened.

Mr. WALKER. Mr. President, I am certain the gentleman from Allegheny is not suggesting that I have any influence in the Committee on Appropriations.

Mr. DENT. Agreed to, Mr. President.

The PRESIDENT. Did the Chair understand the Senator from Northampton, Mr. Yosko, to make a request that the bill go over in order?

Mr. YOSKO. That is right, Mr. President.

BILL OVER IN ORDER

Mr. YOSKO. Mr. President, I ask unanimous consent that House Bill No. 716, on third reading, go over in its order, until Monday to give us a chance to look at the breakdown of the expenses involved in the deficiencies appropriations.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 719, as follows:

An Act making a deficiency appropriation to the Department of Welfare to reimburse State-aided hospitals for part of the cost of training student nurses in approved schools of nursing

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of four hundred forty thousand dollars (\$440,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Welfare for the payment of the deficiency in the appropriation for the two fiscal years commencing the first day of June one thousand nine hundred forty-nine to be paid to State-aided medical and surgical hospitals for the purpose of reimbursing such hospitals for part of the cost of training student nurses in approved schools of nursing Payments from the appropriation herein made shall be made to such hospitals from time to time at

the rate of seventy-five dollars (\$75) annually for each student nurse being trained in a hospital

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. WALKER. Mr. President, may I inquire of the Minority side whether House Bill No. 719 is included in the request. That is also a deficiency appropriation.

Mr. BARR. No. Mr. President, we have to take care of the nurses.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Snowden,
Barr,	Hare,	McPherson, Jr.	Stevenson.
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Taylor,
Blass,	Kessler,	Pechan,	Toole,
Byrne,	Lane,	Peelor,	Wade,
Chapman,	Leader,	Probert,	Wagner,
Crowe,	Letzler,	Robinson,	Walker,
Dent,	Mahanay,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silver,	Yosko,
Freed,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HOUSE BILL NO. 175 CALLED UP

Mr. WALKER. Mr. President, I desire to direct the attention of the gentlemen of the Senate to page 6 of the Senate Calendar, under the heading of Bills on Second Reading. House Bill No. 175, Printer's No. 211, appears on the Calendar on Second Reading. Yesterday that bill was amended by correcting the title, and for the information of the Members of the Senate it was supposed to be amended and read for the second time so that it would appear on the Third Reading Calendar. It appears on the Second Reading Calendar, and I understand it is rightfully on third reading. May I clear that with the desk? Is that correct, Mr. President?

The PRESIDENT. Yes.

Mr. WALKER. Mr. President, may we have the Calendar corrected so that the bill appears on the Third Reading Calendar and read it for the third time?

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 175, as follows:

An Act authorizing and directing the Pennsylvania Fish Commission to make a comprehensive study of the migratory habits of fish particularly shad and the stocking and tagging of shad below and above the Safe Harbor Dam the Holtwood Dam and the Conowingo Dam and to cooperate with the federal government and the Joint State Government Commission in connection therewith and prescribing powers and duties

Whereas prior to the construction of the Safe Harbor Dam the Holtwood Dam and the Conowingo Dam on the lower Susquehanna River shad fishing was an important industry in Pennsylvania and

Whereas the shad industry is now virtually extinct in Pennsylvania and

Whereas the diversification of economic activity in Pennsylvania is of the utmost importance in connection with the stabilization of the Commonwealth's economy and

Whereas the Congress of the United States has authorized a study of shad and has offered to cooperate with Pennsylvania and to share the cost of a joint effort in determining the factors relevant in the migration of shad in the Susquehanna and its tributaries

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Pennsylvania Fish Commission hereinafter termed "Commission" is hereby authorized and directed to make a comprehensive study of the migratory habits of fish particularly shad including the stocking and tagging of shad below and above the Safe Harbor Dam the Holtwood Dam and the Conowingo Dam

Section 2 The Commission is hereby authorized to invite and accept from the Federal government cooperation and financial aid in connection with the study authorized and directed in Section 1 and to cooperate with the Joint State Government Commission in connection therewith

Section 3 The Commission is directed to report the results of the study hereby authorized and directed to the next regular session of the General Assembly

Section 4 Effective date this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. DENT. Mr. President and Members of the Senate, some of the members from the Democratic Caucus were against this particular bill, and I want to explain to them what happened by the amendments being inserted. As I understand it, our objections were to the fact that we were taking approximately fifteen thousand dollars out of the Commonwealth General Fund to be spent on a purely sport enterprise. In other words, it had something to do with taking shad in truck loads up the Susquehanna and dropping them in the Susquehanna, with little numbers on their tails, and then find out how many of them get their tails twisted before they get through the locks down at the lower end of the River. We objected to that because we felt that money should come from the Fish and Game Fund and ought to be under the supervision of the Fish and Game Commission. Mr. President, for the information of my colleagues I want it clearly understood that I am voting upon this bill in the affirmative with the understanding that the moneys will come from the Fish and Game Fund and not from the General Fund of the Commonwealth.

Mr. WALKER. Mr. President, the gentleman from Westmoreland is correct. The amendments placed in the bill do take the project out from under the Joint State Government Commission and return it to the Pennsylvania

Fish Commission where the Senate felt it rightfully belongs, and also the appropriation of fifteen thousand dollars was deleted from the bill. The only amendment that was made yesterday in the bill was to delete the appropriation from the title. Inadvertently, it had not been stricken from the title when the appropriation was stricken from the body of the bill, and that was the only additional amendment placed in the bill. So, the gentleman from Westmoreland is correct in the information he gave the Senate.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Snowden,
Barr,	Hare,	McPherson, Jr.	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Taylor,
Blass,	Kessler,	Pechan,	Toole,
Byrne,	Lane,	Peelor,	Wade,
Chapman,	Leader,	Probert,	Wagner,
Crowe,	Letzler,	Robinson,	Walker,
Dent,	Mahanay,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

PERMISSION TO ADDRESS SENATE

Mr. WALKER asked and obtained unanimous consent to address the Senate.

Mr. WALKER. Mr. President, I would like to advise the gentlemen of the Senate with regard to House Bill No. 716, Printer's No. 112, I am advised, since we put that bill over, that there will not be sufficient money, according to a statement from the Auditor General, to meet some of the pay rolls on April 15 unless we pass this bill, and may I suggest that if there is some checking up to be done that it be done as expeditiously as possible so that we will not delay this pay roll too long.

Mr. President, as the gentlemen of the Senate know, we are adjourning today for the week, and as a result they will not be able to meet the April 15 pay roll in some of these departments unless we pass this bill.

(The Senate was at ease)

SECOND READING CALENDAR

Mr. WALKER. Mr. President, may we proceed with the Second Reading Calendar and then revert to House Bill No. 716, which was the matter under discussion.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 99, entitled:

An Act to improve and extend by reciprocal legislation the enforcement of duties of support and to make uniform the law with respect thereto.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 119, entitled:

An Act regulating the suspension removal furloughing and reinstatement of police officers in boroughs and townships of the first class having police forces of less than three members and in townships of the second class

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 121, entitled:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by authorizing the classification of real estate into buildings on land and land exclusive of the buildings for city assessment and tax-levying purposes at separate and different rates.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 172, entitled:

An Act to amend the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) entitled "An act relating to the practice procedure regulations and adjudications of departments departmental administrative boards and commissions independent administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof and preserving equitable jurisdiction in certain cases" by redefining "Regulation" changing provisions governing promulgation of regulations imposing duties on the Department of State providing for judicial review of regulations requiring all appeals to be taken to the Superior Court and enumerating the agencies affected and the extent to which they are affected.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 176, entitled:

A Supplement to the act approved the twelfth day of June, one thousand nine hundred thirty-one (P. L. 575),

entitled "An act providing for joint action by Pennsylvania and New Jersey in the development of the ports on the lower Delaware River, and the improvement of the facilities for transportation across the river; authorizing the Governor, for these purposes, to enter into an agreement with New Jersey; creating the Delaware River Joint Commission and specifying the powers and duties thereof, including the power to finance projects by the issuance of revenue bonds; transferring to the new commission all the powers of the Delaware River Bridge Joint Commission; and making an appropriation," authorizing the Governor on behalf of the Commonwealth of Pennsylvania to enter into a supplemental compact or agreement with the State of New Jersey amending Articles I, II, IV, XI and XII of, and adding Article XIII, to the compact and agreement between the Commonwealth of Pennsylvania and the State of New Jersey, authorized and made pursuant to the act herein supplemented, by changing the name of The Delaware River Joint Commission to The Delaware River Port Authority, and the method of appointment of commissioners; removing the present Pennsylvania members of the commission, extending the jurisdiction, powers and duties of the Delaware River Port Authority and defining such additional jurisdiction, powers and duties; to take effect upon the enactment of substantially similar legislation by the State of New Jersey embodying the supplemental agreement between the two States in this act set forth and authorizing the Governor to apply on behalf of the Commonwealth to the Congress of the United States for its consent thereto.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 188, entitled:

An Act relating to the admissibility in evidence and the proof of official records documents and proceedings both domestic and foreign and of copies thereof and extracts therefrom and certificates in reference thereto.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 247, entitled:

An Act to amend the title and the act approved the sixth day of April one thousand nine hundred forty-five (P. L. 164) entitled "An act authorizing and empowering minors seventeen years of age or older to contract for and to make loans in accordance with the provisions of the act of Congress known as the "Servicemen's Readjustment Act of 1944" or any agency of the Commonwealth hereafter created and saving and relieving the parents guardians and trustees of such minors from any liaison therefor unless joining therein" by extending the provisions to of such persons to join in the execution of certain contracts and validating the actions of minor spouses of such adults include certain adults and empowering the minor spouses in heretofore joining in the execution of any such contracts under certain conditions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

* Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 296, on second reading, entitled:

An Act to further amend the act approved the nineteenth day of June one thousand nine hundred thirty-one (P. L. 589) entitled as amended "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein regulating compensation for service rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties" by changing the provisions as to fees charged apprentices and students and as to the powers of municipalities and transferring the administration of several provisions of this act to the State Board of Barber Examiners.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 297, on second reading, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the organization of certain administrative departments board and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by creating the State Board of Barber Examiners as a departmental administrative board in the Department of Public Instruction.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 303, entitled:

An Act relating to the apportionment of estate taxes and providing procedure for enforcement of contribution or exoneration.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 306, entitled:

An Act to further amend section 1 and to amend section 5 of the act approved the twentieth day of May one thousand nine hundred thirty-seven (P. L. 728) entitled "An act providing for the creation of a Board of Arbitration of Claims arising from contracts with the Commonwealth providing for and regulating the procedure in prosecuting claims before such board defining the powers of the board and fixing the compensation of members and employees thereof providing that the awards of such board shall be final providing for the payment of awards and authorizing an appropriation" by increasing per diem wage of members of the board allowing such members maintenance and traveling expenses permitting hearings at such places within the Commonwealth as the board shall determine.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 329, entitled:

An Act to amend Section 3 of the act approved the twenty-eighth day of May one thousand nine hundred thirty-one (P. L. 202) entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream artificial or natural body of water or non-tidal waters of any river within the Commonwealth conferring powers and imposing duties on certain police officers and the Board of Fish Commissioners including the enforcement of certain existing laws and prescribing penalties" by directing the Department of Revenue to authorize local agents which may be county officers to issue motor boat licenses.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill 365, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporation conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for service required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by permitting the Department of State to copy and destroy or return certain documents permitting directors to fill vacancies in the board of directors resulting from an increase in the number of directors deleting certain requirements as to the appointment compensation and duties or agents providing that meetings of shareholders at which directors are to be elected may be adjourned for periods of fifteen days each fixing the method of cumulative voting in cases where directors are elected separately by the holders of differ-

ent classes of shares providing that courts having jurisdiction over trustees who are evenly divided as to how shares shall be voted may direct the voting of such shares deleting requirements as to the voting of shares of foreign corporations owned by other corporations providing that articles of incorporation may be amended to eliminate the preemptive rights of shareholders and providing for the purchase of and payment for shares of any shareholders who dissent therefrom specifying cases of merger or consolidation of which sixty days' notice to shareholders must be given providing that shareholders of a parent corporation shall have no right to dissent from a merger or consolidation of such parent and one or more wholly-owned subsidiaries thereof provided the state of incorporation and relative rights and preferences of the shareholders of the parent corporation are not changed thereby providing that foreign corporations which shall have done business in Pennsylvania without procuring a certificate of authority to do so shall be conclusively presumed to have appointed the Secretary of the Commonwealth their agent to accept service of process in cases arising out of acts of omissions of such corporation in the Commonwealth and specifying the duties of the Secretary upon receipt of such process

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 380, on second reading, entitled:

An Act to amend the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" by giving municipal claims equal priority with taxes in the distribution of certain moneys recovered under the provisions of said act

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 404, entitled:

An Act to add Clause (15) to Section 14 of the act approved the twenty-fourth day of April one thousand nine hundred forty-seven (P. L. 89) entitled "An act relating to the form execution revocation operation and interpretation of wills to nuncupative wills to the appointment of testamentary guardians to elections to take under or against wills and the procedure in reference thereto" by providing for a rule of construction with respect to cemetery lots owned by a testator or in which he has a right of interment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 425, entitled:

An Act to further amend section four hundred eleven of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An Act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing the shooting restrictions on regulated shooting grounds

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 426, entitled:

An Act to amend section seven hundred twenty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing the period for retriever trials

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 459, entitled:

An Act to further amend Section 1101 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by authorizing the payment of bounties for the destruction of rattlesnakes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 461, entitled:

An Act establishing a procedure by which the register of wills elected in counties of the first class shall execute record and file his bond to the Commonwealth and receive his commission and conferring powers and imposing duties upon the Secretary of the Commonwealth and the recorder of deeds

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 479, entitled:

An Act to add subsection (e) to section 501 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by providing for an open season for hunting deer with bows and arrows requiring a special permit therefor and fixing fees.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER offered the following amendments:

Amend Sec. 1 (Sec. 501), page 2, line 10, by inserting after the word "shall" the following: "in addition"; Amend Sec. 1 (Sec. 501), page 2, line 13, by inserting after the word "such" the following: "additional"; Amend Sec. 1 (Sec. 501), page 2, line 15, by inserting after the word "such" the following: "additional"; Amend Sec. 1 (Sec. 501), page 2, line 16, by striking out the word "permit" and inserting in lieu thereof: "license"; Amend Sec. 1 (Sec. 501), page 3, line 2, by striking out the word "tip" and inserting in lieu thereof: "shaft"; Amend Sec. 1 (Sec. 501), page 3, line 3, by inserting after the word "such" the following: "additional open"; Amend Sec. 1 (Sec. 501), page 3, line 5, by striking out the word "permit" and inserting in lieu thereof: "license"; Amend Sec. 1 (Sec. 501), page 3, line 6, by striking out the word "permit" and inserting in lieu thereof: "license"; Amend Sec. 1 (Sec. 501), page 3, line 10, by striking out the word "permit" and inserting in lieu thereof: "license"; Amend Sec. 1 (Sec. 501), page 3, line 17, by inserting after the word "the" the following: "additional open"; Amend Sec. 1 (Sec. 501), page 3, lines 17 and 18, by striking out the words "an additional special permit for that purpose" and inserting in lieu thereof: "the special archery license herein provided for."

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. BERGER offered the following amendment:

Amend Title, page 1, next to last line of title, by striking out the word "permit" and inserting in lieu thereof: "license."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 479, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 480, entitled:

An Act relating to the discharge of joint and several tortfeasors in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 484, entitled:

An Act to further amend subsection (a) of section 704 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by permitting the use of semi-automatic shotguns for the hunting and killing of small game predators and unprotected birds.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

INTERROGATION

Mr. WALKER. Mr. President, may I inquire from somebody on the Minority side what we are going to do about House Bill No. 716?

Mr. BARR. Mr. President, we are waiting on the clerk from the Appropriations Committee to bring us a report from that committee. He has not returned with the report as yet.

REPORT FROM COMMITTEE

Mr. STEVENSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STEVENSON, from the Committee on Local Government, reported as amended, House Bill No. 701, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by changing requirements for contracts and purchases and imposing penalties

PERMISSION TO ADDRESS SENATE

Mr. McMENAMIN asked and obtained unanimous consent to address the Senate.

Mr. McMENAMIN. Mr. President, I would like to read the following resolution which has been forwarded to us from the Department of Pennsylvania of the American Legion. I would like to have this resolution spread on the Journal.

"Whereas, the United States of America is faced with grave danger from within and within its borders, and

"Whereas, the loyalty of every American is constantly required to preserve our Nation, now, therefore be it

"Resolved, that the American Legion, Department of Pennsylvania does hereby go on record to commend the Senate of Pennsylvania for approving Senate Bill No. 27 requiring loyalty oaths of public officials and employees of the Commonwealth, and of the political sub-divisions therein, and be it further

"Resolved, that we recommend to the members of the House of Representatives of the General Assembly of Pennsylvania, that they hereby approve this sound bill, and be it further

"Resolved, that we commend the Pittsburgh Press and all other newspapers for furthering this bill and other proposed legislative features of the Department of Pennsylvania."

Mr. President, at this time I would also like to commend Senator Pechan for his untiring efforts in the face of what we all know was a great deal of difficulty to take this additional step forward in the world wide fight against Communism.

REPORT FROM COMMITTEE

Mr. MAHANY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY, from the Committee on Local Government, reported as amended, Senate Bill No. 458, entitled:

An Act to amend Section 5 and to add Section 5:1 to the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by requiring certain bonds issued for certain purposes to be offered for sale at open and competitive bidding in certain cases.

HOUSE BILL NO. 716 CALLED UP

Mr. WALKER. Mr. President, at this time I would like again to call up, on Page 4 of the Calendar, House Bill No. 716.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order.

The Senate proceeded to the third reading and consideration of House Bill No. 716, as follows:

A Supplement to the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (Appropriation Acts page 62) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-nine and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-nine" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred and fifty-one

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following sums or as much thereof as may be necessary for deficiencies in certain appropriations made to the Department of Justice the Department of Labor and Industry the Department of Property and Supplies the Department of Public Instruction and the Judicial Department by the act to which this is a supplement are hereby specifically appropriated to such departments as follows

I Executive Department

To the Department of Justice

For the payment of the deficiency in the appropriation for the payment of the salary of the Attorney General and for the payment of salaries wages or other compensation of deputy attorneys general special attorneys law clerks and other employes for the payment of compensation of attorneys employed by the several departments boards and commissions with the approval of the Attorney General for handling litigation or making collections or appointed to represent the Commonwealth or any department board or commission thereof in special work or in particular cases for the payment of costs and witness fees for the purchase of law books for the law library of the department and for payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the Board of Pardons and the Board of Commissioners on Uniform State Laws for the audit and investigation of claims and for the prosecution and defense of litigation to which the Commonwealth is a party or in which the Commonwealth is interested the sum of two hundred thousand dollars (\$200,000)

To the Department of Labor and Industry

For the payment of the deficiency in the appropriation for the payment of the salary of the Secretary of Labor and Industry and for the payment of salaries wages or other compensation of the members of the Workmen's Compensation Board Workmen's Compensation Referees Pennsylvania Labor Relations Board the members of the Industrial Board deputy secretaries and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the Workmen's Compensation Board the Workmen's Compensation Referees Pennsylvania Labor Relations Board and the Industrial Board and for compensation and expenses of wage boards the sum of two hundred seventy-one thousand seven hundred dollars (\$271,700)

To the Department of Property and Supplies

For the payment of the deficiency in the appropriation for the cost of printing and distributing records of the proceedings of the conventions of the Department of Pennsylvania of the Grand Army of the Republic the United Spanish War Veterans the Veterans of Foreign Wars of the United States the American Legion and the disabled American Veterans of the World War as provided by law the sum of seven thousand two hundred seventy-five dollars (\$7,275)

For the payment of the deficiency in the appropriation

for the purchase of office supplies and equipment stationery printing supplies and printing processes for the purchase of legal books periodicals maps pamphlets for the purchase of all other materials supplies and equipment for the costs of repairing office equipment for the payment of rental charges of telephone and other leased devices for the payment of telephone toll charges and telegrams required by the General Assembly and the Judicial Department for the payment of costs including delivery expenses of documents and publications furnished to members and officers of the General Assembly for the payment of the costs of all printing incident to the sessions of the General Assembly including the printing of the Pamphlet Laws and for the payment of the cost of postage freight express paper and printing of departmental documents distributed to members of the General Assembly in accordance with law the sum of three hundred twelve thousand six hundred fifty dollars (\$312,650)

To the Department of Public Instruction

For the payment of the deficiency in the appropriation for the payment of salaries of the County Superintendents and Assistant County Superintendents of public schools and supervisors of special education or persons acting in their stead as required by law the sum of twenty-six five hundred dollars (\$26,500)

For the payment of the deficiency in the appropriation for reimbursement to school districts for transportation of school children as required by law the sum of one million sixty-six thousand three hundred twenty dollars (\$1,066,320)

For the payment of the deficiency in the appropriation for reimbursing school districts upon the salaries of school teachers and upon the basis of teaching units as prescribed by law for closed schools and for nonresident high school tuition and any other nonresident tuition as required by law and for the minimum salaries of teachers and supervisors of home bound children and extension class pupils the sum of three million five hundred thousand dollars (\$3,500,000) Provided That the Superintendent of Public Instruction with the approval of the Governor may make payments from this appropriation in advance of the due dates prescribed by law to school districts which are financially handicapped whenever he shall deem it necessary to make such advanced payments to enable school districts to keep their public schools open

II Judicial Department

Supreme Court

For the payment of the deficiency in the appropriation for the payment of salaries wages or other compensation of the prothonotary and other employes in the office of the prothonotary of the Supreme Court for the Middle district and for the payment of expenses for the Supreme Court in the Middle district and the Superior Court at Harrisburg the sum of one thousand two hundred fifty dollars (\$1,250)

For the payment of the salary and expenses of the crier tipstaves official stenographers court officers and law secretary of the Chief Justice of the Eastern Middle and Western districts and for premiums for workmen's compensation insurance covering all employes of the Supreme Court the sum of seven hundred one hundred dollars (\$7,100) Provided That the crier for the Middle district shall receive no other compensation from the State

For the payment of the Fees of the Prothonotaries of the Supreme Court of the Eastern Middle and Western districts on assignment of judges to counties other than their own under an order of the Supreme Court dated February nineteen one thousand nine hundred and nineteen the sum of seven hundred fifty dollars (\$750) payments to be made monthly by the State Treasurer on warrants drawn by the Auditor General

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. BARR. Mr. President, I am going to be brief because I know you men want to get home. I want to read partly from a letter printed in the Pittsburgh Press on Monday of this week, written to the Pittsburgh Press by the Mayor of the City of Pittsburgh, and to point out to the Members of the Senate how accurate his figures were compared to what this bill is that we have before us today.

Mr. President, in answering an editorial written by the Press, the Mayor has said:

"and, of course, we have the State investigation which is spending more than one thousand dollars a day"—and may I interpose at this time that is not counting the money being expended by the State Police down in our City—"in a rather frantic effort to turn up with something which will justify its existence. No agency could be more partisan, more vindictive, more determined to 'get' prominent members of the opposition party than this fantastically expensive and endlessly prolonged special inquiry."

"Quite frankly, I cannot see how anyone can have confidence in an investigation begun and directed by the ex-Attorney General of Pennsylvania, who, immediately after his forced removal from that office, again appeared as counsel for notorious hoodlums and racketeers. Margiotti's appointments are obviously of his own stripe, and his is still the directing hand."

"But be that as it may, it is obvious that this swarm of special deputy attorney generals, political accountants, State Police Officers detached from normal duties, is leaving nothing undone to uncover and publicize anything which may be to the discredit of this administration."

"Now, what has come of all of this?"

"Never have so many labored so much and produced so little."

Mr. President, in this deficiency appropriation today I note that there are approximately four hundred fifty thousand dollars for salaries and expenses. I know one department alone where there are only five hundred and fifty employees of the State, and their traveling expenses have amounted to one hundred fifty thousand dollars. I also note that there has been an investigation being held in the City of Philadelphia for the past two years, and the amount expended in that investigation has been the sum of forty-seven thousand dollars, while at the same time an investigation in Allegheny County from the time it began until about a month ago has cost the taxpayers of this State over ninety thousand dollars.

Mr. President, I wonder why the difference? Philadelphia is quite a much larger city, and I do realize that it is under Republican rule. I presume then that it costs twice as much to investigate in cities that are under Democratic rule. I also note in this deficiency appropriation for the Department of Labor and Industry that in salaries, the deficiencies have amounted to two hundred thousand dollars. I appreciate the fact that some of that could be taken up in the raise granted by Mr. Duff right before the election last year. I personally was for the raise, but I just was not for the timing, because I think the raise should have been given on the first of the year, as it was in the City of Philadelphia and Pittsburgh, because the

cost of living started upwards previous to the budgets that were made up for the year 1950.

Now, Mr. President, I could talk here endlessly about the money that is being wasted. I only hope that the next time they start one of these political probes, they will go through and complete it because they have called off this probe temporarily for a period of six weeks, and everyone is being paid the same as though they were working. I always thought that under the due process in our government, when there was a Grand Jury inquiry being made, that they had some facts to go on. The gentlemen had nothing more to go on, and they had to take a six weeks vacation to go out and see if they could not dig something else up. If there is anything wrong, I hope they find it. If anyone has done anything wrong, I hope they go through with their prosecution.

Mr. President, I do know also that the prosecuting attorney is trying now to delay the trial of one former member of this Senate, Senator Frey, who is the City Controller of Pittsburgh, and I noticed in the morning paper today where he was rebuked by the Supreme Court of Pennsylvania, which has ruled that he would have to go to trial next week, and I fully intend to get up several times while this trial is going on to show you gentlemen the absurdity of the charges being made against this former member of the Senate. Here is a man who has been indicted, and I read—what ever it is you present to a Grand Jury—the presentment, and I find out he was indicted for sending a package out to his daughter's farm in a city automobile.

Mr. WALKER. Mr. President, I just want to suggest one thing to the gentlemen of the Senate. I know that Senator Barr and I have no mutual desire to pry into either the Philadelphia investigation or the Pittsburgh investigation here on the floor of the Senate. I just want to call to the attention of the gentlemen of the Senate, for example, the traveling expenses that he mentioned for the Department of Labor and Industry. There is no suggestion, I assume, that the traveling expenses were not rightfully incurred in the sincere discharge of the responsibility of the Department. If there is something in error in the traveling expenses, if they have not been properly incurred, then I think that the gentlemen of the Senate should know that. If, however, as far as the gentleman knows, there is nothing illegal about the incurrence of the expense items suggested, then I think that that statement should be cleared on the Floor of the Senate.

Mr. BARR. Mr. President, I think that everybody in the Senate knows that there is very little of the policeman or cop in me, and I am not at all trying to say how these traveling expenses were incurred, because that is not my duty. I say it is too high when you pay one hundred fifty thousand dollars for traveling expenses for five hundred fifty-eight employees, many of them located here in Harrisburg, some in Pittsburgh and some in Philadelphia, but when it comes to some of it, I must say that I do think that there is a little laxity, because at the time this investigation was on in Pittsburgh last year, I happened to be up at the William Penn Hotel at the time the Republican State Committee met in September, and I was there with a man who counted forty-two State cars that came up and discharged their passengers for this convention. At the same time they are trying to indict a city

councilman in Pittsburgh, who had a farm outside of the city limits, for driving his car outside of the city. This man at that time wanted me to make some political benefit out of that in connection with the campaign of Senator Walker, but I said, "No." When I have to stoop to try to use things like that in a campaign, that is the day I would leave politics.

Mr. WALKER. Mr. President, I am sorry that there seems to be some confusion, but what I was discussing was the Department of Labor and Industry. As I understand this bill that is now before us, there is an item of one hundred fifty thousand dollars for traveling expenses. Is that not right, sir?

Mr. BARR. Mr. President, no, there is not. There is an item of two hundred seventy-one thousand dollars for the Department of Labor and Industry, but in the breakdown I note that the traveling expenses in that Department have been, in the last period that was given us, increased one hundred and fifty thousand dollars.

Mr. WALKER. Mr. President, this is the item concerning which I suggested that if there is no suggestion that they were not sincerely incurred in the honest discharge in the duties and responsibilities of the Department, then we should understand that. If there is some doubt or suspicion that they were not rightfully incurred, I think the Senate should know that.

Mr. President, I am talking about the Department of Labor and Industry. I am not for the moment investigating Allegheny County or Philadelphia County.

Mr. BARR. Mr. President, I may not have expressed myself clearly, but the point I was trying to make is that I read, some few weeks after Governor Fine took office, where he wrote to the head of each department and told them before they go on all these junkets, they have been going on, they would have to get permission out of the Governor's Office, and if these departments follow through on what the Governor asks, I think the next time we come back here this item will be considerably cut.

Mr. WALKER. I am assuming, Mr. President, that the answer to my question was no. I again repeat, Mr. President, I am assuming that the one hundred fifty thousand dollars item for traveling expenses charged in the deficiency bill for the Department of Labor and Industry was sincerely and honestly incurred in the faithful discharge of the duties and responsibilities of the Department.

Mr. BARR. Mr. President, is the gentleman from Allegheny asking me a question?

Mr. WALKER. Yes, Mr. President. If I am incorrect in the conclusions I have arrived at, I wish the gentleman would set me right.

Mr. BARR. Mr. President, I assume that when the Governor originally issued this proclamation, there must have been some irregularity or he would not have done it.

Mr. WALKER. Now, Mr. President, we are getting into a field of collateral subjects. May I call the attention of the gentleman from Allegheny to the fact that the memorandum from the Governor's office dealt with out-of-State travel. I do not think that the item dealt with travel inside the State, and again, Mr. President, I am saying very carefully it is my assumption from what the gentleman now says about the one hundred fifty thousand dollars, that the item as incurred, sincerely incurred in the

faithful discharge of the duties and responsibilities of the department.

Mr. BARR. That is a debatable question, Senator Walker, and that is your assumption, but I think it might be well for the Governor to issue another memorandum for inside the State junkets.

Mr. WALKER. Mr. President, what the gentleman is driving at is he thinks it would be grand if we passed a bill prohibiting deficiency appropriations. That is what he is working up to.

Mr. President, if there is nothing further we can exchange about the investigations in Philadelphia and Allegheny Counties, I suggest we now have a roll call on House Bill No. 176, Printers No. 112?

Mr. HALUSKA. Mr. President, it is quite apparent that the gentleman from Allegheny County is very definite at times and very evasive at other times. Right now his interrogation has proven that he wants to be very definite. He wants the gentleman from Allegheny, Senator Barr, to say yes or no to his question. Yesterday he threw a cloud of suspicion over the relief recipients, and when I asked him to give a specific case, he just passed it up. He was not too definite yesterday. It all depends upon the occasion, it seems.

Mr. WALKER. Mr. President, if we are going to take a march back into the future, yesterday, when the Democratic Party got into a civil war on Public Assistance, if the gentleman from Cambria had any idea I was going to stick my neck into that argument, he certainly was out of his mind. That was a debate on the other side of the Floor, and I certainly was not going to be coaxed back into that. I was lucky to get out of it, and as long as the Democratic Party wants to fight among themselves about what happened yesterday, that is all right with us.

Mr. HALUSKA. Mr. President, it is quite apparent that the gentleman was out of his mind, but he is back into it now, despite the fact he said he would not get back into it yesterday. He got into it yesterday. He got up and made a long long talk on relief, and threw a cloud of suspicion over the relief recipients. He may or may not have been out of his mind, but right now he is.

Mr. YOSKO. Mr. President, the statement was made a short time ago that there was a breakdown of the expenditures involved in this deficiency appropriation. That, of course, was not true in toto. It was true in part. Mr. Stoner did not have the figures at his finger tips. Frankly, he should have them at his finger tips, because I understand he is in charge of the Appropriations Committee. He had to go around and dig them up. We had to recess and wait here until he got them, but the figures that he did bring were in lump sums so that it was impossible to analyze them.

Mr. President, the Majority Leader asked a question. He wanted to know whether or not the traveling expenses were incurred in the performance of duties for the Department. Frankly, he cannot say that the expenses were incurred in that manner and neither can I, because we got them in a lump sum, and if we want to really determine how the expenses were incurred, what we have got to do is take a look at the requisitions that were issued from time to time and that will tell us the story.

Mr. President, last December I wrote a letter to the Budget Secretary and he got the letter because I got an

acknowledgment from him, and in that letter I specifically asked him that when he prepared the Budget report, if there were any deficiencies requested by any department, board or commission of the State government, he should get an itemized statement of what the deficiency was for and a detailed explanation of it. I have not seen any such statement presented to the Senate, or to the Appropriations Committee or to anybody else, and it is about time the Senate is presented with some sort of information with which we can be guided when we are called upon to vote for deficiency appropriations and other bills that are of interest to us as well as the people of the Commonwealth.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll the following occurred:)

Mr. HOLLAND. Mr. President, I want to be registered as voting "no" and after the roll call is announced, to give my reasons.

The PRESIDENT. The gentleman from Allegheny will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Freed,	McMenamin,	Snowden,
Barr,	Haluska,	McPherson, Jr.	Stevenson,
Barrett,	Hare,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Taylor,
Blass,	Kessler,	Pechan,	Toole,
Byrne,	Lane,	Peelor,	Wade,
Chapman,	Leader,	Probert,	Wagner,
Crowe,	Letzler,	Robinson,	Walker,
Dent,	Mahanay,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yosko,

NAYS—1

Holland,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

REASONS FOR VOTE

Mr. HOLLAND. Mr. President, my reason for voting against the deficiency appropriation is the fact that we do not know what we are voting on. All we are voting on is figures supplied by departments. I think you will find after investigation that these deficiency appropriations occurred right before the election, when, according to statements made by opponents of the Republican Party in the Primary, it was stated that employees were traveling all over the State at State expense to attend political meetings and to enlarge the political meetings. Therefore, I feel that in this deficiency appropriation is a lot of money that was used in political campaigns and, therefore, that is why I voted against it.

INTERROGATION

Mr. WALKER. Mr. President, I desire to interrogate the gentleman from Allegheny, Senator Holland.

The PRESIDENT. Will the gentleman from Allegheny, Senator Holland, permit himself to be interrogated?

Mr. HOLLAND. I will, Mr. President.

Mr. WALKER. Mr. President, the gentleman made a suggestion that these deficiencies were incurred right before the election. Now, Mr. President, I desire to ask the gentleman if he will obtain a copy of House Bill No. 716, Printer's No. 112 and turn to page 5 of the bill.

Mr. HOLLAND. Mr. President, what page?

Mr. WALKER. Page 5, beginning on line 10, To the Department of Public Instruction, and the balance of that page, Mr. President, is devoted to an explanation for the payment of the deficiency in the appropriation for the payment of salaries of the county superintendents and assistant county superintendents of public schools and supervisors of special education or persons acting in their stead, as required by law, the sum of twenty-six thousand five hundred dollars, and beginning on line 16, for the payment of the deficiency in the appropriation for reimbursement to school districts for transportation of school children, as required by law, the sum of \$1,066,320.

I ask the gentleman, Mr. President, is he under the impression that either of those two appropriations were made just before the election for political purposes?

Mr. HOLLAND. Mr. President, that is peanuts toward the other appropriations. That is about one-sixteenth of the appropriation.

Mr. WALKER. Mr. President, I am asking the gentleman a specific question, and I would like to have him answer it.

Mr. HOLLAND. Mr. President, I do not intend to evade the question, but the Department of Public Instruction is only one part of it. Let us go into some of the others.

Mr. WALKER. Mr. President, I have not heard the answer to this one yet.

Mr. HOLLAND. Mr. President, I hope they did not have it in the Department of Public Instruction, but I do not know, after some of the statements made in the Primaries by the opponents of the Republican Party, and I am very doubtful about this and the Department of Public Instruction was controlled by the Republicans.

Mr. WALKER. Now, Mr. President, that is just what I mean by loose statements made on the floor of the Senate for political purposes. The gentleman admits that he does not know, yet a few minutes ago he gave us his reason for voting "no" on the bill, because this money was spent just before the election for political purposes.

Mr. HOLLAND. Now, Mr. President, that is only a small part of it. Would you say the Department of Justice was not for political purposes? Would you say that the Department of Labor and Industry was not for political purposes? I know a good bit about your Labor Department.

BILLS ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. STEVENSON. Mr. President, I second the motion. The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 120, entitled:

An Act to further amend the act approved the fifth day of August one thousand nine hundred forty-one (P.

L. 803) entitled as amended "An act providing for the creation maintenance and operation of a county employees' retirement system in counties of the fifth sixth seventh and eighth class imposing certain charges on counties and prescribing penalties" by further defining county employee substituting the chief clerk for the auditor as a member of and secretary to the board, in certain cases and extending the period in which a certain option may be exercised

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 202, entitled:

An Act to further amend Section 2445 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by authorizing the issuance of non-debt revenue bonds for the alteration addition to or enlargement of existing sewers sewer systems and sewage treatment works and the pledging of revenue derived from the existing system in payment of such bonds and authorizing the issue and sale of non-debt revenue bonds at one time

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 221, entitled:

An Act to reenact and amend the title of and the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 14676) entitled "An act to provide revenue in school districts of the first class by imposing a temporary tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county assessing authority board of revision of taxes receiver of school taxes school treasurer board of public education in such districts and courts providing for compensation to certain officers and employees and imposing penalties" by continuing the provisions thereof for the year one thousand nine hundred fifty-two and succeeding years and deleting certain obsolete provisions

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 222, entitled:

An Act to reenact and amend the title of and the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1669) entitled "An act to provide revenue for school districts of the first class by imposing a temporary tax on persons engaging in certain businesses professions occupations trades vocations and commercial activities therein providing for its levy and collection conferring and imposing powers and duties on the Board of Public Education receiver of school taxes and school treasurer in such districts and prescribing penalties" by continuing the provisions thereof for the year one thousand nine hundred fifty-two and succeeding years and deleting certain obsolete provisions

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 415, entitled:

An Act authorizing the establishment in The Pennsylvania State College, through the extension services of said institution, an educational program in industrial and labor relations, stating the objectives and purposes of said program; conferring obligations and duties on the trustees and president of said institution; providing for the establishment of an advisory committee, its appointment, and defining its powers and duties; and making an appropriation therefor.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 458, entitled:

An Act to amend Section 5 and to add Section 5.1 to the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by requiring certain bonds issued for certain purposes to be offered for sale at open and competitive bidding in certain cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 512, entitled:

An Act to further amend subsection (b) of Section 4 of and to add Section 36.1 to the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors courts, and various officers of said political subdivisions; and prescribing penalties," by requiring taxing districts to pay the premiums on corporate bonds of the tax collector, in townships of the first class and further regulating the fixing of the compensation of elected tax collectors.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 538, entitled:

An Act to amend section one thousand one hundred fifty-four of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the payment of salaries of professional and temporary professional employees in cases of sickness or death

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 602, entitled:

An Act to reenact and amend the title and the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled as amended "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs town and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employees' Retirement System and for Pension Annuity Contracts and in certain other cases into the State Employees' Retirement Fund for certain purposes" by extending the benefits of the act to certain county police pension funds.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 701, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by changing requirements for contracts and purchases and imposing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS SIGNED

The President (Lieutenant-Governor Lloyd H. Wood) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 16, entitled:

An Act to further amend clauses six seven, twenty and twenty-three of section two of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies and corporations, including to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates, placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligation issued, assumed, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings

of facilities of public utilities; and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings, conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies, and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment, or violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by exempting from the provisions thereof transportation of pulpwood or chemical wood from woodlots.

House Bill No. 716, entitled:

A Supplement to the act, approved the twenty-seventh day of May, one thousand nine hundred forty-nine (Appropriation Acts, page 62), entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-nine, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-nine," providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first, one thousand nine hundred and fifty-one.

Whereupon,

The President (Lieutenant-Governor Lloyd H. Wood) in the presence of the Senate signed the same.

PERMISSION TO ADDRESS SENATE

Mr. HARE asked and obtained unanimous consent to address the Senate.

Mr. HARE. Mr. President and Members of the Senate, at the risk of starting another civil war on public relief in Pennsylvania, I am going to offer a bill in co-sponsorship with my distinguished colleague from Potter, Senator Berger, carrying out the concepts expressed editorially in the Philadelphia Inquirer last Sunday and the New York Times editorial commending us on our approach to this problem that has become a national irritant.

Here in Pennsylvania we have a definite pattern established, right or wrong. Under the United Mine Workers Welfare Fund we now pay one hundred dollars a month for a retired miner who can qualify under the program. As the son of a man who spent his lifetime in the coal mines, and who retired only last week, I am fully cognizant of that program. We have a program in Pennsylvania on unemployment compensation which is set at one hundred dollars a month, and our present workmen's compensation program, right or wrong, is set at one hundred dollars a month. If a teacher teaches school for forty years, she may qualify for one hundred dollars a month. To that end I am drawing the relief program into that same pattern and setting a ceiling on relief that a family might receive in Pennsylvania at one hundred twenty-five dollars a month, with the understanding that if a workman gainfully employed, through no fault of

his own, no matter how many dependents are in the family, gets only one hundred dollars a month, then relief recipients should not be permitted to run up as high as three hundred dollars a month if they develop a chronic case of unemployment and unemployed tendencies.

Now, Mr. President, I am fully aware of the old adage that it is easy enough to titter when the soup is smoking hot, but it is mighty hard to giggle when there is nothing in the pot, but I have gone through this thing, as have many other of the groups in Pennsylvania, and on behalf of Senator Berger and myself, in the hope that this might prove a product toward final settlement of a chronic condition in public assistance, I would like to offer the bill at this time.

BILLS INTRODUCED AND REFERRED

Mr. HARE. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. HARE and BERGER read in place and presented to the Chair Senate Bill No. 497, entitled:

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by transferring the power of determining the nature and extent of assistance from the Department of Public Assistance to the County Boards and fixing the maximum allowable assistance.

Which was committed to the Committee on Public Health and Welfare.

Mr. ROBINSON. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ROBINSON read in his place and presented to the Chair Senate Bill No. 498, entitled:

An Act to amend clause (m) of Section 1 of the act, approved the ninth day of May, one thousand nine hundred forty-nine (P. L. 927), entitled "An act fixing and regulating the fees, commissions, mileage and other costs chargeable by the sheriff in counties of the second, third, fourth, fifth, sixth, seventh and eighth classes for their official acts and the services of their deputies, watchmen, appraisers and other agents; requiring prepayment of same, unless secured or chargeable to the county and delivery of itemized receipts therefor; requiring certain payments by the county, including the compensation of special deputies; providing for the taxation and collection of fees, commissions, mileage and other costs; requiring salaried sheriffs to account to the county for certain fees and commissions collected; and repealing inconsistent laws, general, special or local," by further fixing the mileage chargeable by sheriffs.

Which was committed to the Committee on State Government.

ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Monday, April 16, 1951, at 3:00 o'clock, p. m., Eastern Standard Time.

Mr. CROWE. Mr. President, I second the motion. The motion was agreed to.

The Senate adjourned at 1:12 o'clock, p. m., Eastern Standard Time, until Monday, April 16, 1951, at 3:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, April 11, 1951

The House met at 1:00 p. m.

The SPEAKER (Herbert P. Sorg) in the Chair.

PRAYER

The Reverend Charles F. Trunk, Jr., guest Chaplain, Pastor of the Bethlehem Lutheran Church, Harrisburg, offered the following prayer:

Almighty God, as we seek Thy blessing on us as a group, we pray Thee, also, to consider each one separately; for we know that we can do what is best only as each of us hears Thee speak. If there is malice in any, root it out; where there is love, strengthen it. If there is self-interest, make it unsuccessful; where there is consideration for others, let it prosper. If there is unity in evil, break it up; where there is agreement in goodness, preserve it.

We pray Thee to bless each one who serves our Commonwealth for Thy name's sake. Amen.

JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Tuesday, April 10, 1951? If not, and without objection, the Journal is approved.

STUDENTS FROM EXETER JUNIOR HIGH SCHOOL WELCOMED

The SPEAKER. The Chair is pleased to welcome sixty-six ninth grade students from Exeter Junior High School, Berks County, here under the supervision of their teachers, Mr. Hertz, Mr. Angstadt and Mrs. Getz. They are the guests of the gentleman from Berks, Mr. Weidner.

BILLS INTRODUCED AND REFERRED

By Mr. BROWN. HOUSE BILL No. 973.

An Act to further amend Section 2 of the act approved the seventh day of June, one thousand nine hundred one (P. L. 493), entitled "An act providing for the examination, licensure, and registration of persons, firms, or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations, and requirements for the construction of plumbing, house drainage, and cess-pools in cities of the second class; and imposing fines, penalties, and forfeitures for violation thereof," by increasing certain fees.

Referred to the Committee on Public Health and Sanitation.

By Mr. MAZZA.

HOUSE BILL No. 974.

An Act to amend the title and the act, approved the twenty-seventh day of May, one thousand nine hundred thirty-seven (P. L. 917), entitled "An act for the protection of the health and welfare of women and minors by regulating under the police power the minimum fair wages which shall be paid by employers; providing for wage boards, and defining the powers and duties of such boards, and of the Department of Labor and Industry; imposing duties on employers; providing for directory and mandatory orders on employers, and the publication of the names of employers who do not comply with such orders; exempting certain persons from the provisions of this act; and providing penalties," by deleting directory orders, changing the basis of fair wage, extending provisions to males over twenty-one years of age, and changing penalties.

Referred to the Committee on Labor Relations.

By Mr. SPENCER.

HOUSE BILL No. 975.

An Act making an appropriation to the Insurance Department for the payment of certain moral claims against the Commonwealth and that department.

Referred to the Committee on Appropriations.

By Mr. DALRYMPLE.

HOUSE BILL No. 976.

An Act to amend Section 1 of the act, approved the twentieth day of May, one thousand nine hundred forty-nine (P. L. 1489), entitled "An act providing for a two-platoon system for firemen employed and paid by cities of the second class A and fixing the maximum hours of service in any one day or week for such platoons, with certain exceptions," by further prescribing the maximum hours of service for such employes in any one week.

Referred to the Committee on Cities and County—Second Class.

By Mr. CLAPPER.

HOUSE BILL No. 977.

An Act making an appropriation to the Department of Commerce for the payment of the costs of preparing and publishing a revised edition of its publication, "My Pennsylvania," providing for the distribution and sale thereof; and appropriating the moneys derived from such sales.

Referred to the Committee on Appropriations.

By Mr. KENT.

HOUSE BILL No. 978.

An Act to amend the act, approved the thirty-first day of July, one thousand nine hundred forty-one (P. L. 616), entitled "An act defining, regulating and providing for the licensing and registration of employment agents, and their representatives, including private employment agents, theatrical employment agencies and nurses" refistries; providing for revocation and suspension of licenses and registrations subject to appeal and for their reinstatement; defining the powers and duties of the Department of Labor and Industry and the Department of Public Instruction; providing penalties, and repealing existing laws" by changing the provisions thereof, and the rights, obligations, license fees and procedure therein.

Referred to the Committee on Labor Relations.

By Mr. WILLIAMS.

HOUSE BILL No. 979.

An Act to repeal the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 1145), entitled "An act empowering cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, townships of the first class, school districts of the second class, school districts of the third class and school districts of the fourth class to levy,

assess, and collect or to provide for the levyign, assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court."

Referred to the Committee on Municipal Corporations.

By Mr. ROBERT K. HAMILTON and Mrs. MUNLEY.
HOUSE BILL No. 980.

An Act to amend Section 3 of the act, approved the twenty-first day of July, one thousand nine hundred nineteen (P. L. 1077) entitled "An act to provide for the administration of the Workmen's Compensation Act of one thousand nine hundred fifteen by creating the Bureau of Workmen's Compensation of the Department of Labor and Industry; providing for the establishment of the Workmen's Compensation Board to have charge of such bureau; authorizing the division of the Commonwealth into workmen's compensation districts, and the appointment of workmen's compensation referees; defining the powers and duties of the Commissioner of Labor and Industry, the Bureau of Workmen's Compensation, the Workmen's Compensation Board, the workmen's compensation referees and the factory inspectors of the Department of Labor and Industry, in enforcing the said act; and fixing the salaries of the members of the Workmen's Compensation Board, the workmen's compensation referees, and certain of their employes and assistants; and repealing certain acts," by providing that one of the members of the Workmen's Compensation Board shall be a representative of organized labor.

Referred to the Committee on Workmen's Compensation.

By Messrs. LOUIS LEONARD and KAMYK.
HOUSE BILL No. 981.

An Act to further amend subsection (a) of Section 1, and to amend Section 2 of the act, approved the thirty-first day of March, one thousand nine hundred thirty-seven (P. L. 160) entitled "An act creating a commission to be known as the Pennsylvania Public Utility Commission; defining in part the powers and duties of such commission; abolishing The Public Service Commission of the Commonwealth of Pennsylvania, terminating the terms of the members thereof, and transferring to the Pennsylvania Public Utility Commission the records, employes, property, and equipment of The Public Service Commission of the Commonwealth of Pennsylvania; authorizing the Pennsylvania Public Utility Commission to appear in and complete all pending proceedings, legal or otherwise, instituted before, by or against The Public Service Commission of the Commonwealth of Pennsylvania; providing that all certificates of public convenience, contracts, orders, and rules and regulations of the latter commission shall remain effective until repealed, changed or modified by the Pennsylvania Public Utility Commission, and transferring and appropriating to the Pennsylvania Public Utility Commission any unexpended balance of any existing appropriation to The Public Service Commission of the Commonwealth of Pennsylvania," by providing that one member of the Pennsylvania Public Utility Commission shall be a representative of organized labor.

Referred to the Committee on Public Utilities.

By Messrs. HARRY W. PRICE and WILT.
HOUSE BILL No. 982.

An Act to add Section 820.1 to the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the

public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicle; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by requiring the use of mudguards or spray deflectors on commercial motor vehicles.

Referred to the Committee on Motor Vehicles.

By Mr. HARRY W. PRICE. HOUSE BILL No. 983.

An Act requiring wells and cisterns to be covered or sealed; providing penalties.

Referred to the Committee on Public Health and Sanitation.

By Mr. HARRY W. PRICE, JR. HOUSE BILL No. 984.

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by further providing for exceptions to compulsory attendance.

Referred to the Committee on Education.

By Mr. BREISCH. HOUSE BILL No. 985.

An Act to amend section 2509 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by further providing for Commonwealth reimbursements on account of handicapped children.

Referred to the Committee on Education.

By Messrs. FILO and LUTTY. HOUSE BILL No. 986.

An Act authorizing counties of the second class to regulate the lodging, storing, and transporting of highly combustible, inflammable, explosive liquids or materials; providing for inspections thereof and the collections of fees incidental thereto; imposing duties on fire marshals in such counties and providing penalties.

Referred to the Committee on Cities and County—Second Class.

By Mr. KOHL. HOUSE BILL No. 987.

An Act to amend section 807.1 of the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 752), entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth; vesting in the State Civil Service Commission and a Personnel Director certain powers and duties; providing for classification of positions, adoption

of compensation schedules and certification of payrolls; imposing duties upon certain officers and employees of the Commonwealth; authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in the matters relating to civil service; defining certain crimes and misdemeanors; imposing penalties; making certain appropriations, and repealing certain acts and parts thereof," by further providing for right of return after leave of absence.

Referred to the Committee on State Government.

By Mr. KOHL.

HOUSE BILL No. 988.

An Act to further amend Section 802 and to amend Sections 807.1 and 807.2 of the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 752), entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth; vesting in the State Civil Service Commission and a Personnel Director certain powers and duties; providing for classification of positions, adoption of compensation schedules and certification of payrolls; imposing duties upon certain officers and employees of the Commonwealth; authorizing service to other State departments, or agencies and political subdivisions of the Commonwealth in matters relating to civil service; defining certain crimes and misdemeanors; imposing penalties; making certain appropriations, and repealing certain acts and parts thereof," by further regulating and improving the civil service of certain departments and agencies of the Commonwealth.

Referred to the Committee on State Government..

By Mr. PENGLASE.

HOUSE BILL No. 989.

An Act to promote the welfare of the people of the Commonwealth; creating a State Mental Health Authority as a body corporate and politic with power to construct, enlarge, improve, equip and furnish mental hospitals and to lease the same and to fix and collect fees, rentals and charges for the use thereof; authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Property and Supplies to grant, assign, convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor, granting the right of eminent domain and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act.

Referred to the Committee on State Government..

By Messrs. MORAN and MIKULA (By Request).

HOUSE BILL No. 990.

An Act to further amend the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 566), entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employee arising out of and in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine controverted medical issues; establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases; making an appropriation; and prescribing penalties," by amplifying the provisions thereof as to persons entitled to such payments.

Referred to the Committee on Workmen's Compensation.

By Messrs. MORAN and JENKINS.

HOUSE BILL No. 991.

An Act to further amend Section 2 of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 626), entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; creating and prescribing the powers and duties of a Board of Property Assessment, Appeals and Review; imposing duties on certain county and city officers; abolishing the board for the assessment and devision of taxes in such counties; and prescribing penalties," by eliminating restrictions as to having other offices, business or employment by officers of the Board of Property Assessment, Appeals and Review.

Referred to the Committee on Cities and County—Second Class.

By Messrs. HARRY W. PRICE, Jr., FERSTER, BANKER, ERB, TOOMEY, GRAYBILL and SOLLENBERGER

HOUSE BILL No. 992.

An Act making an appropriation to the Department of Forests and Waters for the purpose of study, survey and examination of flood control conditions, causes and effects in the Juniata Valley and for making designs, plans and recommendations for controlling such flood conditions, and saving life and property.

Referred to the Committee on Appropriations.

By Messrs. HAUDENSHIED, RONALD L. THOMPSON, EWING and COOPER.

HOUSE BILL No. 993.

An Act authorizing the Secretary of Property and Supplies, with the approval of the Governor and the Board of Trustees of the Woodville State Hospital, to sell and convey a certain tract of land in the township of Collier, Allegheny County, Pennsylvania, owned by the Commonwealth, to the Universal Concrete Pipe Company, and providing for the disposition of the proceeds of the purchase moneys.

Referred to the Committee on State Government..

By Mr. KUBACKI.

HOUSE BILL No. 994.

An Act to amend the act approved the twenty-third day of May, one thousand nine hundred forty-five (P. L. 903), entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employees independently of any pension system or systems existing in such cities," by changing employe, and the limits of city, contributions.

Referred to the Committee on Cities—Third Class.

By Messrs. PAUL F. JONES and MORAN.

HOUSE BILL No. 995.

An Act to amend Section 701 of the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1242), entitled "An act relating to roads, streets, highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto," by transferring the responsibility for the construction and maintenance of all bridges on State highways routes from counties and townships to the Commonwealth.

Referred to the Committee on Highways.

By Messrs. HAUDENSHIELD, RONALD L. THOMPSON, EWING and COOPER.

HOUSE BILL No. 996.

An Act authorizing the Secretary of Property and Supplies, with the approval of the Governor and the Board of Trustees of the Woodville State Hospital, to sell and con-

vey a certain tract of land in Collier Township, Allegheny County, Pennsylvania, owned by the Commonwealth of Pennsylvania, to the Duquesne Light Company, and providing for the disposition of the proceeds of the purchase monies.

Referred to the Committee on State Government..

By Messrs. TOLL, GUARNIERI and LEVEN.

HOUSE BILL No. 997.

A Joint Resolution proposing an amendment to article one of the Constitution of the Commonwealth of Pennsylvania; authorizing the Legislature to enact legislation; providing for verdicts in civil cases to be found by vote of not less than five-sixths of number of jurors.

Referred to the Committee on Judiciary.

By Messrs. FENRICH and JENKINS.

HOUSE BILL No. 998.

An Act establishing as State highways, certain highways and requiring their construction, repair and maintenance as such.

Referred to the Committee on Highways.

RESOLUTION INTRODUCED AND REFERRED

By Mr. WILBUR K. HAMILTON. RESOLUTION No. 29.

In the House of Representatives, April 10, 1951.

The transition from a civilian economy to a state of mobilization, adequate to deter aggression against a secure peace, is invariably beset with delays and irritations.

For small business in particular, the unavoidable hiatus that develops between normal activity and the slack of re-tooling entails unemployment, shut down, and loss.

The roll of small business in maintaining a continuous flow of the countless articles that are indispensable to a well-integrated economy is not only legitimate, but is of such paramount importance as to warrant the establishment of a governmental department whose function would be to carry the needs and the requirements of Washington directly to the innumerable businesses, industries, mines, foundries, and machine shops throughout Pennsylvania. Thus, emergencies could be met promptly and priceless time would be spared in the all-important task of making Pennsylvania a dynamic arsenal of democracy in a threatening world; therefore be it

Resolved, That this House of Representatives of Pennsylvania, hereby memorializes the President of the United States to authorize the organization and the establishment of a governmental department for the express purpose of imparting useful information concerning the needs of the government directly to the many small businesses throughout the land, and particularly in Pennsylvania; and be it further

Resolved, That the Chief Clerk of the House of Representatives forward a certified copy of this resolution to the President of the United States.

Referred to the Committee on Rules.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 16.

An Act to further amend clauses six seven twenty and twenty-three of Section two of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including

to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by exempting from the provisions thereof transportation of pulpwood or chemical wood from woodlots

SENATE BILL No. 215.

An Act to further amend Section 30 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by increasing the legal size of pickerel that may be taken from inland waters

SENATE BILL No. 217.

An Act assenting to the provisions of the act of Congress entitled "An act to provide that the United States shall aid the States in fish restoration and management projects and for other purposes" approved August ninth one thousand nine hundred and fifty and conferring certain powers and duties on the Pennsylvania Fish Commission

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 25.

An Act authorizing the Department of Property and Supplies with the approval of the Pennsylvania Historical and Museum Commission to acquire on behalf of the Commonwealth certain land buildings and appurtenances located in the Township of Manheim Lancaster County and certain personal property therein making an appropriation

HOUSE BILL No. 30.

An Act to add clause (5) to section two thousand five hundred forty-one of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for payments on account of pupil transportation where school buses are used for purposes of better gradation

HOUSE BILL No. 42.

An Act to amend subsection (b) of Section 921 and Section 922 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing the tenure of members and officers of county boards of school directors

HOUSE BILL No. 59.

An Act to further amend section 15 of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties lien the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" changing the procedure in reviving municipal claims and reinstating the lien of certain claims

HOUSE BILL No. 96.

An Act to reenact sections one to nine inclusive of the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2803) entitled "An act providing a method of annexation of townships of the first class and parts thereof to cities and boroughs and regulating the proceedings pertaining thereto" by making the same applicable in counties of the second class and repealing inconsistent laws excepting as to proceedings now pending

HOUSE BILL No. 276.

An Act to further amend the act approved the fifth day of June one thousand nine hundred forty-seven (P. L. 458) entitled as amended "An act creating as bodies corporate and politic "Parking Authorities" in cities of the first second second A and third classes prescribing the rights powers and duties of such authorities authorizing such authorities to acquire construct improve maintain and operate parking projects to conduct research of the parking problem and to establish a permanent coordinated system of parking facilities and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such authorities empower-

ing such authorities to enter into contracts with and to accept grants from the Federal Government State political subdivisions of the State or any agency thereof exempting the property and securities of such parking authorities from taxation and conferring exclusive jurisdiction on certain courts over rates" by extending the provisions of the act to boroughs and townships of the first class

HOUSE BILL No. 555.

An Act to amend Section 1704 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by clarifying the powers of joint school committees in managing the affairs of joint schools or departments

HOUSE BILL No. 655.

An Act to amend Section 508 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring a record vote of school directors on the adoption of the annual budget

HOUSE BILL No. 716.

A Supplement to the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (Appropriation Acts page 62) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-nine and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-nine" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred and fifty-one

HOUSE BILL No. 719.

An Act making a deficiency appropriation to the Department of Welfare to reimburse State-aided hospitals for part of the cost of training student nurses in approved schools of nursing

With information that the Senate has passed the same without amendment.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 6, 17, 25, 128, 136, 191, 247, 374, 406, 407 and 432.

CONSOLIDATED JUNIOR SPORTSMEN
WELCOMED

The SPEAKER. The Chair is pleased to welcome twenty-two Consolidated Junior Sportsmen from Lycoming County High Schools under the leadership of Mr. James Brown. They are the guests of the gentleman from Lycoming, Mr. Gleason.

REPORTS FROM COMMITTEE

Mr. MINTESS from the Committee on Municipal Corporations, reported as committed, House Bill No. 569, entitled:

An Act to further amend the act, approved the twenty-fourth day of May, one thousand eight hundred and ninety-three (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund, to take property in trust therefor and regulating and providing for the regulation of the same," by providing a method of paying service increments from the retirement fund in cities to members of the police force after retirement.

Mr. CLENDENING from the Committee on Motor Vehicles, reported as committed, House Bill No. 958, entitled:

An Act to further amend subsections (a) of Sections 1016 and 1112 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," by changing the requirements for stop signs.

Mr. LOUIS LEONARD from the Committee on Municipal Corporations, reported as committed, Senate Bill No. 169, entitled:

An Act to amend Section 602 and subsections (a) and (g) of Section 607 of the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1368), entitled "An act amending, revising and consolidating the laws relating to delinquent county, city, except of the first and second class and second class A, borough, town, township, school district, except of the first class and school districts within cities of the second class A, and institution district taxes; providing when, how and upon what property, and to what extent liens shall be allowed for such taxes; the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the lien of such tax claims the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property, and the proceedings therefor; creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws," by further regulating the giving of notice of sale, the effect of failing to give notice as required by the act, and the bureau's return of sale to court for confirmation.

Mr. ROBERT K. HAMILTON from the Committee on Public Health and Sanitation, reported as committed, Senate Bill No. 173, entitled:

An Act relating to the serving in public eating places of imported trout, regulating the serving thereof and prescribing penalties.

Mr. CLENDENING from the Committee on Military Affairs, reported as committed, Senate Bill No. 239, entitled:

An Act to further amend Section 412 of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled, "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by providing for audits of accounts of expenditures of organizations of the National Guard by controllers or auditors of counties.

Mr. BOLTON from the Committee on Military Affairs, reported as committed, Senate Bill No. 240, entitled:

An Act to further amend clause 35 of Section 2403 of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by providing for audit of accounts of expenditures of organizations of the National Guard by controllers of cities of the third class.

Mr. R. L. THOMPSON from the Committee on Military Affairs, reported as committed, Senate Bill No. 241, entitled:

An Act to amend Section 2 of the act, approved the tenth day of March, one thousand nine hundred thirty-seven (P. L. 39), entitled "An act authorizing cities of the first class, second class, and second class A to make appropriations for the support, maintenance, discipline, and training of units of the National Guard; providing for the paying over expenditure, and accounting for of such appropriations; and repealing existing laws," by providing for audit of accounts of expenditures of organizations of the National Guard by controllers of cities of the first class, second class and second class A.

Mr. DUNN from the Committee on Motor Vehicles, reported as committed, Senate Bill No. 304, entitled:

An Act authorizing, in certain cases, the renewal of motor vehicle operators' licenses for persons honorably discharged from the armed forces of the United States or from any women's organization officially connected therewith, without a learner's permit, examination or additional fee; and while in such service the operation of motor vehicles without renewal of operator's license; and the temporary suspension of existing laws requiring the same.

Mrs. MONROE from the Committee on Municipal Corporations reported as committed, Senate Bill No. 362, entitled:

An Act to further amend the act, approved the twenty-sixth day of June, one thousand nine hundred thirty-one (P. L. 1379), entitled "An act creating in counties of the third class a board for the assessment and revision of taxes; providing for the appointment of the members of such board by the county commissioners; providing for their salaries, payable by the county; abolishing existing boards; defining the powers and duties of such board; regulating the assessment of persons, property, and occupations for county, borough, town, township, school, and poor purposes; authorizing the appointment of subordinate assessors, a solicitor, engineers, and clerks; providing for their compensation, payable by such counties; abolishing the office of ward, borough, and township assessors, so far as the making of assessments and valuations for taxation is concerned; and providing for the acceptance of this act

by cities," by authorizing the payment of additional compensation to subordinate assessors by the boroughs, townships and school districts in which he makes assessments.

Mr. ROBERTSON from the Committee on Municipal Corporations, re-reported as amended, House Bill No. 702, entitled:

An Act to further amend the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by further regulating the affairs of boroughs, and revising, amending, and changing the law relating thereto.

Mr. DALRYMPLE from the Committee on Municipal Corporations, returned Senate Bill No. 202 with the request that it be re-referred to the Committee on Banking and Building and Loan Associations and entitled:

An Act to further amend Section 403 of the act approved the twenty-fifth day of June one thousand nine hundred forty-one (P. L. 159) entitled "An act amending revising consolidating and changing the law relating to the borrowing of money by certain political subdivisions the authorization issuance and sale of general obligation bonds as herein defined or bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes and to the funding of debt and the refunding of bonds regulating the keeping and use of sinking funds imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions imposing penalties and repealing existing laws" by authorizing investment of sinking fund moneys in deposits insured by the Federal Deposit Insurance Corporation.

Referred to Committee on Banking and Building and Loan Associations.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 33, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for filling the office of county superintendent when the only candidate for election becomes unavailable therefor within thirty days of the election date

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 769, entitled:

An Act to further amend clause (a) of section one thousand eight hundred three and clause (e) of section one thousand eight hundred six of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the

several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by further regulating the leasing and sale of State forest and park lands by the Commonwealth and defining the powers and duties of the Department of Forests and Waters and the rights of lessees with respect to such leased lands

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 772, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the training of uneducable mentally handicapped children at day care training centers provided by the Department of Public Instruction and the care training and supervision by the Department of Welfare of children uneducable and untrainable in the public schools increasing State reimbursements for courses of handicapped children and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 955, entitled:

An Act to amend section 10 of the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 903) entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employees independently of any pension system or systems existing in such cities" by removing the limitations on contribution by the city

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 956, entitled:

An Act to add Section 1201.1 to the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties

imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing for traffic courts in cities of the third class

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 68, entitled:

An Act to validate and confirm certain contracts heretofore entered into by boards of school directors where there is no evidence of fraud or conspiracy and to authorize ratify confirm and validate payments in such contracts by the school district

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 204, entitled:

An Act to amend Section 1512 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by requiring water utility companies to furnish to townships lists of water meter readings flat-rate bills and other data for the purpose of determining sewer charges

The first section was read.

On the question,

Will the House agree to the section?

Messrs. WM. C. LEONARD and ROBERTSON offered the following amendment:

Amend Sec. 1, (Sec. 1512), page 3, line 2, by inserting after the word "charges" the following: "The township is authorized and empowered to pay to such utilities reasonable amounts for necessary clerical and other expenses incurred in the preparation of such lists."

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the section?

Messrs. WM. C. LEONARD and ROBERTSON offered the following amendment:

Amend Title, page 1, last line of title, by inserting after the word "charges" the following: "and providing reimbursement for their expenses."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 206, entitled:

An Act to further amend Section 2401 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by requiring water utility companies to furnish to the township lists of

water meter readings flat-rate water bills and other data for the purpose of determining sewer and drainage rates

The first section was read.

On the question,

Will the House agree to the section?

Messrs. WM. C. LEONARD and ROBERTSON offered the following amendment:

Amend Sec. 1, (Sec. 2401), page 3, line 13, by inserting after the word "rate" the following: "The township is authorized and empowered to pay to such utilities reasonable amounts for necessary clerical and other expenses incurred in the preparation of such lists."

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the section?

Messrs. WM. C. LEONARD and ROBERTSON offered the following amendment:

Amend Title, page 1, last line of title, by inserting after the word "rates" the following: "and providing reimbursement for their expenses."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 252, entitled:

An Act to amend Section 605 of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 571), entitled "An act relating to assessments for taxation in counties of the fourth, fifth, sixth, seventh and eighth classes; designating the subjects, property and persons subject to and exempt from taxation for county, borough, town, township, school, except in cities and county institution district purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each such county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township assessors; abolishing the office of assistant triennial assessor in townships of the first class; providing for the appointment of a chief assessor, assistant assessors and other employees; providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deeds; and eliminating the triennial assessment," by requiring the recorder's record of conveyances to contain complete post office addresses of grantees.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 811, entitled:

An Act to add section 1501.1 to the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by empowering township supervisors to compel connection with and use of sewer systems constructed by municipal authorities to impose penalties

to enforce regulations and orders and to connect properties of owners failing or neglecting to make connection

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

RECONSIDERATION OF VOTE ON HOUSE BILL NO. 840

Mr. SMITH. Mr. Speaker, I move that the vote by which House Bill No. 840, Printer's No. 144, entitled:

An Act imposing an income tax on residents of Pennsylvania as herein defined including trust and estates and on income of non-residents derived from property, business or other sources in Pennsylvania; defining taxable income and requiring filing of returns thereof; providing for the assessment, collection and lien of said tax; providing for administration and enforcement of the act by the Department of Revenue; conferring powers and imposing duties on certain persons, fiduciaries, partnerships, associations, corporations, political subdivisions, State officers, employes and departments; saving certain local taxes; and imposing penalties.

was defeated on final passage, Wednesday, April 4, 1951, be reconsidered.

Mr. JOHNSON. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Philadelphia Mr. Smith vote on the final passage of the bill?

Mr. SMITH. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from McKean, Mr. Johnson vote on the final passage of the bill?

Mr. JOHNSON. Mr. Speaker, I voted on the prevailing side.

On the question,

Will the House agree to the motion?

MOTION TO AMEND MOTION TO RECONSIDER VOTE ON HOUSE BILL NO. 840

Mr. ANDREWS. Mr. Speaker, I move that the motion to reconsider the vote by which House Bill No. 840, Printer's No. 144, was defeated on final passage, Wednesday, April 4, 1951, be amended by adding after the word reconsidered in the last line the following: "for the purpose of a Public Hearing and further consideration."

On the question,

Will the House agree to the motion?

Mr. ANDREWS. Mr. Speaker, I notice that on this motion and in connection with the pending bill that the Majority Leader was privileged to say that he voted with the majority. I hope and trust and confidently believe that that is the last time in these proceedings that he can say he voted with the majority.

With this motion we return to our original position. We have said that this particular bill involving such a drastic change in our tax structure and our tax philosophy should be given a public hearing to the end that the various groups which have advocated the passage of this bill and the various groups which have opposed it should have the opportunity to state their case in an open forum and carry their message to the public.

Now I find that I am in line with some distinguished majority party opinion. I have here a clipping from the Philadelphia Inquirer, Tuesday morning, March 27th. The headline of that article says

"Full Hearing Promised on Pay Tax Bill."

I would say, Mr. Speaker, that the repeated caucuses that have been held and side bar conferences, are evidence of the fact there has at least been an attempt for boring from without and within, both.

But I call to the attention of the House the fact that it would be indeed a unique development if promises made by responsible party leaders, who presumably at the time they spoke were in the confidence of the executive should be repudiated by other party leaders.

Senate Majority Leader, John M. Walker, today declared there would be no attempt to railroad through the Legislature the more than one billion dollar budget and \$163 million emergency tax program advocated by Governor John S. Fine. During their debate on the floor of the Senate Walker told the Senate that public hearings would be held on the administration's fiscal program to give the public the absolute picture and wherever necessary cut the fat and squeeze out the water.

Now I am asking the House in all seriousness whether first of all the administration has repudiated the promises made by its leaders on the open floor of the Senate. And if those promises have not been repudiated, then I am asking on what basis this House should abdicate its functions insofar as the obligation of holding a public hearing is concerned? Are we going to say to the other Chamber, "We just do not have time to examine this bill; we just do not have time to assure ourselves that we have cut out the fat; we just do not have time to see whether the appropriations are or are not adequate; we just do not have time to examine the estimates for the purpose of determining whether or not they are in line with the trend of the times; and so, we are just sending this bundle, this tax program over to the Senate without the examination that a responsible body should give it."

And it was not just one reporter that had the story about a public hearing. It was published in the other end of the state.

"Public Hearings Promised in State Budget Battle. Open Sessions Assured by Senator Walker as Democrats Rap Income Tax Plan.—Pittsburgh Press. Harrisburg, March 27th—The Battle of the Budget Will be fought in the Open and There Will Be No Railroading on tax plans."

"Fought in the open"—pregnant words.

That promise came today from Senator John M. Walker of Oakmont, Republican Floor Leader of the Senate. He said.

"There will be public hearings on Governor John S. Fine's \$1,200,000,000, budget and that every item in it will be carefully examined. If we can find any way of saving money, we are going to do so."

Now, of course, in that article there is mention made of another statesman, one G. Mason Owlett. He has apparently taken the House under his gentle over-lordship; has temporarily divorced himself from his accustomed base in the Senate. He goes on to say that the only thing that can be done is to pass the Governor's tax program as is. At long last—at long last we find the distinguished gentleman bearing the banner of the average guy.

We had a Governor that threw Mason Owlett out of his office—could do business without him. In the same breath that this gentleman speaks about putting this tax program across, he says that FEPC is not an important matter and there are other things more important that should be discussed. And that in the face of the fact that the Executive has pledged his good faith to the enactment of FEPC legislation.

It was not just two reporters that told the people of this Commonwealth that there would be hearings. Pains were taken to plant that idea all over the state—"Income tax laws will get a hearing."

"Study of state budget promised by Senate leaders."—in the Philadelphia Bulletin. Harrisburg, March 27th.

"Opponents of new state taxes have a promise from Senate Majority Leader, John M. Walker, to hold public hearings on Governor Fine's budget."

Now I want to know whether their promises hold. I want to know and the people have a right to know whether if those promises hold, why this House would not be a party to any public hearings that are held regarding this measure. There is abundant reason why there should be a public hearing. If you read the morning papers, you have noted the fact that down at Washington they are cutting the budget to the tune of billions, and they are planning tax reductions because the tax statutes now in effect in view of existing business conditions, if continued would raise so much money that not even Harry Hopkins could spend it all, if he were down there trying.

There has been no examination with which I am acquainted, no examination with which the Members of this House are acquainted as to the actual effect of pending business conditions upon tax receipts, actual and estimated under the existing tax structure. And if abundant revenue over and above expectations were flowing into the coffers at Washington, is there any reason to conclude that here in Pennsylvania there ought not to be the same result?

The tax program should be examined and public hearings held to determine the effect upon current and estimated tax receipts flowing from the changes in the upward trend, in the amount of business being done in the country. It is absurd to conclude that with the government spending, placing contracts at the rate of a billion dollars a day, that business taxes will not increase.

Is Pennsylvania excluded from the realm, the ring of those to whom these war contracts are awarded? And will they have no effect upon business? Certainly they will have an effect upon business and they will have effect upon the taxes derived from business under our present tax structure. And only by means of a scientific inquiry can we determine what that increase would be.

I have many requests from responsible sources asking for a public hearing. The City Controller of Philadelphia says he wants to find out the extent to which this proposed income tax will affect the situation in Philadelphia. This House has a right to know what the responsible officials in charge of Philadelphia's fiscal affairs want to know; they have a right to know what the effect of this act will be, and they have a right to tell the

Members of this House why they are opposed to this bill, if indeed they are.

Now I presume these motions have opened the way for a wide range of discussion in the event the Members of this House are disposed to speak. The instruction from my caucus, was that I do not arrange a formal speaking program and that the Members on both sides of the House feel free to rise and address this distinguished audience as the spirit may move them.

Mr. SMITH. Mr. Speaker, I would yield to any other individual on this side or the other side of the House at this time that would like to make a statement.

First of all I would like to assure the gentleman on the other side that I certainly hope he is wrong when he said that this would be the last time I would vote with the majority. I can assure him that it will not be.

The Minority Leader made statements about what has been said in the Senate by the Senate Majority Leader. I would like to tell him, and I would like to tell every Member of this House, that the Senate Majority Leader was not speaking, never can speak and never will speak for House Members, regardless of what he says. If there are promises to be made for individuals in this House we will make them ourselves, not anyone in the Senate.

The Minority Leader also spoke about Mr. Owlett. I personally have not seen Mr. Owlett since long before the tax program, and because Mr. Owlett takes a stand either for or against I certainly think it is his prerogative as a citizen. He is no different from labor leaders that take a stand on subjects; he is no different from teachers; he is no different from any other individual in this State of ours. It is his privilege to take a stand either for or against any bill that we put on this floor.

One of the things concerning public hearings, at least one of the things that I have always had affect me,—and I think also every Member of this House,—has been requests from individuals whether or not they wanted a public hearing.

I am going to be very truthful, and I am going to repeat the statement of Mr. Lovett and say, "Let us be fair." I personally have had less than twenty-five requests from individuals for a public hearing. Out of those twenty-five requests but a few mentioned anything about a public hearing and just were against the basis of taxation; they do not want any taxation.

I would ask the gentlemen on the other side to remember that I come from the City of Philadelphia, there are several million people in that city, and if they felt as strongly as has been stated here about a public hearing, believe me, they would let me know about it.

I would like to compare some of these requests for a public hearing with other bills. I have received, and I think every Member in this House has received hundreds, not twenty or twenty-five, but hundreds of requests to have public hearings and fight against the registration of firearms act. I have had hundreds of letters on that.

I have had hundreds of letters opposing the loyalty oath and asking for public hearings, from very responsible people. I have had hundreds of letters asking for hearings on oleomargarine. But I have still received less than twenty on this tax bill or on the budget.

The major part of the communications that I have

received have come from people who contend that they represent certain groups, and those very same persons are the very ones who are demanding the best educational facilities, the best hospitals, the best institutions and the best colleges in this State. They are the ones that are demanding public hearings as leaders and not representing individuals.

This budget and this tax program has not been a deep, dark secret. We have had it before us for weeks. The newspapers have had it. The general public has had it. Our budget has been publicized over the entire State, and I am sure that the gentlemen on the other side of the House will agree with me that a public hearing on a tax bill or a budget is unprecedented.

I have faith in our Appropriations Committee and I certainly think he should have. Our Appropriations Committee, as we know, screens every single item of expenditure for this State. They have done a good job in the past and I do not see why they will not do a good job now.

Furthermore, I do not think our budget, if it is compared, is out of line with any of the other States. Let us break it down and compare it on a yearly basis. Our budget is computed on a basis of \$610 million a year; this is a yearly basis.

Now let us compare that to other States. New York and California, both States are comparable in population. Pennsylvania has approximately ten and a half million population, New York approximately fourteen, California approximately ten and a half. I think they are on a comparable basis. Both New York and California have budgets of over one billion dollars a year. Remember that, one billion a year, which is approximately sixty-six percent higher than our own budget. We also have to take into consideration that Pennsylvania is the only one of these three States that bears the entire burden of public assistance; they do not have that burden in other States as we do.

I would also like to call to the attention of the House another fact. New York City has an annual budget of \$1,336,000 for 1951. The City of New York itself has a budget of that amount of money for one year, and yet everyone says our budget is exaggerated when it is \$1 billion for two years.

Certainly these facts to my mind do not support the request for a public hearing in any way. I would like to know who here today can say that \$368 million that we are spending for education can be reduced or should be reduced, or who will say that \$284 million for public health and welfare should be reduced.

Who can say that \$60 million for soldiers' bonus and retirement of funds and rentals can be forgotten? Those are exact amounts, and they total eighty-six percent of our general fund budget I say to you that a public hearing would be a total waste of time on this bill. The public has had the facts, and they have them today.

Mr. ANDREWS. Mr. Speaker, the distinguished and able Majority Leader had a good deal to say about the bill, but he hardly made out a case against the public hearing.

I have to keep quoting from the press. On April 8 editorially the Inquirer said, the fact of the matter is that there is no demonstrated need at this time for

either a State income tax or a State sales tax, no demonstrated need. It is funny that the talented reporters and the talented editorial writers, if what the gentleman from Philadelphia says is true, should say that there is not a demonstrated need.

Then the Inquirer goes on to say first of all no proof has been furnished, that the \$163 million deficiency is an immovable figure and cannot be cut. There has been no proof provided which shows the revenue estimates upon which the Governor's budget is partly based are iron clad.

I had not expected to argue about this bill, but since the Majority Leader has seen fit to introduce the merits of the particular bit of legislation into the discussion, when all we were talking about was the advisability of a public hearing, I want to call his attention to the fact that for decades budget office estimates have not been worth the paper they have been written on.

In 1941 the estimated receipts for the 1941-1943 biennium, as I read the budget, were \$413 million; actual estimated receipts for the 1941-1943 biennium were \$511 million, a difference of \$97 million.

Now you can account for it by all kinds of trick bookkeeping, but that is all that the average person reading the budget can detect.

The estimated receipts for the 1943-1945 biennium were \$380 million; the actual receipts for the 1943-1945 biennium were \$529 million. A difference of more than a \$100 million.

You can account for that difference again by trick bookkeeping. But for the average person who takes the figures and the budget and looks at them there they are, estimates for the coming biennium, and then on the next column what actually came in. The Differences have ranged over the years from \$30 million to more than \$100 million.

It is worthwhile taking time before a committee to untangle those figures. We do not have the time to do it here in the House because I read from my paper, I give a lot of figures, the Majority Leader comes back and says that if you shall consider the transfer of this fund from this account to this account, and if you consider the relative importance of the size of the surplus this year and the surplus next year, that it will all be explained.

But the public is as befuddled as I am about these budget things. The Post Gazette goes on to ruminate editorially to the following effect, "The Assembly's diffident attitude toward the budget has resulted in much fiscal uncertainty." If the newspapers are uncertain, certainly they convey their uncertainty to the general public. If the Assembly had kept a close watch upon the purse strings and had kept the public accurately informed, there would have been much less confusion as to the State's fiscal status at the end of the last two administrations.

Then here is a gem: take for instance, 1946, when the then Governor Edward Martin was running for the Senate with a boast that he would leave the State with a surplus of a \$170 million. That fund vanished when Jim Duff took office and asked for \$133 million in new taxes, and the surplus that Governor Duff was expected to leave has not prevented Governor Fine from asking

for \$163 million in additional taxes. I say there is abundant reason why the public should be permitted to sit in with the Ways and Means Committee of this House and get the facts and figures; if facts and figures there are. That will relieve the newspapers from the present confusion that they are carrying to the public; that will relieve the Members of this House from confusion, and will for all time prevent a repetition of a celebrated interlude, when a great and glorious party campaigned from one end of the State to the other concerning the glories of a \$200 million surplus that vanished down to \$9 million when the Governor appointed a special committee to find out what had become of the surplus. If there had not been talk of the \$200 million surplus a Governor never would have recognized that talk by appointing a committee to find out what became of it.

You can avoid that sort of thing for the future by carrying your case before an open hearing. You do not carry your case before an open hearing because you are afraid of the facts and figures that would be produced at that hearing.

Mr. LOVETT. Mr. Speaker, the Majority Leader, my friend Mr. Smith saw fit to use my saying "Let's be fair." I appreciated the fact that he gave any other Member an opportunity to speak prior to his making this statement. The reason I did not arise at that time, was because I thought the gentleman had a change of heart, and that he was going to get up and insist that we pass this amendment. But I find that the change of heart was not there.

I just want to say a few words about the response of the people of Pennsylvania for a public hearing. The gentleman from Philadelphia well knows that every Member of this House is sent to this House to represent his constituents. Since the very beginning I have insisted upon a public hearing. I find no letters in my mail condemning me for insisting upon a public hearing on this legislation, with the exception of a few letters that I received in the last few days from organizations that represent the school teachers of Pennsylvania. Their interest is a selfish interest. But what I want to say to you is that had I insisted upon a public hearing and the people that I represent felt that a public hearing was not necessary, I feel pretty sure that they would have notified me of their wishes. So I say, my friends, today again "let's be fair," if you have not anything to hide and time is not so important.

Are you afraid what would happen if there were a public hearing? Is Mr. Smith afraid that since he did not get any mail asking for it that there would be nobody here? I want to say to Mr. Smith that I feel sure if he permits a public hearing on this bill we will have all kinds of representation here to show him that the people of Pennsylvania are not in favor of putting a flat income tax on the people of Pennsylvania.

Mr. SMITH. Mr. Speaker, I certainly would like to assure both the gentlemen that have just spoken that we on this side of the House are not afraid of our budget. Our budget and our tax program is in black and white; we have given them to the public, we will back them up two years from now when the proof comes in. I am sure the gentlemen will have to agree that it is difficult enough to get tax experts to agree on forecast-

ing for the future. You cannot get two out of ten to agree. As he knows and everyone else knows, we are not working, again let me remind him, on bookkeeping figures. We are working on definite forecasts for the futures. It can change; it can go up; it can come down. Two years from now we will be able to say "we told you so." It is in black and white for the public, it is in black and white for the gentlemen and it is in black and white for the newspapers. We have nothing to hide nor are we trying to hide anything.

I submit, Mr. Speaker, I would like this motion voted down.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. Andrews and Mr. Rose, and were as follows:

YEAS—87

Amarando,	Headlee,	McNally,	Rovansek,
Andrews,	Hersch,	Mills,	Sarra,
Beaver,	Hoggard,	Monroe,	Scanlon,
Berkstresser,	Hunter,	Moran,	Schmidt,
Boles,	Jenkins,	Muldowney,	Schuster,
Breth,	Jones, G. E.,	Munley,	Seyler,
Buchin,	Jones, J. M.,	Musto,	Snider,
Byrne,	Jones, P. F.,	Needham,	Stank,
Cochran,	Kamyk,	Olsen,	Swartz,
Conway,	Kolankiewicz,	Penglase,	Swope,
Corr,	Kornick,	Peta,	Taylor,
Coyle,	Kubacki,	Petrosky,	Toll,
Dougherty,	Lederer,	Pettigrew,	Varallo,
Duffy,	Leonard, L.,	Pfaff,	Verona,
Fenrich,	Leven,	Polaski,	Wargo,
Filip,	Limper,	Polen,	Welsh,
Filo,	Lopresti,	Price, R. A.,	Westrick,
Gaffney,	Lovett,	Readinger,	Wheeler,
Good,	Lutty,	Reese,	Williams,
Guarnieri,	Maxwell,	Reidenbach,	Yester,
Hagerty,	McDermitt,	Rose,	Yetzer,
Hamilton, R. K.,	McGee,	Rosen,	

NAYS—119

Banker,	Geer,	Madden,	Sax,
Barkdoll,	Gibson,	Madigan,	Scott,
Baumunk,	Gleason,	Markley,	Shoemaker,
Bear,	Goodling,	Mazza,	Shotwell,
Beech,	Graybill,	McConnell,	Smith,
Blair,	Greenwood,	McCormack,	Sollenberger,
Bloom,	Greer,	McCullough,	Spencer,
Bolton,	Gutendorf,	McInroy,	Stimmel,
Bomberger,	Guthrie,	McKinney,	Stoner,
Boorse,	Hall,	McMillen,	Tahl,
Bower,	Hamilton, W. H.,	Metz,	Thompson, E. F.,
Breisch,	Harney,	Mikula,	Thompson, R. L.,
Brown,	Haudenschild,	Miller, H. G.,	Tompkins,
Cella,	Helm,	Miller, J. C.,	Toomey,
Clapper,	Hewitt,	Mintess,	VanSant,
Clendenning,	Hocker,	Moore, C. E.,	Varnier,
Cooper,	Johnson,	Moore, H. A.,	Wachhaus,
Costa,	Jones, T. H. W.,	Murray,	Waterhouse,
Dalrymple,	Jump,	Najaka,	Watkins,
Davis,	Keller,	Naugle,	Weidner,
Dennison,	Kent,	Pichney,	Wescott,
Dowling,	Kline,	Pitzer,	Whalley,
DuBois,	Kohl,	Price, H. W. Jr.,	White,
Dunn,	Kratz,	Reagan,	Wilt,
Erb,	Lafore,	Reilly, J. M.,	Wood,
Ewing,	Leisey,	Rigby,	Yeakel,
Ferster,	Leonard, W. C.,	Riley, R. L.,	Young,
Firmstone,	Light,	Robertson,	Ziegler,
Flack,	Loftus,	Royer,	Sorg,
Frost,	Lyons,	Rubin,	Speaker

NOT VOTING—1

Mihm.

So the question was determined in the negative and the motion to amend the motion to reconsider the vote, was not agreed to.

On the question recurring,

Will the House agree to the motion to reconsider the vote by which the bill was defeated on final passage?

Mr. LOVETT. Mr. Speaker, we are now voting upon reconsideration of a bill that was defeated last week. I felt confident that if you would ever resurrect this bill you would do it for the purpose of a public hearing. But you have proven without a doubt today that that is not your intention.

Last week, from the arguments that were made on your own side of the House opposing this bill, they felt that they should have a public hearing to a great extent.

Since there has been such a change of heart, whether the influence of Mr. Owlett's piece in the paper has been brought to the attention of the Members, I do not know. I am still of the opinion that you have before us or are now going to try to bring before us a piece of legislation that my good friend from Philadelphia was surprised when I raised the question of constitutionality. But I find in the newspapers, especially in the Pittsburgh district, that there is some question on the constitutionality of certain sections and phrases of the bill.

I realize that the motion for reconsideration limits debate to some extent, but there are a few points that I think you should know and that we should talk about here before we vote for reconsideration. There are a few questions I want to ask and I would like to interrogate the Majority Leader, Mr. Smith.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Smith, permit himself to be interrogated?

Mr. SMITH. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, does the gentleman feel that this tax bill that we are now going to reconsider is the same as the tax that is now used in Philadelphia?

Mr. SMITH. Mr. Speaker, I think that it is quite obvious, this one is an income tax and the other is a wage tax, so it certainly is not the same.

Mr. LOVETT. Mr. Speaker, does the bill, the present bill exempt those receiving bonuses?

Mr. SMITH. Mr. Speaker, yes, it does.

Mr. LOVETT. Mr. Speaker, and would the gentleman explain to the Members of this House what the particular meaning of the word "bonus" is?

Mr. SMITH. Mr. Speaker, I must say, not being Mr. Webster, only being Mr. Smith, that probably the nature of the word "bonus" would be a gift or gratuity. It could be extended into that classification, I believe.

Mr. LOVETT. Mr. Speaker, does the gentleman know that in industry in this State certain corporations pay bonuses to certain individuals?

Mr. SMITH. Mr. Speaker, well, that would not be exempt under this bill. That would be considered part of the salary, the same as it is under the Federal tax.

Mr. LOVETT. Mr. Speaker, the wording is bonus, not salary. The gentleman receives his salary plus a bonus.

Mr. SMITH. Mr. Speaker, I did not quite get the gentleman's question.

Mr. LOVETT. Mr. Speaker, the gentleman receives his salary plus a bonus.

Mr. SMITH. Mr. Speaker, it certainly has been considered by the Federal people, I think, that any bonus is considered part of salary and that is an example as

the gentleman is now stating. The income taxes are withheld from that part of a man's salary because in that case a bonus would be part of his salary.

Mr. LOVETT. Mr. Speaker, does the gentleman exempt pensions under this particular bill?

Mr. SMITH. Mr. Speaker, yes we do.

Mr. LOVETT. Mr. Speaker, and how broad is the word "pension."

Mr. SMITH. Mr. Speaker, I believe it would cover any legitimate pension such as a blind pension, widow's pension, pension to soldiers.

Mr. LOVETT. Mr. Speaker, would the gentleman consider a \$100 a month pension to the miners as a pension?

Mr. SMITH. Mr. Speaker, if it is a true pension and not part of a salary I would say yes.

Mr. LOVETT. Mr. Speaker, would the gentleman consider every judge's pension in the State of Pennsylvania a pension?

Mr. SMITH. Mr. Speaker, speaking of a judge, I think we are kicking the word "pension" around just a little bit. I wonder if the gentleman does not mean retirement. I would like to ask the gentleman, is he talking retirement now or pension?

Mr. LOVETT. Mr. Speaker, would the gentleman explain to me the difference between a pension and a retirement?

Mr. SMITH. Mr. Speaker, I think the judges get a retirement, not a pension. They pay in a part of it and the State pays in a part of it. I think that is correct, I am not sure, but I think I am correct in that.

Mr. LOVETT. Mr. Speaker, would the gentleman consider the \$100 a month that I was talking about a retirement?

Mr. SMITH. Mr. Speaker, I would say if it is a pension, no.

Mr. LOVETT. Mr. Speaker, does the gentleman realize that the Steel Corporation in their last settlement with the workers agreed to pay the difference between social security and \$100 a month.

Mr. SMITH. Mr. Speaker, maybe if I would read this clause to this gentleman it might make him understand it a little bit better. Would the gentleman have any objection if I read section 8 on page 15.

Mr. LOVETT. Mr. Speaker, I would be glad if the gentleman read the whole bill.

Mr. SMITH. Mr. Speaker, no I will not take up the gentleman's time. I have read it, thank you.

"Any amount received by any person whatsoever under any law of this Commonwealth, the United States or any other state providing for any pension or bonus, or in respect to services in the military or naval forces of the United States in any war in which the United States has been engaged and compensation received by any person for active service as a member of the armed forces of the United States for any month, during any part of which such person served in a combat zone, as designated from time to time by the President of the United States by executive order."

Mr. LOVETT. Mr. Speaker, I thank the gentleman for his enlightenment of the Members of the House on this particular section of the bill.

Mr. SMITH. Mr. Speaker, if I may interrupt the gentle-

man, I have this marked on my bill, these designations and all of this follows exactly the Federal rulings.

Mr. LOVETT. Mr. Speaker, I object to the inference that this particular bill be compared in any way with the Federal graduated income tax law. The point that I am trying to make, and I think you gentlemen here should realize it, is that you are going to tax small incomes in the State of Pennsylvania, men who are in the armed services of the United States who are not in the battle zone.

You are going to tax and deduct from their salaries a certain percentage under this law, and you have in this law itself guarantees to exempt large incomes, much larger than those incomes that are received for work. You are exempting them under this law and you are reaching down into the envelope of the man who can least afford to pay and taking out a percentage.

I want to say to you that since you did not see fit to give a public hearing so that we can bring forth all of these things in connection with this new fandangled form of taxation in Pennsylvania, I want to say again that if you ever put a flat income tax on the books you will never get a graduated income tax for the State of Pennsylvania which all of the branches, Joint State Government Commission and other organizations have recommended as a form of taxation in Pennsylvania. I say again that since you did not see fit, you acted wisely last week when you defeated this bill. I say to you now, if you voted last week to defeat this measure, if you have not received any special gains for yourselves I do not know how your mind could be changed.

Mr. LOUIS LEONARD. Mr. Speaker, I voted against the bill last week when it was defeated because the Republican majority refused to give us a public hearing. I am against the reconsideration of this bill and I am going to try to give you my reasons for that position.

House Bill 840 is a bad bill, and I hope that at least 105 Members of this House will see the wisdom of voting this bill down. If House Bill 840 was a good bill, the majority party would have been glad to hold a public hearing. A public hearing would have brought out the good points and the bad points, but as I have already said, it is a bad bill and the majority side knows it is a bad bill. If they had permitted a public hearing the bad points of this bill would have been brought out and hit the front pages of the newspapers throughout the State. That would have been bad politically and it seems as though the majority party is always on the job when it comes to politics. In the Spring of 1950 when the primaries were being held the Pittsburgh Press sent questionnaires to the candidates in Allegheny County. The paper was interested in finding out whether or not there would be new taxes in the session of 1951.

When the Republicans wrote their campaign platform on which Governor Fine and the present Legislators were elected, they did not come right out and promise no new taxes. They hemmed and hawed in the manner of political platform writers. But they left a clear implication that this was the idea they wanted to put over—no new taxes.

They even went so far as to promise flatly to call off the pop tax. That is how good they felt about prospects of no new taxes. They can show where, in their plat-

form phrasing, they hedged. And they can show where they quibbled. And where they said "uncertainty" made a prediction impossible at that time last September. But their unmistakable intention was to get across the idea that if you elected them, you would get no more taxes.

The election is over. The votes have been counted. And the Republicans won. Mr. Fine and the Republican majorities are safely settled in their upholstered seats. So what do we hear now? That the Republicans are straining and striving for ways and means to slash expenses? That they are bursting a gusset to avoid adding a penny of new taxes?

Nope. We hear, instead, that they are scratching the bottom of the feed barrel to find \$140 or \$160 million extra for the next two years.

For what do the Republicans in Harrisburg want all this money while their brethren in Washington are crying for less spending?

Mr. Speaker, the reason I voted for public hearings, the reason I voted for the amendment this morning was that the campaign speeches made by the Republicans during the last primary and election indicated there would be no new taxes. In my remarks I referred to the Pittsburgh Press. On Sunday, December 31, the Pittsburgh Press came out and here are the pictures of many of the candidates on both sides of the room. It states there the Republicans intimated strongly that there would not be any new taxes. That is the main reason why we should have a public hearing. The people have a right to know why we need all this money now when we did not need it when the election was on.

Mr. ANDREWS. Mr. Speaker, I will, of course, accord the Majority Leader the privilege of closing the debate.

The gentleman from Allegheny, Mr. Leonard, raises an interesting angle. On September 17 last here is an article that appeared in the Pittsburgh Press. At the top of the article was "\$40 Million Surplus" that is what we were to have, come May 31 next—\$40 million. That has dwindled to \$10 millions, perhaps.

Then the headline reads: "No New Taxes Goal of State Republicans." That was fine—Fine, you know. "Leaders have planned to find \$120 millions." Now that is what they told the people, and they furnished a bill of particulars.

I do not want to take the time of reading the bill of particulars, but they showed at that time that they could find \$120 millions—find the \$120 million, and as a result, they would not have to add any new taxes.

We have decided we are not going to have a public hearing, and the people will be questioning about these bright promises of last September. Here is the word that you can carry to your Republican caucus, which I understand you will shortly hold. Without exception it is my confident prediction that not a member of the minority group will vote for the reconsideration of this bill. And not a member of the minority group, notwithstanding the offer of cash money, will vote for this bill.

Mr. SMITH. Mr. Speaker, I did not want to prolong this debate, but I believe the gentleman has made a direct accusation. I can assure him I know nothing about that. I know of nobody on this side that knows anything of that. And I would like to affirm to him and assure him that that is a positive fact.

I ask at this time, Mr. Speaker, that a roll call be taken on the motion to reconsider.

On the question recurring,

Will the House agree to the motion to reconsider the vote by which the bill was defeated on final passage?

The yeas and nays were required by Mr. Smith and Mr. Kent and were as follows:

A verification of the roll was requested by Messrs. Lovett, Maxwell and Wheeler.

The roll was verified and was as follows:

YEAS—115

Banker,	Gibson,	Madigan,	Scott,
Barkdoll,	Gleason,	Markley,	Shoemaker,
Baumunk,	Goodling,	Mazza,	Shotwell,
Bear,	Graybill,	McConnell,	Smith,
Beech,	Greenwood,	McCormack,	Sollenberger,
Blair,	Greer,	McCullough,	Spencer,
Bolton,	Gutendorf,	McInroy,	Stimmel,
Bomberger,	Guthrie,	McKinney,	Stoner,
Boorse,	Hall,	McMillen,	Tahl,
Bower,	Hamilton, W. H.,	Metz,	Thompson, E. F.,
Breisch,	Harney,	Mikula,	Thompson, R. L.,
Brown,	Haudenschild,	Miller, H. G.,	Tompkins,
Cella,	Helm,	Miller, J. C.,	Toomey,
Clapper,	Hewitt,	Mintess,	VanSant,
Cooper,	Hocker,	Moore, C. E.,	Varner,
Costa,	Johnson,	Moore, H. A.,	Wachhaus,
Dalrymple,	Jones, T. H. W.,	Murray,	Waterhouse,
Davis,	Jump,	Najaka,	Watkins,
Dennison,	Keller,	Naugle,	Weldner,
Dowling,	Kent,	Pichney,	Wescott,
DuBois,	Kline,	Pitzer,	Whalley,
Dunn,	Kohl,	Price, H. W. Jr.,	White,
Erb,	Kratz,	Reagan,	Wilt,
Ewing,	Lafore,	Reilly, J. M.,	Wood,
Ferster,	Leisey,	Rigby,	Yeakel,
Firmstone,	Light,	Riley, R. L.,	Young,
Flack,	Loftus,	Royer,	Ziegler,
Frost,	Lyons,	Rubin,	Sorg,
Geer,	Madden,	Sax,	Speaker

NAYS 91

Amarando,	Hamilton, R. K.,	McGee,	Rosen,
Andrews,	Headlee,	McNally,	Rovansek,
Beaver,	Hersch,	Mills,	Sarrafi,
Berkstresser,	Hoggard,	Monroe,	Scanlon,
Bloom,	Hunter,	Moran,	Schmidt,
Boles,	Jenkins,	Muldowney,	Schuster,
Breth,	Jones, G. E.,	Munley,	Seyler,
Bucchin,	Jones, J. M.,	Musto,	Snider,
Byrne,	Jones, P. F.,	Needham,	Stank,
Clendening,	Kamyk,	Olsen,	Swartz,
Cochran,	Kolankiewicz,	Penglase,	Swope,
Conway,	Kornick,	Peta,	Taylor,
Corr,	Kubacki,	Petrosky,	Toll,
Coyle,	Lederer,	Pettigrew,	Varallo,
Dougherty,	Leonard, L.,	Pfaff,	Verona,
Duffy,	Leonard, W. C.,	Polaski,	Wargo,
Fenrich,	Leven,	Polen,	Welsh,
Fillp,	Limper,	Price, R. A.,	Westrick,
Filo,	Lopresti,	Readinger,	Wheeler,
Gaffney,	Lovett,	Reese,	Williams,
Good,	Lutty,	Reidenbach,	Yester,
Guarnieri,	Maxwell,	Robertson,	Yetzer,
Hagerty,	McDermit,	Rose,	

NOT VOTING—1

Mihm.

So the question was determined in the affirmative and the motion was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. SMITH. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

REPUBLICAN AND DEMOCRATIC CAUCUSES

The SPEAKER. The Chair wishes to inform the Members that immediately upon the calling of a recess there will be a Republican Caucus in the new House Caucus Room and a Democratic Caucus in the old House Caucus Room.

RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess for forty-five minutes. The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Herbert P. Sorg) in the Chair.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 839, entitled:

An Act to further amend sections one and two of the act approved the twenty-fifth day of June one thousand eight hundred ninety-five (P. L. 275) entitled "An act dividing the cities of this State into three classes with respect to their population and designating the mode of ascertaining and changing the classification thereof in accordance therewith" by classifying cities into five classes and providing for the government of cities of the third class A

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMENDED

Mr. HAROLD G. MILLER. Mr. Speaker, I move that this bill be recommitted to the Committee on Cities—Third Class for the purpose of further study.

The motion was agreed to.

BILL ON FINAL PASSAGE

BILL PASSED OVER

There being no objection

House Bill No. 73, Printer's No. 208

was passed over at the request of the SPEAKER.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 213, as follows:

An Act to further amend section one of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 477) entitled as amended "An act providing for the payment of the salary medical and hospital expenses of policemen and firemen by cities boroughs towns and townships who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period" by adding a presumption of relationship to employment of diseases of the heart and tuberculosis of the respiratory system and providing disability benefits for such conditions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-

eight day of June one thousand nine hundred thirty-five (P. L. 477) entitled as amended "An act providing for the payment of the salary medical and hospital expenses of policemen and firemen by cities boroughs towns and townships who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period" as last amended by the act approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1081) is hereby further amended to read as follows

Section 1 Be it enacted &c that any policeman or firemen of any city borough town or township who is injured in the performance of his duties including in the case of firemen duty as special fire police and by reason thereof is temporarily incapacitated from performing his duties shall be paid by the municipality by which he is employed his full rate of salary as fixed by ordinance or resolution until the disability arising therefrom has ceased All medical and hospital bills incurred in connection with any such injury shall be paid by such municipality During the time salary for temporary incapacity shall be paid by the city borough town or township any workmen's compensation received or collected by a policeman or fireman for such period shall be turned over to such city borough town or township and paid into the treasury thereof and if such payment shall not be so made by the policeman or fireman the amount so due the city borough town or township shall be deducted from any salary then or thereafter becoming due and owing Provided however That diseases of the heart and tuberculosis of the respiratory system contracted or incurred by any such policeman or fireman after one full year of service shall be presumed to be due to and arising directly out of the employment of any such policeman and fireman and shall be compensable in accordance with the terms hereof and unless any such disability shall be compensable under the Compensation Laws as having been caused by accidental injury such disability shall be compensable as occupational disease disabilities are presently compensable under the Compensation Laws of this Commonwealth

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Amarando,	Goodling,	Maxwell,
Andrews,	Graybill,	Mazza,
Banker,	Greenwood,	McConnell,
Barkdoll,	Greer,	McCormack,
Baumunk,	Guarnieri,	McCullough,
Bear,	Gutendorf,	McDermitt,
Beaver,	Guthrie,	McGee,
Beech,	Hagerty,	McInroy,
Berkstresser,	Hall,	McKinney,
Blair,	Hamilton, R. K.,	McMillen,
Bloom,	Hamilton, W. H.,	McNally,
Boles,	Harney,	Metz,
Bolton,	Haudenschild,	Mikula,
Bomberger,	Headlee,	Miller, H. G.,
Boorse,	Helm,	Miller, J. C.,
Bower,	Hersch,	Mills,
Breisch,	Hewitt,	Mintess,
Breth,	Hocker,	Monroe,
Brown,	Hoggard,	Moore, C. E.,
Buchlin,	Hunter,	Moore, H. A.,
Byrne,	Jenkins,	Moran,
Cella,	Johnson,	Muldowney,
Clapper,	Jones, G. E.,	Munley,
Clendenen,	Jones, J. M.,	Murray,
Cochran,	Jones, P. F.,	Musto,
Conway,	Jones, T. H. W.,	Najaka,
Cooper,	Jump,	Naugle,
Corr,	Kamyk,	Needham,
Costa,	Keller,	Olsen,
Coyle,	Kent,	Penglase,
Dairymple,	Kline,	Peta,

Davis,	Kohl,	Petrosky,	Wachhaus,
Dennison,	Kolankiewicz,	Pettigrew,	Wargo,
Dougherty,	Kornick,	Pfaff,	Waterhouse,
Dowling,	Kratz,	Pichney,	Watkins,
DuBois,	Kubacki,	Pitzer,	Weldner,
Duffy,	Lafore,	Polaski,	Welsh,
Dunn,	Lederer,	Polen,	Wescott,
Erb,	Leisey,	Price, H. W. Jr.,	Westrick,
Ewing,	Leonard, L.,	Price, R. A.,	Whalley,
Fenrich,	Leonard, W. C.,	Readinger,	Wheeler,
Ferster,	Leven,	Reagan,	White,
Filip,	Light,	Reese,	Williams,
Filo,	Limper,	Reidenbach,	Wilt,
Firmstone,	Loftus,	Reilly, J. M.,	Wood,
Flack,	Lopresti,	Rigby,	Yeakel,
Frost,	Lovett,	Riley, R. L.,	Yester,
Gaffney,	Lutty,	Robertson,	Yetzer,
Geer,	Lyons,	Rose,	Young,
Gibson,	Madden,	Rosen,	Ziegler,
Gleason,	Madigan,	Rovansek,	Sorg,
Good,	Markley,		Speaker

NAYS—0

NOT VOTING—1

Mihm.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 277, Printer's No. 185

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 486 entitled:

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-three (P. L. 1449) entitled "An act establishing a court of record in the county of Allegheny for control care guidance treatment trial placement and commitment of delinquent neglected and dependent children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging delinquency neglect or dependency of children defining the jurisdiction and powers of the court and regulating procedure therein providing for the transfer thereto of certain powers functions and duties from other courts providing for the election of judges thereof the appointment of probation officers other necessary staff officials and assistants providing for housing of same and providing for detention facilities making the contributing to or encouraging of the delinquency neglect or dependency of children a misdemeanor and providing penalties" by allowing appeals to the county court of Allegheny county and superior court and regulating the procedure therefore

On the question,

Will the House agree to the bill on third reading?

Mr. GEER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 1, (Sec. 414), page 11, line 19, by placing a bracket after the word "Alleged"

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 554, as follows:

An Act authorizing political subdivisions other than cities of the first and second classes and school districts of the first class and first class A to appoint and pay the compensation of employees to make an assessment list of all inhabitants or residents thereof over twenty-one years of age for taxation purposes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The taxing authorities of any political subdivision except cities of the first and second classes and school districts of the first class and first class A which are authorized by law to levy and collect an occupation tax per capita tax or other head tax may by ordinance or resolution provide for an annual preparation of a list of residents or inhabitants of such political subdivision over twenty-one years of age by employees to be appointed and paid by such taxing authority to be used in the assessment and levy of its occupation per capita or other head tax

A copy of such ordinance or resolution shall be given to the regular tax assessor who under existing law makes and furnishes the tax assessments for the political subdivision. Such tax assessor shall not thereafter furnish to such taxing district a list of the residents or inhabitants thereof during the period that the aforesaid ordinance or resolution shall remain in effect

Section 2 The list of persons prepared by the employees of the taxing district under the provisions of this act shall be made at such time and in such manner as directed by the taxing authority appointing such employees and the same shall be all respects considered as the official assessment list of taxables for that district

Section 3 All acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mikula,	Snider,
Bomberger,	Headlee,	Miller, H. G.,	Sollenberger,
Boorse,	Helm,	Miller, J. C.,	Spencer,
Bower,	Hersch,	Mills,	Stank,
Breisch,	Hewitt,	Mintess,	Stimmel,
Breth,	Hocker,	Monroe,	Stoner,
Brown,	Hoggard,	Moore, C. E.,	Swartz,
Bucchin,	Hunter,	Moore, H. A.,	Swope,
Byrne,	Jenkins,	Moran,	Tahl,

Cella,	Johnson,	Muldorney,	Taylor,
Clapper,	Jones, G. E.,	Munley,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Murray,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Musto,	Toll,
Conway,	Jones, T. H. W.,	Najaka,	Tompkins,
Cooper,	Jump,	Naugle,	Toomey,
Corr,	Kamyk,	Needham,	VanSant,
Costa,	Keller,	Olsen,	Varallo,
Coyle,	Kent,	Penglase,	Varner,
Dalrymple,	Kline,	Peta,	Verona,
Davis,	Kohl,	Petrosky,	Wachhaus,
Dennison,	Kolankiewicz,	Pettigrew,	Wargo,
Dougherty,	Kornick,	Pfaff,	Waterhouse,
Dowling,	Kratz,	Pichney,	Watkins,
DuBois,	Kubacki,	Pitzer,	Weidner,
Duffy,	Lafore,	Polaski,	Welsh,
Dunn,	Lederer,	Polen,	Wescott,
Erb,	Leisey,	Price, H. W. Jr.,	Westrick,
Ewing,	Leonard, L.,	Price, R. A.,	Whalley,
Fenrich,	Leonard, W. C.,	Readinger,	Wheeler,
Ferster,	Leven,	Reagan,	White,
Filip,	Light,	Reese,	Williams,
Filo,	Limper,	Reidenbach,	Wilt,
Firmstone,	Loftus,	Reilly, J. M.,	Wood,
Flack,	Lopresti,	Rigby,	Yeakel,
Frost,	Lovett,	Riley, R. L.,	Yester,
Gaffney,	Lutty,	Robertson,	Yetzer,
Geer,	Lyons,	Rose,	Young,
Gibson,	Madden,	Rosen,	Ziegler,
Gleason,	Madigan,	Rovanseck,	Sorg,
Good,	Markley,		Speaker

NAYS—0

NOT VOTING—1

Mihm.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 629, Printer's No. 176
was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 757, as follows:

An Act to add Article XVI.I to the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" by providing for the establishment of a traffic court in cities of the second class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" is hereby amended by adding thereto Article XVI.I to read as follows

Article XVI.I

Traffic Court

Section 1 There shall be established a traffic court in each city of the second class with a chief traffic court magistrate in charge thereof who shall have the assistance of such additional traffic court magistrates as may be necessary in carrying out the duties of the traffic court

Section 2 All information made by police officers of any city of the second class changing any violation of "The Vehicle Code" and its amendments or of local ordinances enacted pursuant to "The Vehicle Code" shall be brought before the magistrates assigned to the traffic courts of cities of the second class

Section 2 Section 1201 of the act approved the first day

of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the eighteenth day of May one thousand nine hundred forty-nine (P. L. 1412) is hereby repealed in so far as it applies to the requirement for bringing information charging violations of any summary provisions of The Vehicle Code before the nearest available magistrate within any city of the second class where such alleged violation occurred

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mikula,	Snider,
Bomberger,	Headlee,	Miller, H. G.,	Sollenberger,
Boorse,	Helm,	Miller, J. C.,	Spencer,
Bower,	Hersch,	Mills,	Stank,
Breisch,	Hewitt,	Mintess,	Stimmel,
Breth,	Hocker,	Monroe,	Stoner,
Brown,	Hoggard,	Moore, C. E.,	Swartz,
Bucchin,	Hunter,	Moore, H. A.,	Swope,
Byrne,	Jenkins,	Moran,	Tahl,
Cella,	Johnson,	Muldowney,	Taylor,
Clapper,	Jones, G. E.,	Munley,	Thompson, E. F.,
Cleodening,	Jones, J. M.,	Murray,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Musto,	Toil,
Conway,	Jones, T. H. W.,	Najaka,	Tompkins,
Cooper,	Jump,	Naugle,	Toomey,
Corr,	Kamyk,	Needham,	VanSant,
Costa,	Keller,	Olsen,	Varallo,
Coyte,	Kent,	Penglase,	Varnier,
Dalrymple,	Kline,	Peta,	Verona,
Davis,	Kohl,	Petrosky,	Wachhaus,
Dennison,	Kolankiewicz,	Pettigrew,	Wargo,
Dougherty,	Kornick,	Pfaff,	Waterhouse,
Dowling,	Kratz,	Pichney,	Watkins,
DuBols,	Kubacki,	Pitzer,	Weldner,
Duffy,	Lafore,	Polaski,	Welsh,
Dunn,	Lederer,	Polen,	Wescott,
Erb,	Leisey,	Price, H. W. Jr.,	Westrick,
Ewing,	Leonard, L.,	Price, R. A.,	Whalley,
Fenrich,	Leonard, W. C.,	Readinger,	Wheeler,
Ferster,	Leven,	Reagan,	White,
Filip,	Light,	Reese,	Williams,

Filo,
Firmstone,
Flack,
Frost,
Gaffney,
Geer,
Gibson,
Gleason,
Good,

Limper,
Loftus,
Lopresti,
Lovett,
Lutty,
Lyons,
Madden,
Madigan,
Markley,

Reldenbach,
Reilly, J. M.,
Rigby,
Riley, R. L.,
Robertson,
Rose,
Rosen,
Rovanssek,

Wilt,
Wood,
Yeakel,
Yester,
Yetzer,
Young,
Ziegler,
Sorg,
Speaker

NAYS—0

NOT VOTING—1

Mihm,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 863, as follows:

An Act to further amend Sections 113 and 133 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by further regulating fishing devices for game fish on the Delaware River between Pennsylvania and New Jersey

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 113 and 133 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" as amended by the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1153) are hereby further amended to read as follows

Section 113 Fishing Devices for Game-fish It shall be unlawful to catch or fish for any game-fish or any sunfish or any white or yellow perch in any part of the Delaware River above Trenton Falls with any device or by any means or method whatsoever excepting with rods and lines or handlines commonly called dipsey or throw-lines each having not more than three hooks or with trolling lines with spoon or artificial bait having not more than [one burr of three single hooks attached] three burrs each of which shall have not more than three hooks or points The number of rods and lines or the number of trolling lines not to exceed two of one or the other device named Any person violating any provisions of this section shall on conviction thereof in the manner provided by chapter fourteen of this act be subject to a fine of twenty dollars

Section 133 Fishing Devices for Game-fish It shall be unlawful to catch or fish any game-fish or any sunfish or any white or yellow perch in any part of the Delaware River below Trenton Falls with any device or by any means or methods whatsoever excepting with rods and lines or hand-lines commonly called dipsey or throw lines each having not more than three hooks or with trolling lines with spoon or artificial bait having not more than [one burr or three single hooks attached] three burrs each of which shall have not more than three hooks or points the number of rods and lines or the number of trolling lines not to exceed two of one or the other device named Any person violating any provisions of this section shall on conviction thereof in the manner provided by chapter fourteen of this act be subject to a fine of twenty dollars

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mikula,	Snider,
Bomberger,	Headlee,	Miller, H. G.,	Sollenberger,
Boorse,	Helm,	Miller, J. C.,	Spencer,
Bower,	Hersch,	Mills,	Stank,
Breisch,	Hewitt,	Mintess,	Stimmel,
Breth,	Hocker,	Monroe,	Stoner,
Brown,	Hoggard,	Moore, C. E.,	Swartz,
Bucchin,	Hunter,	Moore, H. A.,	Swope,
Byrne,	Jenkins,	Moran,	Tahl,
Cella,	Johnson,	Muldowney,	Taylor,
Clapper,	Jones, G. E.,	Munley,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Murray,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Musto,	Toll,
Conway,	Jones, T. H. W.,	Najaka,	Tompkins,
Cooper,	Jump,	Naugle,	Toomey,
Corr,	Kamyk,	Needham,	VanSant,
Costa,	Keller,	Olsen,	Varallo,
Coyle,	Kent,	Penglase,	Varnier,
Dalrymple,	Kline,	Peta,	Verona,
Davis,	Kohl,	Petrosky,	Wachhaus,
Dennison,	Kolankiewicz,	Pettigrew,	Wargo,
Dougherty,	Kornick,	Pfaff,	Waterhouse,
Dowling,	Kratz,	Pichney,	Watkins,
DuBois,	Kubacki,	Pitzer,	Weidner,
Duffy,	Lafore,	Polaski,	Welsh,
Dunn,	Lederer,	Polen,	Wescott,
Erb,	Leisey,	Price, H. W. Jr.,	Westrick,
Ewing,	Leonard, L.,	Price, R. A.,	Whalley,
Fenrich,	Leonard, W. C.,	Readinger,	Wheeler,
Ferster,	Levan,	Reagan,	White,
Filip,	Light,	Reese,	Williams,
Filo,	Limper,	Reidenbach,	Wilt,
Firmstone,	Loftus,	Reilly, J. M.,	Wood,
Flack,	Lopresti,	Rigby,	Yeakel,
Frost,	Lovett,	Riley, R. L.,	Yester,
Gaffney,	Lutty,	Robertson,	Yetzer,
Geer,	Lyons,	Rose,	Young,
Gibson,	Madden,	Rosen,	Ziegler,
Gleason,	Madigan,	Rovansek,	Sorg,
Good,	Markley,		Speaker

NAYS—0

NOT VOTING—1

Mihm,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

Senate Bill No. 201, Printer's No. 131 and

Senate Bill No. 366, Printer's No. 104

were passed over at the request of the **SPEAKER**.

TIME EXTENDED ON BILL

Mr. SMITH asked and obtained unanimous consent to extend the time five days on House Bill No. 841, Printer's No. 145, on page 12 of today's calendar, bills on third reading postponed.

SENATE MESSAGES

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 175.

An Act authorizing and directing the Pennsylvania Fish Commission to make a comprehensive study of the migratory habits of fish particularly shad and the stocking and tagging of shad below and above the Safe Harbor Dam the Holtwood Dam and the Conowingo Dam and to co-operate with the federal government and the Joint State Government Commission in connection therewith and prescribing powers and duties

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The **SPEAKER**. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 1, by striking out after the word "the" the words "Joint State Government" and inserting in lieu thereof the words "Pennsylvania Fish"; page 1, lines 6 and 7 by striking out after the word "government" the words "in connection therewith prescribing" and inserting in lieu thereof the words "and the Joint State Government Commission in connection therewith and prescribing"; also amend title, page 2, line 2, by striking out after the word "duties" the words "and making an appropriation."

Amend Section 1, page 2, line 1, by striking out "Joint State Government" and inserting in lieu thereof "Pennsylvania Fish."

Amend Section 2, page 3, line 6, by inserting at the end of the line "and to cooperate with the Joint State Government in connection therewith."

Amend the bill, page 3, by striking out all of section 4. Amend line 15, page 3, by striking out the figure "5" and inserting in lieu thereof the figure "4."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. SMITH. Mr. Speaker, I move that this bill be laid upon the table.

The motion was agreed to.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 187.

An Act to further amend Article XIV of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by authorizing the appointment of special school police and defining their powers and duties

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Section 1, page 2, line 12, by striking out "shall be empowered to make arrests in connection with the performance of their duties" and inserting in lieu thereof "who shall be in uniform and shall display a badge or other sign of authority and who shall be vested with all of the powers of local police officers."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. SMITH. Mr. Speaker, I move that this bill be laid upon the table.

The motion was agreed to.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 25.

An Act authorizing the Department of Property and Supplies with the approval of the Pennsylvania Historical and Museum Commission to acquire on behalf of the Commonwealth certain land buildings and appurtenances located in the Township of Manheim Lancaster County and certain personal property therein and making an appropriation

HOUSE BILL No. 30.

An Act to add clause (5) to section two thousand five hundred forty-one of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for payments on account of pupil transportation where school buses are used for purposes of better gradation

HOUSE BILL No. 42.

An Act to amend subsection (b) of Section 921 and Section 922 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing the tenure of members and officers of county boards of school directors

HOUSE BILL No. 59.

An Act to further amend section 15 of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" changing the procedure in reviving municipal claims and reinstating the lien of certain claims

HOUSE BILL No. 96.

An Act to reenact sections one to nine inclusive of the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2803) entitled "An act providing a method of annexation of townships of the first class and parts thereof to cities and boroughs and regulating the proceedings pertaining thereto" by making the same applicable in counties of the second class and repealing inconsistent laws excepting as to proceedings now pending

HOUSE BILL No. 276.

An Act to further amend the act approved the fifth day of June one thousand nine hundred forty-seven (P. L. 458) entitled as amended "An act creating as bodies corporate and politic "Parking Authorities" in cities of the first second and third classes prescribing the rights powers and duties of such authorities authorizing such authorities to acquire construct improve maintain and operate parking projects to conduct research of the parking problem and to establish a permanent coordinated system of parking facilities and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such authorities empowering such authorities to enter into contracts with and to accept grants from the Federal Government State political subdivisions of the State or any agency thereof exempting the property and securities of such parking authorities from taxation and conferring exclusive jurisdiction on certain courts over rates" by extending the provisions of the act to boroughs and townships of the first class

HOUSE BILL No. 555.

An Act to amend Section 1704 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by clarifying the powers of joint school committees in managing the affairs of joint schools or departments

HOUSE BILL No. 655.

An Act to amend Section 508 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring a record vote of school directors on the adoption of the annual budget

HOUSE BILL No. 716.

A Supplement to the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (Appropriation Acts page 62) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-nine and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-nine" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred and fifty-one

HOUSE BILL No. 719.

An Act making a deficiency appropriation to the Department of Welfare to reimburse State-aided hospitals for part of the cost of training student nurses in approved schools of nursing

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

REPORTS FROM COMMITTEE

Mr. PENGLASE from the Committee on Motor Vehicles, reported as committed, House Bill No. 683, entitled:

An Act to further amend subsection (c) of section nine hundred two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by removing certain equipment requirements pertaining to motor buses.

Mr. WESCOTT from the Committee on Motor Vehicles, reported as committed, House Bill No. 900, entitled:

An Act to further amend section one thousand and twenty-seven of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act, conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by changing the requirements that certain vehicles stop at railway grade crossings.

RESOLUTIONS

Mr. NAUGLE offered a resolution which was filed with the Clerk.

Mr. HERSCH offered a resolution which was filed with the Clerk.

ADJOURNMENT

Mr. KORNICK. Mr. Speaker, I move that this House do now adjourn until Monday, April 16, 1951, at 4:30 p. m.

The motion was agreed to, and (at 5:08 p. m.) the House adjourned.

Legislative Journal.

Session 1951.

139th of the General Assembly.

Vol. 32.

HARRISBURG, PA., MONDAY, MARCH 16, 1951.

No. 37.

SENATE

MONDAY, April 16, 1951.

The Senate met at 3:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

PRAYER

The Chaplain, Rev. THOMAS D. GARNER, Pastor of St. John's Evangelical and Reformed Church, Bedford, Pennsylvania, offered the following prayer:

O Infinite Spirit, source of wisdom and truth, we humbly bow before Thy throne of mercy and grace. We seek Thy divine guidance as we strive to accomplish what is ours to do. May we have the courage and strength to do what is best for the most.

May Thy blessing ever be with the Governor of our Commonwealth, the Members of this Senate and all others in authority.

Teach us to be true children of Thine, and may we ever say and do what is acceptable to ourselves and unto Thee. In the Name of our Lord, we pray. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. KESSLER, further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 16, 1951.

Mr. MEADE. Mr. President, I second the motion. The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 16, 1951.
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the dates shown:

To compute from date of confirmation

ALLEGHENY COUNTY

Richard J. Baer, Pittsburgh, 4605 Irvine St.
Miss Elizabeth L. Csupak, Pittsburgh, 417 Grant St.
John W. Long, Turtle Creek.

BEDFORD COUNTY

Charles Giornesto, Jr., Saxton.

CAMBRIA COUNTY

Fred W. Darr, Johnstown.

DAUPHIN COUNTY

Louis J. Borges Sr., Harrisburg.

ERIE COUNTY

Max E. Klinger, Erie.

JEFFERSON COUNTY

G. R. Ohl, Summerville.

LACKAWANNA COUNTY

Charles N. Matthews, Scranton.

NORTHAMPTON COUNTY

Harold E. Quick, Easton.

PHILADELPHIA COUNTY

Miss Mary A. Cassidy, 1251 S. Bucknell St.
Mrs. Blanche C. Hall, Packard Bldg.
Joseph Leibfritz, 7540 Verree Road
William J. Ruch, Philadelphia County Prison.

To compute from the dates set opposite their names

ALLEGHENY COUNTY

Mrs. Gladys F. May, Pittsburgh, 709-711 E. Ohio St.
4-19-51.

LANCASTER COUNTY

Mrs. Barbara B. Bomberger, Manheim, 5-8-51.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. MEADE, that the Senate do advise and consent to said nominations. On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stevenson.
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Proper,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

MEMBERS OF COUNTY BOARDS OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 16, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of County Boards of Assistance:

BUCKS COUNTY

Mrs. Minnie H. Oblinger (Republican), New Hope, from March 31, 1950, until December 31, 1952, and until her successor is duly appointed and qualified.

Frank F. Whittam (Republican), Newtown, from March 31, 1950, until December 31, 1951, and until his successor is duly appointed and qualified.

Mrs. Winifred M. Clymer (Republican), Southampton, from January 1, 1951, until December 31, 1952, and until her successor is duly appointed and qualified.

Charles F. Freeman (Republican), Doylestown, from January 1, 1951, until December 31, 1953, and until his successor is duly appointed and qualified.

LEBANON COUNTY

Mrs. Jane E. Erb (Republican), Palmyra, from December 7, 1950, until December 31, 1952, and until her successor is duly appointed and qualified.

Mrs. Kathryn G. Wilhelm (Republican), 22 South Railroad Street, Myerstown, Lebanon County, to serve until December 31, 1952, and until her successor is duly appointed and qualified, to fill a vacancy.

Harry M. Bowman (Republican), 104 College Avenue, Annville, Lebanon County, to serve until December 31, 1953, and until his successor is duly appointed and qualified, vice Earnest Williams, Annville, whose term expired.

MONTGOMERY COUNTY

Dennis Quigg (Republican), Danville, from December 13, 1950, until December 31, 1951, and until his successor is duly appointed and qualified.

Edward S. Kear (Republican), Danville, from January

1, 1951, until December 31, 1953, and until his successor is duly appointed and qualified.

Miss Annie Pritchard (Republican), 219 Water Street, Danville, Montour County, to serve until December 31, 1953, and until her successor is duly appointed and qualified, vice Mrs. Erma T. Deily, Danville, whose term expired.

UNION COUNTY

Mrs. Esther G. Sauvain (Republican), Lewisburg, from January 13, 1950, until December 31, 1952.

JOHN S. FINE.

COMMUNICATIONS FROM THE GOVERNOR

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVED AND SIGNED SENATE BILL No. 12,
PRINTER'S No. 33

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 12, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 12, Printer's No. 33, entitled "An Act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 199,
PRINTER'S No. 72

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 12, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 199, Printer's No. 72, entitled "An Act to further amend Subsection A of Section 201 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended 'An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers directors trustees shareholders attorneys and other employees of all such corporations employees' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or persons and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries re-

corders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts' by further regulating the names of bank and trust companies."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 215,
PRINTER'S No. 39

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 12, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 215, Printer's No. 39, entitled "An Act to further amend Section 30 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled 'An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth' by increasing the legal size of pickerel that may be taken from inland waters."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 237,
PRINTER'S No. 75

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 12, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 237, Printer's No. 75, entitled "An Act to amend Section 714 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled 'An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto' by further regulating the possession and transportation of big game."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 243,
PRINTER'S No. 60

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 12, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 243, Printer's No. 60, entitled "An Act validating certain deeds bonds and mortgages and trust indentures executed and delivered by non-profit corporations unless the validity thereof is raised by legal proceedings within a prescribed period of time."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 338,
PRINTER'S No. 90

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 12, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 338, Printer's No. 90, entitled "An Act to amend clause (1) of subsection A of section 1412 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended 'An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary power and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defin-

ing the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers director trustees shareholders attorneys and other employees of all such corporations employees' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts' by revising the procedure for the conversion of banks and bank and trust companies into national banks."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 339,
PRINTER'S No. 110

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 12, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 339, Printer's No. 110, entitled "An Act to amend section 1408 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended 'An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers directors trustees shareholders attorneys and other employees of all such corporations employees' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts' by making further provision concerning the effect of merger or consolidation of banking institutions."

JOHN S. FINE.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 213, entitled:

An Act to further amend sections one of the act, approved the twenty-eighth day of June, one thousand nine hundred thirty-five (P. L. 477), entitled, as amended "An act providing for the payment of the salary, medical and hospital expenses of policemen and firemen by cities, boroughs, towns, and townships who are injured in the performance of their duty; and providing that absence during such injury shall not reduce any usual sick leave period," by adding a presumption of relationship to employment of diseases of the hearts and tuberculosis of the respiratory system and providing disability benefits for such conditions.

Which was committed to the Committee on Local Government.

House Bill No. 554, entitled:

An Act authorizing political subdivisions other than cities of the first class and second classes, and school districts of the first class and first class A to appoint and pay the compensation of employes to make an assessment list of all inhabitants or residents thereof, over twenty-one years of age, for taxation purposes.

Which was committed to the Committee on Local Government.

House Bill No. 757, entitled:

An Act to add Article XVII to the act, approved the seventh day of March, one thousand nine hundred one (P. L. 20), entitled "Second Class City Law," by providing for the establishment of a traffic court in cities of the second class.

Which was committed to the Committee on Local Government.

House Bill No. 863, entitled:

An Act to further amend Sections 113 and 133 of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "Fish Law of 1925," by further regulating fishing devices for game fish on the Delaware River between Pennsylvania and New Jersey.

Which was committed to the Committee on Forests and Waters, Game and Fish.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 25, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Pennsylvania Historical and Museum Commission, to acquire on behalf of the Commonwealth, certain land, buildings and appurtenances, located in the Township of Manheim, Lancaster County, and certain personal property therein; and making an appropriation.

House Bill No. 30, entitled:

An Act to add clause (5) to section two thousand five hundred forty-one of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by providing for payments on account of pupil transportation where school buses are used for purposes of better gradation.

House Bill No. 42, entitled:

An Act to amend subsection (b) of Section 921, and Section 922 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by changing the tenure of members and officers of county boards of school directors

House Bill No. 59, entitled:

An Act to further amend section 15 of the act, approved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207), entitled "Municipal Claim and Tax Lien Law," changing the procedure in reviving municipal claims; and reinstating the lien of certain claims.

House Bill No. 96, entitled:

An Act to reenact sections one to nine inclusive, of the act approved the second day of July, one thousand nine hundred thirty-seven (P. L. 2803) entitled "An act providing a method of annexation of townships of the first class, and parts thereof, to cities and boroughs, and regulating the proceedings pertaining thereto," by making the safe applicable in counties of the second class and repealing inconsistent laws excepting as to proceedings now pending.

House Bill No. 276, entitled:

An Act to further amend the act, approved the fifth day of June, one thousand nine hundred forty-seven (P. L. 458), entitled as amended "Parking Authority Law," by extending the provisions of the act to boroughs and townships of the first class.

House Bill No. 555, entitled:

An Act to amend Section 1704 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by clarifying the powers of joint school committees in managing the affairs of joint schools or departments.

House Bill No. 655, entitled:

An Act to amend Section 508 of the act approved the tenth day of March, one thousand nine hundred forty-nine, (P. L. 30), entitled "Public School Code of 1949," by requiring a record vote of school directors on the adoption of the annual budget.

House Bill No. 719, entitled:

An Act making a deficiency appropriation to the Department of Welfare to reimburse State-aided hospitals for part of the cost of training student nurses in approved schools of nursing.

Whereupon,

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the presence of the Senate signed the same.

STATEMENT OF MAJORITY FLOOR LEADER

Mr. WALKER. Mr. President, I desire to make a brief statement to the gentlemen of the Senate.

The PRESIDENT. The gentleman from Allegheny may proceed.

Mr. WALKER. Mr. President and Members of the Senate, I am advised that there has been filed in the District Court of the United States for the Eastern District some type of a petition involving legislative responsibility of the General Assembly of the Commonwealth of Pennsylvania. This morning there were in this Capitol building—whether or not they are still here I do not know—two gentlemen representing the petitioners in this particular case. These two gentlemen are attempting to serve upon the Members of this Senate copies of this petition, naming them as co-defendants in an action which has been taken by a resident and/or a taxpayer of the City of Philadelphia.

Mr. President, I wish to advise the gentlemen of the Senate that they are immune from service of papers of that type while they are within the halls of this building, and especially when they are within the confines of the rail of the Senate Chamber, and I would like to serve notice on the gentlemen who are attempting to serve the Members of this Senate that service of that type is not recognized and will not be recognized by the District Court in Philadelphia. Whatever quarrel the taxpayer

has with the City of Philadelphia or with certain co-defendants is something that the Court will first have to take jurisdiction of and then adjudicate. There was a saying a long time ago, Mr. President, by a very distinguished citizen of this great Republic, that you cannot dig coal with bayonets. May I also suggest, Mr. President, that you cannot have congressional reapportionment spearheaded on the bayonet end of any mandamus proceeding of any disgruntled taxpayer who has the right to run for public office if he has the intestinal fortitude.

I want to say to the gentlemen of the Senate that if they have been served the paper from the District Court of the United States, that such service is not good and that they can ignore it.

Mr. DiSILVESTRO. Mr. President, I would like to advise those crack pots who have those subpoenas that my name is "Di" and not "De."

INTERROGATION

Mr. WADE. Mr. President, I would like to interrogate the gentleman from Allegheny, Senator Walker.

The PRESIDENT. Will the gentleman from Allegheny, Senator Walker, permit himself to be interrogated?

Mr. WALKER. I will, Mr. President.

Mr. WADE. Mr. President, I would like to ask the gentleman if he would advise that we, the Members of the Senate, stay within the rail from now on so that we are not subject to the prosecution?

The PRESIDENT. The Chair would like to request that the Majority Floor Leader identify which rail he is referring to.

Mr. WALKER. Mr. President, I was about to do that in my answer. As the President well knows, it is difficult to get the gentleman from Cumberland to stay in his seat even when we are trying to have a roll call. As a matter of fact, I will settle for this much, if he will just stay here until we finish today's proceedings and then what he is served after he leaves here is at his own risk.

Mr. DENT. Mr. President, being the usual trusting soul that I am, I must admit that I have been served. A gentleman approached me and handed me a nice blue-covered petition of some kind, and I thought it was an administration bill. It seemed to be somewhat the color of the administration legislation, and I thought I was going to be honored with putting in the new bills around here. However, as I understand the advice, I can completely ignore the service. Is that true?

Mr. WALKER. That is correct.

Mr. DENT. Well, if the President, who is not only my President but my legal adviser in this case, tells me to ignore it, I shall do so.

REPORTS FROM COMMITTEES

Mr. ROBINSON, from the Committee on Elections reported as amended, Senate Bill No. 387, entitled:

An Act to amend Section 404 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county board of elections, county commissioners; impos-

ing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by providing for additional clerks of election in election districts having more than twelve hundred qualified electors.

Mr. PROPERT, from the Committee on Local Government, reported as amended, House Bill No. 559, entitled:

An Act to further amend section sixteen of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by authorizing supervisors of townships of the second class to add names to the tax assessment lists and tax duplicates.

BILLS INTRODUCED AND REFERRED

Mr. Walker on behalf of Mr. WAGNER read in his place and presented to the Chair Senate Bill No. 499, entitled:

An Act to add Section 15.1 to the act, approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employees' retirement system in counties of the fourth class, imposing certain charges on counties, and fixing penalties," by providing for optional minimum retirement allowances under certain conditions.

Which was committed to the Committee on Local Government.

Mr. WALKER read in his place and presented to the Chair Senate Bill No. 500, entitled:

An Act to further amend the title of and the act, approved the eighteenth day of July, one thousand nine hundred thirty-five (P. L. 1286), entitled as amended "An act empowering counties of the second class, cities, boroughs, incorporated towns, and townships to charge and collect from owners of and water users in property served thereby, annual rentals, rates, or charges for the use of certain sewers, sewerage systems and sewage treatment works, including charges for operation, inspection, maintenance, repair, depreciation, and the amortization of indebtedness and interest thereon; empowering counties of the second class, cities, boroughs, incorporated towns and townships to contract with authorities organized by counties of the second class, for sewer, sewerage and sewage treatment services; to grant, convey, lease, transfer, encumber, mortgage and pledge to such authorities, their sewers, sewerage systems and sewage treatment works; to assign and pledge to such authorities rentals, rates and charges charged and collected by them for the use thereof, and to assign to such authorities their power to charge and collect the same; and validating all such contracts, grants, conveyances, leases, transfers, assignments, encumbrances, mortgages and pledges heretofore made," by extending to authorities organized by cities of the third class the provisions affecting authorities organized by counties of the second class.

Which was committed to the Committee on Local Government.

He also read in his place and presented to the Chair Senate Bill No. 501, entitled:

An Act to further amend Section 2 of the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 951), entitled, as amended "An act defining and providing for the licensing and regulation of

private academic schools; conferring powers and imposing duties on the Department of Public Instruction; and imposing penalties," by exempting therefrom schools for the blind, deaf and dumb receiving State appropriations.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 502, entitled:

An Act to amend the title and section 1 of the act approved the fourteenth day of April, one thousand nine hundred forty-nine (P. L. 482), entitled "An act authorizing and requiring cities, boroughs, townships, municipal authorities and public utility companies engaged in the supplying of water, to shut off the supply of water for nonpayment of sewer, sewerage, or sewage treatment rentals, rates, or charges imposed by municipal authorities organized by counties of the second class; authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data; authorizing them to act as billing and collecting agents for such authorities; and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith," by requiring certain political subdivisions to shut off water supply for nonpayments to municipal authorities organized by cities of the third class.

Which was committed to the Committee on Corporations.

He also read in his place and presented to the Chair Senate Bill No. 503, entitled:

An Act to amend the title and Section 1 of the act, approved the fourteenth day of April, one thousand nine hundred forty-nine (P. L. 482), entitled "An act authorizing and requiring cities, boroughs, townships, municipal authorities and public utility companies engaged in the supplying of water, to shut off the supply of water for nonpayment of sewer, sewerage, or sewage treatment rentals, rates, or charges imposed by municipal authorities organized by counties of the second class authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data; authorizing them to act as billing and collecting agents for such authorities; and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith," by extending to any municipal authority organized by any city of the third class the powers granted therein.

Which was committed to the Committee on Corporations.

He also read in his place and presented to the Chair Senate Bill No. 504, entitled:

An Act to further amend the title and section 2.1 of the act, approved the eighteenth day of July, one thousand nine hundred thirty-five (P. L. 1286), entitled as amended "An act empowering counties of the second class, cities, boroughs, incorporated towns, and townships to charge and collect from owners of and water users in property served thereby, annual rentals, rates or charges for the use of certain sewers, sewerage systems and sewage treatment works, including charges for operation, inspection, maintenance, repair, depreciation, and the amortization of indebtedness and interest thereon; empowering counties of the second class, cities boroughs, incorporated towns and townships to contract with authorities organized by counties of the second class; for sewer, sewerage and sewage treatment services; to grant, convey, lease, transfer, encumber, mortgage and pledge to such authorities, their sewers, sewerage systems and sewerage treatment works; to assign and pledge to such authorities rentals, rates and charges charged and collected by them for the use thereof, and to assign to such authorities their power to charge and collect the same; and validating all such contracts, grants, conveyances, leases, transfers, assignments, encumbrances, mortgages and pledges, heretofore made," by authorizing political subdivisions to contract with author-

ities organized by cities of the third class for sewer, sewerage and sewage treatment services.

Which was committed to the Committee on Corporations.

Mr. LETZLER read in his place and presented to the Chair Senate Bill No. 505, entitled:

An Act to further amend the act, approved the fifth day of July, one thousand nine hundred forty-seven (P. L. 1217), entitled "An act to promote the education and educational facilities of the people of the Commonwealth of Pennsylvania; creating a State Public School Building Authority as a body corporate and politic with power to construct, improve and operate projects and to lease the same and to fix and collect fees, rentals and charges for the use thereof; authorizing school districts to enter into contracts to lease; authorizing and regulating the issuance of bonds by said Authority; and providing for the payment of such bonds and the rights of the holders thereof; granting the right of eminent domain; increasing the powers and duties of the Department of Public Instruction; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted under this act; and making an appropriation to said Authority to pay expenses incident to its formation," by authorizing the leasing of school buildings prior to completion; authorizing the issuance of bonds pursuant to resolutions or trust indentures and permitting certain moneys to be set aside for the benefit of particular bonds; limiting powers of Commonwealth to alter the provisions relating to security of the Authority and bondholders.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 506, entitled:

An Act to amend Section 2511.1 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," changing the annual payments by the Commonwealth to school districts erecting or sharing in the erection of buildings or providing educational facilities under the State Public School Building Authority Act; and making an appropriation.

Which was committed to the Committee on Education.

Mr. PEELOR read in his place and presented to the Chair Senate Bill No. 507, entitled:

An Act making an appropriation to the Indiana County Historical Society for the preservation of historic records and memorabilia and for the restoration, improvement and maintenance of historic sites and shrines.

Which was committed to the Committee on Appropriations.

Mr. KESSLER read in his place and presented to the Chair Senate Bill No. 508, entitled:

An Act to amend Sections 1 and 2 of the act, approved the eighteenth day of April, one thousand nine hundred forty-five (P. L. 253, No. 114), entitled "An act relating to suits by shareholders against officers or directors in a corporation, domestic or foreign, to enforce a secondary right because the corporation refuses to enforce rights, which may be asserted by it, requiring that plaintiff be a shareholder at the time of the transaction of which he complains, or that his shares thereafter devolved upon him by operation of law; requiring security for defendant's expenses, including attorneys' fees; and providing for the assessment and recovery of such expenses, including attorneys' fees," by extending the provisions thereof to cor-

porations having no capital stock; and authorizing corporations to indemnify directors, officers and other persons against certain expenses.

Which was committed to the Committee on Judiciary General.

Mr. MAHANY read in his place and presented to the Chair Senate Bill No. 509, entitled:

An Act to further amend section one of the act approved the twenty-seventh day of April, one thousand nine hundred twenty-seven (P. L. 450), entitled, as amended "An act relating to fires and fire prevention; imposing duties and conferring powers upon the Pennsylvania State Police; authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to the Pennsylvania State Police, and defining their powers and duties; providing for the investigation of the cause, origin, and circumstances of fires and the inspection of all, and the removal or change of, certain buildings by owners and occupants thereof, including political subdivisions; imposing duties on school authorities and on certain corporations, associations, and fire rating agencies; providing for the attendance of witnesses before the Pennsylvania State Police, and the enforcement of its orders; and prescribing penalties," by authorizing the appointment and removal of fire marshals in cities of the third class as assistants to the Pennsylvania State Police under the said act.

Which was committed to the Committee on Local Government.

He also read in his place and presented to the Chair Senate Bill No. 510, entitled:

An Act to amend Section 4 of the act, approved the tenth day of April, one thousand nine hundred thirty-one (P. L. 23), entitled, as amended "An act providing for the acceptance by the Commonwealth of a gift of lands from the American Petroleum Institute, located on the left bank of Oil Creek, in Oil Creek Township or Cherry Tree Township, or both, Venango County, to establish and maintain a public museum and park, as the Drake Well Memorial, under the control and supervision of the Pennsylvania Historical Commission, in cooperation with the Department of Forests and Waters, and an advisory board to be appointed by the American Petroleum Institute; prescribing the powers and duties of the Commission relative to said memorial; authorizing the employment of certain assistants and employees, and for the payment of their salaries; empowering the Department of Property and Supplies to acquire additional lands for such Memorial Park without cost to the Commonwealth; and making an appropriation," by further providing for the acceptance of gifts of money and securities by the Drake Well Memorial Advisory Board.

Which was committed to the Committee on State Government.

He also read in his place and presented to the Chair Senate Bill No. 511, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the further restoration, preservation and improvement of Drake Well Memorial Park, birthplace of the petroleum industry.

Which was committed to the Committee on Appropriations.

Messrs. NEFF and LANE read in place and presented to the Chair Senate Bill No. 512, entitled:

An Act to amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; reg-

ulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by directing the issuance of special registration plates to war amputees and paralytics; and exempting such persons from the payment of certain fees in connection with motor vehicles.

Which was committed to the Committee on Highways.

Messrs. LANE and NEFF read in place and presented to the Chair Senate Bill No. 513, entitled:

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employees to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employees to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employees be the exclusive representatives of all the employees authorizing the board to conduct hearings and elections and certify as to representatives of employees for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" by further defining declaring and limiting unfair labor practices by employers and employees making further provision for designation and selection of representatives for the purpose of collective bargaining changing the practice before the Labor Relations Board and limiting its powers in certain cases.

Which was committed to the Committee on Labor and Industry.

Messrs. LEADER, NEFF and YOSKO read in place and presented to the Chair Senate Bill No. 514, entitled:

An Act to further amend subsection (c) of section three of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employees to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employees

to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employees be the exclusive representatives of all the employees authorizing the board to conduct hearings and elections and certify as to representatives of employees for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" by further defining employer.

Which was committed to the Committee on Labor and Industry.

Messrs. LANE and NEFF read in place and presented to the Chair Senate Bill No. 515, entitled:

An Act to further amend section four of the act approved the second day of June one thousand nine hundred thirty-seven (P. L. 1198) entitled "An act relating to employees and organizations thereof defining labor disputes prescribing the procedure by which and the conditions under which injunctions may be granted in such disputes and the scope thereof declaring certain undertakings and promises between employers and employees contrary to public policy and void prescribing the nature of proof necessary in actions arising out of labor disputes against persons or associations prescribing the terms and condition for bonds to be furnished prior to the issuance of injunctions prescribing the procedure in case of appeal from granting injunctions limiting the duration of temporary and permanent injunctions in case of labor disputes and providing for the payment of costs and repealing all acts or parts of acts inconsistent herewith" removing certain exceptions to the application of the act.

Which was committed to the Committee on Labor and Industry.

Messrs. WADE and BERGER read in place and presented to the Chair Senate Bill No. 516, entitled:

An Act to further amend the act, approved the twenty-second day of June, one thousand nine hundred thirty-seven (P. L. 1987), entitled, as amended "An act to preserve and improve the purity of the waters of the Commonwealth for the protection of public health, animal and aquatic life, and for industrial consumption, and recreation; empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution; providing protection of water supply; providing for the jurisdiction of courts in the enforcement thereof; requiring the approval of the Attorney General for prosecutions thereunder; providing additional remedies for abating pollution of waters; imposing certain penalties; and repealing certain acts; authorizing the acquisition by purchase or condemnation, or otherwise, of easements and rights of ways; the acquisition or construction of pipes, conduits, drains or tunnels by the Sanitary Water Board; and providing for payment of the costs thereof by the Commonwealth; authorizing the Sanitary Water Board to establish standards of purity and to determine the time for compliance with certain provisions of the act in certain cases and making it unlawful to open, reopen or continue operation of any coal mine, or to change any approved drainage or disposal

plan without prior approval by the Sanitary Water Board," by increasing maximum time after notice for discontinuance of discharge or treatment of sewage or discharge of industrial waste.

Which was committed to the Committee on State Government.

Messrs. DENT and WALKER read in place and presented to the Chair Senate Bill No. 517, entitled:

An Act making it a felony for any person who, having been ordered by a court of competent jurisdiction to contribute to the support of his wife, children, or illegitimate children, or after an information has been made against him, for their support to wilfully leave or abscond from the jurisdiction of such court or from the Commonwealth for the purpose of avoiding compliance with such order or escaping prosecution after an information has been made, and providing penalties.

Which was committed to the Committee on Judiciary General.

Mr. DENT read in his place and presented to the Chair Senate Bill No. 518, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of the Westmoreland County Children's Aid Society, at Greensburg, Pennsylvania.

Which was committed to the Committee on Appropriations.

STATEMENT BY MAJORITY FLOOR LEADER

Mr. WALKER. Mr. President, I desire to make a brief statement.

Mr. President, I desire to advise the Chair that the two gentlemen who are attempting to serve the members of this Senate are now in the hall of the Senate, and I would respectfully request the Chair to advise anybody who is attempting to serve Members of this Senate on the floor of the Senate that the Sergeant-at-Arms will be instructed to escort them from the Chamber, if there is any attempt to serve Members of the Senate during this Session.

The PRESIDENT. The Chair would advise anyone who is undertaking to serve a process on the Members of the Senate to please refrain from attempting to do so. Otherwise, the Chair will have to instruct the Sergeant-at-Arms to eject them from the Chamber.

PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President, I recently received a communication from the offices of William C. Porter, Attorney-at-Law, Court Square Arcade Building, Washington, Pennsylvania, which I believe will be of considerable interest to the Members of this Senate. It goes on to say:

"Dear Senator:

"I represent the Borough of Marianna, which is faced with a situation that must be common to other small communities in the State and which I think ought to receive some attention at Harrisburg.

"As you know the provisions of the law which established the Sanitary Water Board make it possible to compel municipalities to construct sewage disposal plants in those cases where the present sewage facilities are such that streams may be polluted. The cost of such disposal

plant in Marianna would be enormous, many times the annual income of the borough, and would impose on the borough a financial burden that could not be paid off for a generation. Those who are responsible for the passage of these laws have been generally lauded in the press for their efforts to clean the streams of the state, and I think the general public's reaction has been that the pure streams law are an unmixed blessing. People do not seem to realize the tremendous financial burden they impose on small communities like Marianna which have no means to pay for them.

"Nevertheless the Sanitary Water Board brought pressure to bear on the borough council at Marianna and on other borough councils in other parts of the State and compelled them to employ engineers to draw plans and specifications for construction of expensive sewage disposal plants. In Marianna the cost of the plans alone will be more than \$5,000.00. An application had to be made to the Federal government for a loan to cover the costs and now we are faced with the difficulty that the Federal government will not approve the loan unless we can justify it on the basis of national defense needs.

"We are therefore caught between the requirements of the Sanitary Water Board which tells us that we must plan for the construction of sewage plants and the requirements of the Federal authorities who tell us that we may not borrow money for purposes not related to national defense.

"In the meantime we have employed and become obligated to an engineering firm, with the expectation that a loan would be made to us, which expectation was based on statements made by authorities of the Sanitary Water Board.

"I am submitting this matter to you in the hope that you may be able to focus attention on the plight of small communities like Marianna who are being compelled by a State law to undertake the construction of facilities which they cannot afford and do not actually need. Clean streams are desirable but I doubt if they are worth the cost that will have to be paid by the little boroughs and townships of the State, and few people realize what that cost would be. I think that certain politicians have been making political capital of the pure streams laws while keeping hidden from the public the fact that these laws require unreasonably excessive expenditures on the part of small municipalities who can least afford the luxuries that the pure stream laws entail.

"Very truly yours,

"WM. C. PORTER."

PERMISSION TO ADDRESS SENATE

Mr. BERGER asked and obtained unanimous consent to address the Senate.

Mr. BERGER. Mr. President, I believe that we on this side are very cognizant of the plight which many small communities find themselves in because of these Sanitary Water Board orders, and for the information of the gentleman from Washington, I might say that the bill just introduced today by Senator Wade and myself would tend to alleviate that to some extent.

PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President, I thank the distinguished Senator from Potter, Mr. Berger, for this information, and I want him to know that I for one, as a minority representative, will certainly support this legislation, and I hope we can get it passed pronto at this Session.

SENATE CONCURRENT RESOLUTION

TIME OF NEXT MEETING

Mr. McPHERSON, offered the following resolution, which was twice read, considered and agreed to:

In the Senate, April 16, 1951.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week it reconvene on Monday, April 23, 1951, at three o'clock, p. m., E.S.T.; and when the House of Representatives adjourns this week it reconvene on Monday, April 23, 1951, at four-thirty o'clock, p. m., E.S.T.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 77, as follows:

An Act to further amend Section 319 of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by providing for the proration of attorney's fees and expenses in subrogation cases
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 319 of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" as last amended by the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 671) is hereby further amended to read as follows

Section 319 Where the compensable injury is caused in whole or in part by the act or omission of a third party the employer shall be subrogated to the right of the employee his personal representative his estate or his dependents against such third party [for the balance of any sum recovered in litigation or paid in compromise settlement after subtraction of reasonable attorney's fees and other proper disbursements but only] to the extent of the compensation payable under this article by the employer reasonable attorney's fees and other proper disbursements incurred in any litigation or in effecting a compromise settlement shall be prorated between the employer and employee his personal representative his estate or his dependents Any recovery against such third person in excess of the employer Any recovery against such third person in excess of the compensation thereto-

fore paid by the employer shall be paid forthwith to the employe or to the dependents and shall be treated as an advance payment by the employer on account of any future instalments of compensation

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 77

Mr. WALKER. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 77.

Mr. SCARLETT. Mr. President, I second the motion. The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 318, on concurrence in House amendments, entitled:

An Act authorizing counties of the second and fourth classes to establish fire training schools for the paid and volunteer firemen of municipalities within the county.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

THIRD READING CALENDAR

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 99, on third reading, entitled:

An Act to improve and extend by reciprocal legislation the enforcement of duties of support and to make uniform the law with respect thereto

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 119, as follows:

An Act regulating the suspension removal furloughing and reinstatement of police officers in boroughs and townships of the first class having police forces of less than three members and in townships of the second class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 This act shall apply to each township of the second class to each borough and township of the first class having a police force of less than three members and not subject to sections one thousand one hundred sixty-five through one thousand one hundred ninety of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) known as "The Borough Code" and their amendments nor to sections six hundred twenty-five through six hundred fifty of the act approved the twenty-fourth day of June one thousand

nine hundred thirty-one (P. L. 1206) known as "The First Class Township Code" and their amendments

Section 2 Removals No person employed as a regular full time police officer in any police department of any township of the second class or any borough or township of the first class within the scope of this act shall be suspended or removed except for the following reasons (1) physical or mental disability affecting his ability to continue in service in which cases the person shall receive an honorable discharge from service (2) neglect or violation of any official duty (3) violating of any law of this Commonwealth which provides that such violation constitutes a misdemeanor or felony (4) inefficiency neglect intemperance disobedience of orders or conduct unbecoming an officer (5) intoxication while on duty A person so employed shall not be removed for religious racial or political reasons A written statement of any charges made against any person so employed shall be furnished to such person within five days after the same are filed

Section 3 Reduction in Number of Police If for reasons of economy or other reasons it shall be deemed necessary by any township of the second class or any borough or township of the first class within the scope of this act to reduce the number of paid employes of the police department then such political subdivision shall apply the following procedure (a) If there are any employes eligible for retirement under the terms of any retirement or pension law then such reduction in numbers shall be made by retirement if the party to be retired is sixty-five years of age or over (b) If the number of paid employes in the police force eligible to retirement is sufficient to effect the necessary reduction in number or if there are no persons eligible for retirement or if no retirement or pension fund exists then the reduction shall be effected by furloughing the man or men including probationers last appointed to said police force Such removal shall be accomplished by furloughing in numerical order commencing with the man last appointed until such reduction shall have been accomplished In the event the said police force shall again be increased the employes furloughed shall be reinstated in the order of their seniority in the service

Section 4 Hearings on Dismissals If the person sought to be suspended or removed shall demand a public hearing the demand shall be made to the appointing authority Such person may make written answers to any charges filed against him The appointing authority shall grant him a public hearing which shall be held within a period of ten days from the filing of charges in writing and written answers thereto filed within five days and may be continued by the appointing authority for cause or at the request of the accused At any such hearing the person against whom the charges are made may be present in person and by counsel The appointing authority may suspend any such person without pay pending the determination of the charges against him but in the event the appointing authority fails to uphold the charges then the person sought to be suspended or removed shall be reinstated with full pay for the period during which he was suspended and no charges shall be officially recorded against his record No order of suspension made by the appointing authority shall be for a longer period than one year

A written record of all testimony taken at such hearings shall be filed with and preserved by the appointing authority which record shall be sealed and not be available for public inspection in the event the charges are dismissed

Section 5 The suspended or dismissed employe shall have the right to appeal to the court of common pleas of the county in which he was employed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Bane,	Fleming,	McGinnis,	Snowden,
Barr,	Freed,	McMenamin,	Stevenson,
Barrett,	Haluska,	Meade,	Taylor,
Berger,	Hare,	Neff,	Toole,
Blass,	Kephart,	Pechan,	Wagner,
Byrne,	Lane,	Peelor,	Walker,
Chapman,	Leader,	Proper,	Watson,
Crowe,	Letzler,	Rosenfeld,	Wolfe,
Dent,	Mahanay,	Ruth,	Wood,
Diehm,	Mallery,	Scarlett,	Yosko,
DiSilvestro,	McCreesh,	Silvert,	

NAYS—7

Holland,	McPherson, Jr.	Stiefel,	Watkins,
Kessler,	Robinson,	Wade,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, at the request of the sponsor, I ask unanimous consent that Senate Bill No. 121, on third reading, entitled:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by authorizing the classification of real estate into buildings on land and land exclusive of the buildings for city assessment and tax-levying purposes at separate and different rates

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 126, as follows:

An Act to amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further regulating insurance companies associations and inter-insurance exchanges and their powers investments policy provisions joint policies premium tax returns the licensing of foreign companies and repealing existing law

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (1) of subsection (b) of section 202 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and con-

solidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as last amended by the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 904) is hereby further amended to read as follows

Section 202 Purposes for which companies may be incorporated underwriting powers

(b) * * * * *

(1) On dwelling houses stores and all kinds of buildings and household furniture and other property against loss or damage including loss of use or occupancy by fire smoke smudge lightning and explosion whether fire ensue or not except explosion on risks specified in paragraph (5) of subdivision (c) and by tornadoes cyclones windstorms earthquakes hail frost sleet snow or flood against loss or damage by water to any goods or premises arising from the breakage or leakage of sprinklers pumps or other apparatus erected for extinguishing fires and of water pipes against accidental injury to such sprinklers pumps or other apparatus Against loss or damage caused by the caving in of the surface of the earth above coal mines against perils to property arising from the ownership or maintenance or from the use of aircraft automobiles or other motor vehicles [and] against loss or damage caused by bombardment invasion insurrection riot civil war or commotion and military or usurped power and against damage to property as specified in this paragraph by any or all risks not herein specifically designated and to effect reinsurance of any risk provided for in this clause

Section 2 Said act is hereby amended by adding after section 317 a new section to read as follows

Section 317.1 Joint Policies Two or more insurance companies associations or exchanges authorized to transact the same kinds of insurance business in this Commonwealth may issue a combination policy using a distinctive title thereof which title shall follow the titles of the several companies associations or exchanges obligated thereby Such policy shall be executed by each such company association or exchange in the same manner as it would execute its individual policy Such policy shall state that it is a joint contract and that each company association or exchange is only liable for a specific percentage of any loss or damage occurring thereunder Before any such companies associations or exchanges shall issue such combination policy they shall receive the express permission of the Insurance Commissioner to issue the same and the title shall be approved by him

Section 3 Section 321 of said act as last amended by the act approved the twenty-fifth day of May one thousand nine hundred thirty-nine (P. L. 213) is hereby further amended to read as follows

Section 321 Additional Annual Reports from Foreign Companies and Associations Every stock or mutual insurance company association or exchange of another State or foreign government authorized to do business in this Commonwealth shall make report to the [Insurance Commissioner] Department of Revenue on or before March [first] fifteenth of each year under oath of its president secretary or attorney showing the gross premiums of every character and description received from business transacted in the Commonwealth during the year or fraction of year ending with the thirty-first day of December preceding whether said premiums were received in money or in the form of notes credits or any other substitute for money or whether the same were collected in this Commonwealth or elsewhere and to pay into the State Treasury the requisite tax upon all such premiums Such companies associations and exchanges in making such report may deduct from the gross premiums

received all the premiums return on policies canceled or not taken and all premiums actually received for re-insurances Stock companies with participating features in addition to the aforesaid deductions may deduct that portion of the premiums returned to the policyholders Life insurance companies may deduct dividends declared and actually used by policyholders in payment of renewal premiums and mutual companies associations and exchanges may deduct that proportion of the advance premium or deposit returned to members upon the expiration or termination of their contracts "Gross premiums" are defined to be the amount of dues fees and premiums stated in the policy contracts

Section 4 Section 405 of said act as added by the act approved the ninth day of May one thousand nine hundred forty-seven (P. L. 201) is hereby amended by adding thereto after clause (f) a new clause to read as follows

Section 405 Investment of Surplus and Balance of Reserve Subject to the provisions of section four hundred six point one any surplus funds and the balance of the reserves of any life insurance company organized under the laws of this Commonwealth may be invested in the following classes of investment

(g) Other Loans or Investments Loans or investments not qualifying or permitted under the preceding subsections of this section to an amount not exceeding in the aggregate five per cent (5%) of such company's admitted assets

Section 5 Clause (o) of section 406.1 as added by the act approved the ninth day of May one thousand nine hundred forty-seven (P. L. 201) is hereby amended and at the end of said section a new clause is hereby added to read as follows

Section 406.1 General Investment Provisions and Restrictions Investment under authority of section four hundred four or four hundred five and holding of real estate under authority of section four hundred six by any life insurance company organized under the laws of this Commonwealth shall be subject to the following provisions

(o) No security or investment of a class stated in [subsections] clauses (b) (c) (d) (e) [or] (f) or (g) of section four hundred five shall by this act be authorized or permitted for investment of reserve funds of any such company if at the date of investment its total investment in classes of investment stated in section four hundred four is less than its capital and three-fourths ($\frac{3}{4}$) of its reserves

(q) "Date of Investment" shall mean the date of commitment in the case of a commitment to invest

(r) [(q)] If any investment is made in a manner not authorized by this act the officers directors and trustees making or authorizing such investment shall be personally liable for any loss occasioned thereby

Section 6 Section 410 the first paragraph and clause (6) of subsection (a) and subsections (d) and (e) of section 410A as respectively amended and added by the act approved the first day of May one thousand nine hundred forty-five (P. L. 334) are hereby amended or further amended to read as follows

Section 410 Uniform Policy Provisions No policy of life or endowment insurance except policies of industrial insurance where the premiums are payable monthly or oftener shall hereafter be [issued or] delivered [by any stock or mutual life insurance company] in this Commonwealth unless it contains in substance the following provisions or provisions which in the opinion of the Insurance Commissioner are more favorable to the policyholder

(a) A provision that all premiums shall be payable in advance [either at the home office of the company or to an agent of the company upon delivery of a receipt signed by one or more of the officers of the company who shall be named in the policy]

(b) A provision that the insured is entitled to a grace either of thirty days or one month within which the payment of any premium after the first year may be made subject at the option of the company to an interest charge not in excess of six per centum per annum for the number of days of grace elapsing before the payment of the premium during which period of grace the policy shall continue in full force but in case the policy becomes a claim during the said period of grace before the overdue premium or the deferred premiums of the current policy year if any are paid the amount of such premiums with interest on any overdue premiums may be deducted in any settlement under the policy

(c) A provision that the policy shall be incontestable after it has been in force during the lifetime of the insured two years from its date of issue except for non-payment of premiums [and for engaging in military or naval service in time of war without the consent in writing of an executive officer of the company] and that at the option of the company provisions relative to disability benefits [in the event of total and permanent disability] and provisions which grant additional insurance specifically against death by accident or accidental means may also be excepted

(d) A provision that the policy shall constitute the entire contract between the parties but if the company desires to make the application a part of the contract it may do so provided a copy of such application shall be endorsed upon or attached to the policy when issued and in such case the policy shall contain a provision that the policy and the application therefor shall constitute the entire contract between the parties

(e) A provision that if the age of the insured or of any other person whose age is considered in determining the premium has been misstated the amount payable or benefit accruing under the policy shall be such as the premium would have purchased at the correct age or ages

(f) A provision that the policy shall participate in the surplus of the company and that beginning not later than the end of the third policy-year the company will annually determine the portion of the divisible surplus accruing on the policy and that the [owner of the policy] party entitled to elect such option shall have the right to have the dividend arising from such participation paid in cash or applied [to the payment of premium or the purchase of paid up additions to the policy as the policyholder] in accordance with any one of such other dividend options as may be provided by the policy [may elect] If any such other dividend options are provided the policy shall further state which option shall be automatically effective if such party shall not have elected some other option

In lieu of the foregoing provisions the policy may contain a provision that the policy shall participate in the surplus of the company and that beginning not later than the end of the fifth policy-year the company will determine the portion of the divisible surplus accruing on the policy and that the [owner of the policy] party entitled thereto shall have the right to have the current dividend arising from such participation paid in cash and that at periods of not more than five years thereafter such apportionment and payment at the option of [the policyholder] such party shall be had

Renewable term policies of ten years or less may provide that the surplus accruing to such policies shall be determined and apportioned each year after the second policy-year and accumulated during each renewal period and that at the end of any renewal period or renewal of the policy by the insured the company shall apply the accumulated surplus as an annuity for the next succeeding renewal term in the reduction of premiums

(g) A provision specifying the options if any to which the policyholder is entitled in the event of default in a premium payment

(h) A provision for a loan value at any time [while the policy is in force] after three full years' premiums

have been paid and while no premium is in default beyond the grace period for payment

(1) In the case of any policy issued prior to the operative date of section four hundred and ten A of this act (the Standard Nonforfeiture Law) it shall be provided that the company will advance on proper assignment or pledge of the policy and on the whole security thereof at a specified rate of interest a sum equal to or at the option of the owner of the policy less than the reserve at the end of the current policy year on the policy and on any dividend additions thereto less a sum not more than two and one-half per centum of the amount insured by the policy and of any dividend additions thereto and that the company will deduct from such loan value any existing indebtedness on the policy and any unpaid balance of the premium for the current policy-year and may collect interest in advance on the loan to the end of the current policy-year which provision may further provide that such loan may be deferred for not exceeding six months after the application therefor is made A company may in lieu of the provision hereinabove permitted for the deduction from a loan on the policy of a sum not more than two and one-half per centum of the amount insured by the policy and of any dividend additions thereto insert in the policy a provision that one-fifth of the entire reserve may be deducted in case of a loan under the policy or may provide therein that the deduction may be the said two and one-half per centum or the one-fifth of the said entire reserve at the option of the company

(2) In the case of any policy issued on or after the operative date of section four hundred and ten A of this act (the Standard Non-forfeiture Law) [it shall be provided] the loan provision shall provide that the company will advance on proper assignment or pledge of the policy and on the sole security thereof at a specified rate of interest a sum equal to or at the option of the [owner of the policy] party entitled thereto less than the cash surrender value at the end of the current policy year as required by section four hundred and ten A of this act and that the company [will] may deduct from such loan value (in addition to any indebtedness deducted in determining such value) any unpaid balance of the premium for the current policy year and may collect interest in advance on the loan to the end of the current policy year The company shall reserve the right to defer such loan except any made to pay premiums to the company for six months after application therefor is made This subsection (h) shall not apply to term insurance

(i) A provision for a non-forfeiture benefit and cash surrender value

(1) In the case of any policy issued prior to the operative date of section four hundred and ten A of this act (the Standard Non-forfeiture Law) a non-forfeiture benefit shall be provided in event of default in premium payments after premiums shall have been paid for three years which shall secure to the owner of the policy a stipulated form of insurance the net value of which shall be at least equal to the reserve at the date of default on the policy and on any dividend additions thereto specifying the mortality table and rate of interest adopted for computing such reserves less a sum not more than two and one-half per centum of the amount insured by the policy and of any existing dividend additions thereto and less any existing indebtedness to the company on the policy Such provision shall stipulate that the policy may be surrendered to the company at its home office within one month from date of default for a specified cash value at least equal to the sum which would otherwise be available for the purchase of insurance as aforesaid and may stipulate that the company may defer payment for not more than six (6) months after the application therefor is made This provision shall not be required in term insurance of twenty years or less

(2) In the case of any policy issued on or after the operative date of section four hundred and ten A of this act (the Standard Non-forfeiture Law) a non-forfeiture

benefit and cash surrender value shall be provided in accordance with said section

(j) table showing in figures the loan value if any and the options if any available under the policy each year upon default in premium payments during at least the first twenty years of the policy and if the proceeds of the policy are payable in installments [or as an annuity] which are determinable prior to maturity of the policy a table showing the amount of the [installment or annuity payment] guaranteed installments

(k) A provision that the holder of a policy shall be entitled to have the policy reinstated upon written application therefor at any time within three years from the date of default in premium payments unless the policy has been duly surrendered or the extension period expired upon the production of evidence of insurability satisfactory to the company and the payment of all overdue premiums and any other indebtedness to the company upon said policy with interest at the rate of not exceeding six per centum per annum compounded annually

(l) A provision that when a policy shall become a claim by the death of the insured settlement shall be made upon receipt of due proof of death

Any of the foregoing provisions or parts thereof not applicable to single premium or non-participating policies shall to that extent not be incorporated therein Provided however That the policies of an insurance company organized under the laws of any state or foreign government may contain when [issued] delivered in this Commonwealth any provision which may be prescribed by laws of the state or government under which the company is organized and the policies of a life insurance company organized under the laws of this Commonwealth may when [issued] delivered in any other state territory or foreign country contain any provision required by the laws of such state territory or foreign country to be contained in policies [issued] delivered therein A clause in any policy of life insurance providing that such policy shall be incontestable after a specified period shall preclude only a contest of the validity of the policy and shall not preclude the assertion at any time of defenses based upon provisions in the policy which exclude or restrict coverage whether or not such restrictions or exclusions are excepted in such clause

Section 410A Standard Non-Forfeiture Law (a) In the case of policies issued on or after the operative date of this section as defined in subsection (g) no policy of life insurance except as stated in subsection (f) shall be [issued or] delivered in this Commonwealth unless it shall contain in substance the following provisions or corresponding provisions which in the opinion of the Insurance Commissioner are at least as favorable to the defaulting or surrendering policyholder

* * * * *

(6) A statement of the method to be used in calculating the cash surrender value and the paid-up non-forfeiture benefit available under the policy on any policy anniversary [with] beyond the last anniversary for which such values and benefits are consecutively shown in the policy a statement that the cash surrender values and the paid-up non-forfeiture benefits available under the policy are not less than the minimum values and benefits required by or pursuant to any statute of the state in which the policy is delivered an explanation of the manner in which the cash surrender values and the paid-up non-forfeiture benefits are altered by the existence of any paid-up additions credited to the policy or any indebtedness to the company on the policy and if a detailed statement of the method of computation of the values and benefits shown in the policy is not stated therein a statement that such method of computation has been filed with the insurance supervisory official of the state in which the policy is delivered

Any of the foregoing provisions or portions thereof not applicable by reason of the plan of insurance may to the extent inapplicable be omitted from the policy

The company shall reserve the right to defer the payment of any cash surrender value for a period of six months after demand therefore with surrender of the policy

* * * * *

(d) The adjusted premiums for any policy shall be calculated on an annual basis and shall be such uniform percentage of the respective premiums specified in the policy for each policy year excluding any extra premiums charged because of impairments or special hazards that the present value at the date of issue of the policy of all such adjusted premiums shall be equal to the sum of (i) the then present value of the future guaranteed benefits provided for by the policy (ii) two per cent of the amount of insurance if the insurance be uniform in amount or of the equivalent uniform amount as herein-after defined if the amount of insurance varies with duration of the policy (iii) forty per cent of the adjusted premium for the first policy year (iv) twenty-five per cent of either the adjusted premium for the first policy year or the adjusted premium for a whole life policy of the same uniform or equivalent uniform amount with uniform premiums for the whole [of] life issued at the same age for the same amount of insurance whichever is less. Provided however That in applying the percentages specified in (iii) and (iv) above no adjusted premium shall be deemed to exceed four per cent (4%) of the amount of insurance or level amount equivalent thereto. The date of issue of a policy for the purpose of this subsection shall be the date as of which the rated age of the insured is determined.

In the case of a policy providing an amount of insurance varying with duration of the policy the equivalent [level] uniform amount thereof for the purpose of this subsection shall be deemed to be the level amount of insurance provided by an otherwise similar policy containing the same endowment benefit or benefits if any issued at the same age and for the same term the amount of which does not vary with duration and the benefits under which have the same present value at the [inception of the insurance] date of issue as the benefits under the policy. Provided however That in the case of a policy providing a varying amount of insurance issued on the life of a child under age ten the equivalent uniform amount may be computed as though the amount of insurance provided by the policy prior to the attainment of age ten were the amount provided by such policy at age ten.

All adjusted premiums and present values referred to in this section shall be calculated on the basis of the Commissioners 1941 Standard Ordinary Mortality Table for ordinary insurance and the 1941 Standard Industrial Mortality Table for industrial insurance and the rate of interest not exceeding three and one-half per centum (3½%) per annum specified in the policy for calculating cash surrender values and paid-up non-forfeiture benefits. Provided however That in calculating the present value of any paid-up term insurance with accompanying pure endowment if any offered as a non-forfeiture benefit the rates of mortality assumed may be not more than one hundred and thirty per centum (130%) of the rates of mortality according to such applicable table. Provided further That for insurance issued on a substandard basis the calculation of any such adjusted premiums and present values may be based on such other table of mortality as may be specified by the company and approved by the Insurance Commissioner.

(e) Any cash surrender value and any paid-up non-forfeiture benefit available under the policy in the event of default in a premium payment due at any time other than on the policy anniversary shall be calculated with allowance for the lapse of time and the payment of fractional premiums beyond [the last preceding policy anniversary] the beginning of the policy year in which the default occurs. All values referred to in subsections (b) (c) and (d) may be calculated upon the assumption that any death benefit is payable at the end of the policy year of death. The net value of any paid-up additions

other than paid-up term additions shall be not less than the dividends used to provide such additions. Notwithstanding the provisions of subsection (b) additional benefits payable (i) in the event of death or dismemberment by accident or accidental means (ii) in the event of total and permanent disability (iii) as reversionary annuity or deferred reversionary annuity benefits (iv) as [decreasing] term insurance benefits provided by a rider or supplemental policy provision to which if issued as a separate policy this section would not apply and (v) as other policy benefits additional to life insurance and endowment benefits and premiums for all such additional benefits shall be disregarded in ascertaining cash surrender values and non-forfeiture benefits required by this section and no such additional benefits shall be required to be included in any paid-up non-forfeiture benefits.

Section 7 The first paragraph and the last four paragraphs of Section 410 B of said act as added by the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1116) are hereby amended to read as follows:

Section 410 B Uniform Provisions for Contracts of Annuities and Pure Endowment Contracts [On and after January first one thousand nine hundred thirty-six no] No annuity or pure endowment contract shall be [issued or] delivered in this Commonwealth [by any stock or mutual life insurance company] except policies of industrial insurance where the premiums are payable monthly or oftener [unless and until a copy of the form thereof has been filed with the Insurance Commissioner and formally approved by him Except] and except in the case of a reversionary annuity otherwise called a survivorship annuity or an annuity contracted by an employer in behalf of his employees [no annuity or pure endowment contract shall be so issued or delivered in this Commonwealth] unless it contains in substance the following provisions:

* * * * *

Any of the foregoing provisions or portions thereof not applicable to nonparticipating contracts nor to contracts for which a single stipulated payment to the company is made shall to that extent not be incorporated therein and any such contract may be [issued or] delivered in this Commonwealth which in the opinion of the Insurance Commissioner contains provisions on any one or more of the several foregoing requirements more favorable to the holder of the contract than hereinbefore required.

Nothing herein contained shall be construed to prevent a life insurance corporation which issues life insurance on a participating basis from issuing annuities reversionary annuities or pure endowments on a non-participating basis.

Any such contract or any application endorsement or rider form used in connection therewith issued in violation of this section shall nevertheless be held valid but shall be construed as provided in this section and when any provision in such contract application endorsement or rider is in conflict with any provision of this section or with any other statutory provision the rights duties and obligations of the company of the holder of the contract and of the beneficiary or annuity thereunder shall be governed by the provisions of this section. The provisions of this section shall not apply to contracts of reinsurance nor to contracts for deferred annuities or reversionary annuities included in life insurance policies.

[For the purposes of this section application forms rider forms and endorsement forms for use in connection with any such contract excepting riders or endorsements relating to the manner of distribution of benefits or to the reservation of rights and benefits under any such contract and used at the request of the individual holders of such contracts shall be deemed to be parts of such contracts and shall require the approval of the Insurance Commissioner. No rider and no endorsement except as stated above shall be attached to or printed or stamped upon any such contract issued or delivered in this Commonwealth until the form of such rider or endorsement has

been filed with the Insurance Commissioner and formally approved by him]

Section 8 The first paragraph and clause (c) of Section 411 of said act as amended by the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1634) are hereby further amended to read as follows

Section 411 Prohibited Policy Provisions No policy of life insurance shall be [issued or] delivered in this Commonwealth [by any stock or mutual] life insurance company organized under the laws of any other State or country or be issued by any stock or mutual life insurance company organized under the laws of this Commonwealth except policies of industrial insurance where the premiums are payable monthly or oftener if it contain any of the following provision

(c) Any provision by which the policy shall purport to be issued or to take effect more than six months before the original application for the insurance was made [if thereby the assured would rate at an age younger than his age at date when the application was made according to his age at nearest birthday]

Section 9 Section 412 of said act is hereby amended to read as follows

Section 412 Application for Insurance Insurable Interest No policy [or agreement for insurance] of life insurance shall be [issued by any stock or mutual life insurance company] delivered in this Commonwealth except upon the application of the person insured A person liable for the support of a child may take out a policy of insurance on such child and persons copartnerships associations and corporations may insure the lives and health of officers directors principals partners and employes without the signing of a personal application as hereinbefore required Any person may insure his own life for the benefit of any person copartnership association or corporation but no person shall cause to be insured the life of another unless the beneficiary named in such policy or agreement of life insurance whether himself or a third person has an insurable interest in the life of the insured if a policy of life insurance has been issued in conformity with this section no transfer of such policy or any interest thereunder shall be invalid by reason of a lack of insurable interest of the transferee in the life of the insured or the payment of premiums thereafter by the transferee The term "insurable interest" is defined as meaning in the case of persons related by blood or law an interest engendered by love and affection and in the case of other persons a lawful economic interest in having the life of the insured continue as distinguished from an interest which would arise only by the death of the insured

Section 10 Section 420 of said act as amended by the act approved the sixth day of April one thousand nine hundred forty-five (P. L. 149) is hereby further amended to read as follows

Section 420 Exchange Alteration and Conversion of Policies Any life insurance company may at the request of a policyholder exchange alter or correct any policy of life or endowment insurance or annuity policy contract or any other policy benefits additional thereto issued by it for or into any policy [conforming (a)] which conforms with the laws in force [when the first mentioned policy was issued if the rewritten policy bears the date thereof or (b) with the laws in force when said exchange alteration or conversion is effected if the rewritten policy bears a then current date Provided however If such rewritten policy bears the date of said original policy] on the date of the original policy if the rewritten policy is by its terms made effective as of such date or which conforms with the laws in force on a subsequent date as of which the rewritten policy is by its terms made effective If the rewritten policy is made effective as of a date earlier than the date on which the exchange alteration or conversion occurs (a) the rewritten policy If evidence of insurability is required in conjunction with an exchange alteration, or conversion to a policy on a plan re-

quiring a lower premium rate or to a policy to which benefits or features are added differing from those in the original policy may provide that the date on which the exchange alteration or conversion occurs shall be used in determining the applicability of an incontestability clause in the rewritten policy to the right of the company to contest such exchange alteration or conversion or in determining the applicability of a clause in the rewritten policy limiting liability in the event of suicide of the insured and (b) the amount of insurance under said rewritten policy shall not exceed the amount of insurance under said original policy or the amount of insurance which the premium paid for the original policy would have purchased if the rewritten policy had been originally applied for whichever amount is the greater Nothing contained in section three hundred and forty-six or in clause (c) of section four hundred and eleven of this act shall be construed as prohibiting any such exchange alteration or conversion of policies as provided by this section

Section 11 Section 420C of said act as amended by the act approved the first day of May one thousand nine hundred forty-five (P. L. 334) is hereby further amended to read as follows

Section 420C Uniform Industrial Policy Provisions [From and after the first day of January nineteen hundred and thirty-eight no] No policy of industrial insurance shall be [issued or] delivered [to take effect] in this Commonwealth [or be issued by a life insurance company organized under the laws of this Commonwealth] unless the same shall contain in substance the following provisions

(a) A provision that the insured is entitled to a grace of four (4) weeks within which the payment of any premium after the first may be made except that where premiums are payable monthly the insured shall be entitled to a grace of one month or 30 days During such period of grace the policy shall continue in full force but in case the policy becomes a claim during said grace period before the overdue premiums are paid the amount of overdue premiums may be deducted in any settlement under the policy

(b) A provision that the policy shall constitute the entire contract between the parties but if the company desires to make the application a part of the contract it may do so provided a copy of such application shall be endorsed upon or attached to the policy when issued and in such case the policy shall contain a provision that the policy and the application therefor shall constitute the entire contract between the parties

(c) A provision that the policy shall be incontestable after it has been in force during the life-time of the insured two years from its date of issue except for nonpayment of premium [and except for violation of the conditions of the policy relating to naval or military service in time of war and except as to provisions and conditions] and that at the option of the company provisions relating to disability benefits [in the event of total and permanent disability] and those granting additional insurance specifically against death by accident or accidental means may also be excepted

(d) A provision that if the age of the insured or of any other person whose age is considered in determining the premium has been misstated the amount payable or benefit accruing under the policy shall be such as the premium would have purchased at the correct age or ages

(e) A provision that the policy shall participate in the surplus of the company and that the company will annually determine the portion of any divisible surplus accruing on the policy and indicating the conditions under which the company shall apportion such dividends to the policyholder or the party entitled thereto

(f) A provision for a non-forfeiture and cash surrender value

(1) In the case of any policy prior to the operative date of section four hundred and ten A of this act (the Standard Non-forfeiture Law) a non-forfeiture benefit shall be available in event of default in premium payments after premiums have been paid for three full years and shall be a stipulated form of insurance effective from the due

date of the defaulted premium the net value of which stipulated form of insurance shall not be less than the reserve on the policy (exclusive of reserves if any for provisions relating to benefits in the event of specific types of disability or provisions granting additional insurance specifically against death by accident and for provisions granting other benefits in addition to life insurance) at the end of the last completed quarter of the policy year for which premiums have been paid and on any dividend additions thereto if any (the policy to specify the mortality table and rate of interest and also the method of valuation if other than net level premium adopted for computing such reserves) less a specified maximum percentage (not more than two and one-half) of the maximum face amount insured by the policy and of dividend additions thereto if any and less any existing indebtedness to the company on or secured by the policy. Provided however That the said percentage or other rule of calculation so stated as to permit determination of the value shall be specified for each year for which required values are not included in the policy. And provided A company may in lieu of the provision herein permitted for the deduction from the reserve of a sum not more than two and one-half per centum of the maximum face amount insured by the policy and of any dividend additions thereto insert in the policy a provision that a deduction of one-fifth of said reserve may be made or said two and one-half per centum of the maximum face amount insured or one fifth of said reserve at the option of the company. Provided further That after premiums have been paid for five full years the policy may be surrendered to the company at its home office within four weeks of the due date of the defaulted premium for a specific cash value at least equal to the sum which would otherwise be available for the purchase of insurance as aforesaid. And provided further That the company may defer payment of such cash value for not more than six months after application therefor is made. In the event that such cash or other non-forfeiture value is not requested within the required period it shall be provided that a stipulated form of insurance shall automatically become effective.

(2) In the case of any policy issued on or after the operative date of section four hundred and ten A of this act (the Standard Non-forfeiture Law) a non-forfeiture benefit and cash surrender value shall be provided in accordance with said section.

(g) A table showing in figures the non-forfeiture options available under the policy at the end of each year upon default in premium payments during the premium payment period but not to exceed the first twenty (20) years of the policy and providing that the company will furnish upon request an extension of such table beyond the years shown in the policy.

(h) A provision that the policy if not surrendered for its cash value or if the period of extended insurance has not expired may be reinstated upon written application therefor within one year from the date of default in payment of premiums upon payment of all overdue premiums and the payment or reinstatement of any other indebtedness to the company upon said policy and at the option of the company interest thereon at a rate not to exceed six per centum per annum compounded annually and upon the presentation of evidence satisfactory to the company of the insurability of the insured.

(i) A provision that when a policy shall become a claim by the death of the insured settlement shall be made upon receipt of due proof of death.

(j) A form number and title on the face of the policy clearly and correctly describing its form.

Any such policy may be [issued or] delivered in this Commonwealth which in the opinion of the Insurance Commissioner contains provisions on any one or more of the several foregoing requirements more favorable to the policyholder than hereinbefore required. The policies of an insurance company organized under the laws of any other state or foreign government may contain when [issued] delivered in this Commonwealth any provision which may be prescribed by the laws of the state or gov-

ernment under which the company is organized not contrary to the provisions heretofore prescribed and the policies of a life insurance company organized under the laws of this Commonwealth when [issued] delivered in any other state territory or foreign country may contain any provision required by the laws of such state territory or foreign country to be contained in the policies [issued] delivered therein.

Any of the foregoing provisions or parts thereof not applicable to non-participating policies shall to that extent not be incorporated therein and the provisions of this section shall not apply to policies issued or granted pursuant to the non-forfeiture provisions prescribed in [subsection] clause (f) of this section. A clause in any policy of industrial life insurance providing that such policy shall be incontestable after a specified period shall preclude only a contest of the validity of the policy and shall not preclude the assertion at any time of defenses based upon provisions in the policy which exclude or restrict coverage whether or not such restrictions or exclusions are excepted in such clause.

Section 12 The first paragraph of Section 420D of said act as added by the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 769) is hereby amended to read as follows:

Section 420D Prohibited Industrial Policy Provisions [From and after the first day of January nineteen hundred and thirty-eight no] No policy of industrial life or industrial endowment insurance shall be [issued or] delivered [to take effect] in this Commonwealth [or be issued by a life insurance company organized under the laws of this Commonwealth] if it contains any of the following provisions:

Section 13 Section 518 of said act as amended by the act approved the twelfth day of May one thousand nine hundred twenty-five (P. L. 601) is hereby further amended to read as follows:

Section 518 Investment of Surplus Any money over and above the capital of any stock fire stock marine and stock fire and marine insurance company may be invested in the securities above enumerated or in the bonds or notes of any public instrumentality of this Commonwealth or of any other state territory or possession of the United States or of the District of Columbia or of any foreign country or political subdivision thereof or in the stock or other evidence of indebtedness of any solvent corporation created under the laws of [this Commonwealth or of any other State of the United States or the District of Columbia] any of said jurisdictions or loaned upon the pledge of the same except its own stock but [no such investments shall be hereafter made by such company in excess of five per centum of its gross assets in the stock of another insurance company if the latter has invested in or loaned its funds on the stock of the first investing company]. The total investments hereafter made by such company in stocks of other insurance companies which have invested in or loaned its funds on the stock of the first investing company shall not exceed five per centum of the gross assets of the first investing company nor shall the total investments hereafter made by such company in the stocks or other evidence of indebtedness of solvent corporations created under the laws of any foreign country or of any political subdivision thereof exceed ten per centum of the moneys of such company over and above its capital and the reserves which it is required to maintain under the laws of this Commonwealth. The current market value of such securities shall at the time of any loan thereon be at least twenty per centum (20%) more than the sum loaned thereon. No such insurance company shall invest any of its funds in any unincorporated business or enterprise nor in the stocks or evidence of indebtedness of any corporation the owners or holders of which stock or evidence of indebtedness may in any event be or become liable on account thereof to any assessment except for taxes nor shall any of its funds be loaned on personal security. Not more than one-fifth (1/5) of its capital shall be invested in a single mortgage. If any investment or loan is made in a manner not authorized by this act the officers and directors making or authorizing the same shall be personally liable for any loss occasioned thereby.

Section 14 Section 521 of said act is hereby repealed

Section 15 Subsections 1 and 2 of Section 522 of said act as amended by the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 307) are hereby repealed

Section 16 The first paragraph the title to the first page of standard fire policy the title to the second page of the standard fire policy and the entire third page of the standard fire policy in subsection 3 of Section 522 of said act as amended by the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 307) are hereby further amended to read as follows

Section 522 Fire Insurance Contract Standard Policy Provision Permissible Variations

* * * *

[3 The form of the standard fire insurance policy of the State] [of Pennsylvania to be issued by any stock fire insurance company shall be plainly printed and no portion thereof shall be in type smaller than seven (7) point the type used in printing the form on file in the office of the Insurance Commissioner and shall be as follows

First Page of Standard Fire Policy]

1 As used in this section the term "fire insurance" shall mean insurance against loss by fire lightning or removal as specified in paragraph (1) of subsection (b) of section two hundred two of this act as last amended by the act approved the second day of April one thousand nine hundred forty-nine (P. L. 620) and the term shall not include insurances of the kind specified in any other portion of that section amended as aforesaid whether or not the risks of fire lightning or removal be included

2 Except as provided elsewhere in this section no stock insurance company association or exchange shall issue a policy affording fire insurance as defined in this section on property in this Commonwealth unless such policy contains the following provisions as to such insurance

* * * *

[Second Page of Standard Fire Policy]

* * * *

There may be printed upon the face of a policy which contains such provisions the words "standard fire insurance policy of the State of Pennsylvania" and including the name of any other states which adopt this form of policy

3 The provisions of subsection two of this section shall not apply to policies of perpetual insurance policies of reinsurance policies of an all-risk type policies insuring aircraft automobile or other motor vehicles against loss by fire or policies insuring against loss by fire resulting directly or indirectly from bombardment invasion insurrection riot civil war commotion or military or usurped power or by order of civil authority

4 A policy affording fire insurance as defined in this section may subject to the approval of the commissioner as provided in section three hundred fifty-four of this act include any other insurances which the insurer is authorized to make and the wording set out in subsection two of this section may be modified in conformity with the provisions thereof or to accommodate additional property coverages and perils

5 Notwithstanding any other provisions of this section

(a) An insurer may print on its policy its name such device or devices as the insurer issuing said policy may desire the location of its principal office and the date of its formation plan of operation the amount of its paid up capital if any the name of its officers and agents the number and date of the policy and if it is issued through an agent the words "this policy shall not be valid unless countersigned by the duly authorized agent of the company at"

(b) An insurer may print in its policies any provisions which it is authorized or required by law to insert therein and an insurer not organized under the laws of this Commonwealth may with the approval of the Insurance Commissioner so print any provisions required by its charter or deed of settlement or by the laws of its own state or country not contrary to the laws of this Commonwealth

(c) An insurer may add either upon the face of the policy or on riders or endorsements to be attached thereto printed or written forms of description and specification or schedules of the property covered by any particular policy and any other matter necessary to express clearly all the facts and conditions of insurance on any particular risk any endorsements or riders so attached must be signed by officers or agents of the company so issuing them

(d) Binders or other contracts including temporary fire insurance as defined in this section may be made orally or in writing for a period which shall not exceed thirty days and shall be deemed to include all the provisions or clauses (a) and (b) of subsection two of this section and all such applicable endorsements approved by the insurance commissioner as may be designated in such contract of temporary insurance except that the cancellation clause and the clause thereof specifying the hour of the day at which the insurance shall commence may be provided by the express terms of such contract of temporary insurance

(e) Appropriate forms of supplemental contracts or extended coverage endorsements whereby the interest in the property described in a policy affording fire insurance as herein defined shall be insured against one or more of the other perils which the insurer is empowered to assume may be approved by the insurance commissioner and their use in connection with such fire insurance policy may be authorized by him a form of policy affording fire insurance as herein defined may be arranged to provide space for the listing of amounts of insurance with insurance rates and premiums for the basic coverage insured thereunder and for additional coverages or perils insured under endorsements attached and such other data as may be conveniently included for duplication on daily reports for office records

6 The form of policy including fire insurance as defined in this section upon property in this Commonwealth shall be plainly printed and no portion thereof shall be in type smaller than seven (7) point

[Third Page of Standard Fire Policy
Attach Form Below this Line
Back of Standard Fire Policy
(Optional)]

[Standard Fire Insurance Policy of the States of

Expires
Property
Assured]

[No
(Company)]

It is important that the written portion of all policies covering the same property read exactly alike If they do not they should be made uniform at once]

7 After the effective date of this amendment any stock company association or exchange may file with the Insurance Commissioner a written notice of its election to comply with the provisions of this section after a specified date upon which date this section shall become operative with respect to the policies and contracts thereafter issued by such company association or exchange Provided however That the operative date for every stock insurance company association or exchange shall not in any event be later than July first one thousand nine hundred fifty-two

Section 17 Section 354 of said act as last amended by the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 934) is hereby further amended to read as follows

Section 354 [Prohibiting the use of policies contracts etc unless approved] approval of policies contracts etc prohibiting the use thereof unless approved judicial review penalty it shall be unlawful for any insurance company

association or exchange doing business in this Commonwealth to issue sell or dispose of any policy contract or certificate covering life accident personal liability fire marine title and all forms of casualty insurance or contracts pertaining to pure endowments or annuities or any other contracts of insurance or use applications riders or endorsements in connection therewith until the forms of the same have been submitted to and formally approved by the Insurance Commissioner and copies filed in the insurance department except riders and endorsements relating to the manner of distribution of benefits and to the reservation of rights and benefits under any such policy and used at the request of the individual policyholder and except any forms which in the opinion of the insurance commissioner do not require his approval

Forms so filed Forms filed under the act approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1210) or any amendments thereof or filed under any other section of this law shall be deemed approved at the expiration of thirty (30) days after filing unless earlier approved or disapproved by the Insurance Commissioner The Insurance Commissioner by written notice to the insurer may within such thirty-day period extend the period for approval or disapproval for an additional thirty (30) days

Such approval [granted by the Insurance Commissioner] shall become void upon any subsequent notice of disapproval from the Insurance Commissioner or upon any subsequent withdrawal of license or refusal of the Insurance Commissioner to relicense any such company association or exchange or upon the subsequent passage of an act which would no longer make such contracts or related forms a fit subject for approval except that this provision shall not affect contracts issued prior thereto

Upon any disapproval the Insurance Commissioner shall notify the insurer in writing specifying the reason for such disapproval and within thirty (30) days from the date of mailing of such notice to the insurer such insurer may make written application to the Insurance Commissioner for a hearing thereon and such hearing shall be held within thirty (30) days after receipt of such application The procedure before the Insurance Commissioner shall be in accordance with the adjudication procedure set forth in the "Administrative Agency Law" and the insurer shall be entitled to the judicial review as provided for in said law

Any person corporation insurance company exchange order or society that shall either as principal or agent issue or cause to be issued any policy or contract of insurance within the Commonwealth contrary to this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars (\$500.00)

[The amendments to this] This section shall not be construed as extending the provisions of this section to domestic mutual fire insurance companies [not heretofore subject to the provisions hereof]

Upon satisfactory evidence of the violation of this section by any such person corporation insurance company exchange order or society the Insurance Commissioner may in his discretion pursue any one or more of the following courses of action (1) suspend or revoke the license of such offending person corporation insurance company exchange order or society (2) refuse for a period of not to exceed one year thereafter to issue a new license to such person corporation insurance company exchange order or society (3) impose a fine of not more than one thousand dollars (\$1,000.00) for each and every act in violation of this act When the Insurance Commissioner shall take action in any of the ways above recited the person corporation insurance company exchange order or society aggrieved may appeal therefrom to the court of common pleas of Dauphin county

Section 18 Subsection (b) of Section 531 of said act as last amended by the act approved the fourth day of April one thousand nine hundred thirty-five (P. L. 13) is hereby further amended to read as follows

Section 531 Licensing of Foreign Mutual Companies

(b) A mutual fire mutual marine or mutual fire and marine insurance company of another State which had not been originally licensed to transact business in this Com-

monwealth prior to and was not transacting business in this Commonwealth on June twenty-third one thousand nine hundred and thirty-one may be licensed and relicensed to transact the class of business mentioned in clause (1) subdivision (b) of section two hundred and two (202) of this act when it has a surplus over all liabilities including unearned premiums computed in accordance with the laws of this Commonwealth of not less than one hundred and fifty thousand dollars (\$150,000) If to transact the classes of business mentioned [in clauses (2) and (3) of subdivision (b) section two hundred and two (202) of this act its surplus over all liabilities must not be less than four hundred thousand dollars (\$400,000)] (i) in either clause (2) or clause (3) of said subdivision (b) when it has such a surplus of not less than two hundred thousand dollars (\$200,000) (ii) in said clause (1) and in either of said clauses (2) or (3) when it has such a surplus of not less than three hundred fifty thousand dollars (\$350,000) (iii) in both of said clauses (2) and (3) when it has such a surplus of not less than four hundred thousand dollars (\$400,000) and (v) in all of said clauses (1) (2) and (3) when it has such a surplus of not less than five hundred fifty thousand dollars (\$550,000)

Section 19 Section 602 of said act as last amended by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 986) is hereby further amended by adding thereto after clause (h) a new clause to read as follows

Section 602 Investment of Capital Every domestic stock casualty insurance company shall invest and keep invested in sound income-bearing securities all its capital and funds of every description excepting such as may be required in the transaction of its business and such as it may invest in real estate as hereinafter authorized The capital of every such company shall be invested as follows

* * * * *

(i) The Insurance Commissioner may permit any such company to invest sufficient of its reserves in the securities of a foreign government in order to enable it to comply with the laws of such foreign government and transact business therein

Section 20 Section 603 of said act as last amended by the act approved the tenth day of March one thousand nine hundred twenty-five (P. L. 30) is hereby further amended to read as follows

Section 603 Investment of Surplus Restrictions Any money over and above the capital of any such stock casualty insurance company may be invested in the securities above enumerated or loaned upon the security of the same or in the bonds or notes of any public instrumentality of this Commonwealth or of any other state territory or possession of the United States or of the District of Columbia or of any foreign country or political subdivision thereof or in the stock or other evidence of indebtedness of any solvent [dividend paying] corporation created under the laws of [this Commonwealth or of any other State of the United States] any of such jurisdictions or loaned upon the pledge of the same except its own stock [or the stock of any other insurance company transacting like classes of business] the total investments hereafter made by such company in stocks or other insurance companies which have invested in or loaned its funds on the stock of the first investing company shall not exceed five per centum of the gross assets of the first investing company nor shall the total investments hereafter made by such company in the stocks or other evidence of indebtedness of solvent corporations created under the laws of any foreign country or of any political subdivision thereof exceed ten per centum of the moneys of such company over and above its capital and the reserves which it is required to maintain under the laws of this Commonwealth The current market value of such securities at the time of any loan thereon shall be at least fifteen per centum (15%) more than the sum loaned thereon No such insurance company shall invest any of its funds in any unincorporated business or enterprise nor in the stock or evidence of in-

debtedness of any corporation the owners or holders of which stock or evidence of indebtedness may in any event be or become liable on account thereof to any assessment except for taxes nor shall any of its funds be loaned on personal security Not more than one-fifth (1/5) of its capital shall be invested in a single mortgage No such company shall enter into any agreement to withhold from sale any of its property but the disposition of its property shall be at all times within the control of its board of directors or trustees If any investment or loan is made in a manner not authorized by this act the officers and directors making or authorizing the same shall be personally liable for any loss occasioned thereby

Any such stock casualty insurance company may invest in the capital stock and obligation of a corporation or corporations formed for the purpose of taking and holding title to real estate and erecting or maintaining thereon a building or buildings to be used in whole or in part for the accommodation and transaction of the business of such insurance company without being subject to the limitation hereinbefore prescribed as to investment in the stock of a [dividend paying] solvent corporation but no such insurance company shall invest more than fifty per centum (50%) of its capital and surplus in the stock and other obligations of any such corporation or corporations nor acquire and hold any of the stock or other obligations of any such corporation or corporations if the total amount of the capital and other obligations of such corporation or corporations exceeds in the aggregate fifty per centum (50%) of the capital and surplus of such insurance company without the written approval of the Insurance Commissioner

Section 21 Section 409 of said act is hereby repealed

Section 22 Section 610 of said act as amended by the act approved the twenty-fourth day of May one thousand nine hundred thirty-three (P. L. 989) is hereby further amended to read as follows

Section 610 Foreign Companies Associations and Exchanges to Do Business through Resident Agents Other than companies subject to the provisions of section five hundred and one of this act no insurance company association or exchange not incorporated or organized under the laws of this Commonwealth but authorized to transact business herein shall make write place or cause to be made written or placed any policy or contract of insurance in this Commonwealth except through an agent whether an individual copartnership or corporation who or which is a resident of this Commonwealth or maintains his her or its principal place of business in this Commonwealth and who or which shall receive a commission thereon when the premium is paid to the end that the State may receive the taxes required by law to be paid on the premiums collected for insurance written or placed in this State Provided however That the Insurance Commissioner may under such regulations and restrictions as may be deemed necessary issue licenses to nonresident agents who are licensed in the State in which they reside but such agents shall not countersign any policy or contract of insurance but all such policies and contracts shall be signed only by resident agents who or which shall receive a commission thereon when the premium is paid Provided further that counter-signature shall not be required in the case of policies and contracts as defined in clause (1) of subdivision (a) of section two hundred two of this act issued by life insurance companies

Section 23 Clause (b) of Section 629 of said act as last amended by the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 678) is hereby further amended to read as follows

Section 629 Limitations

* * * * *

(b) Nothing in subdivision (b) of this article shall apply to nor in any way effect life insurance endowment or annuity contracts or contracts supplemental thereto which contain only such provisions relating to accident and health insurance as (a) provided additional benefits in case of death by accidental means and as (b) operate

to safeguard such contracts against lapse or to give a special surrender value or special benefit or an annuity in the event that the insured or annuitant shall become totally permanently disabled as defined by the contract or supplemental contract the Insurance Commissioner shall have power to make reasonable rules and regulations concerning such provisions [and contracts or supplemental contracts containing such provisions shall not be issued or delivered to any person in the Commonwealth unless and until a copy of the form thereof has been filed with the Insurance Commissioner in accordance with the provisions of section] [four hundred nine of an act approved May seventeen one thousand nine hundred and twenty-one (P. L. 682)]

Section 24 Clause (c) of Section 629 of said act which section was last amended by the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 678) is hereby repealed

Section 25 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill on third reading?

Mr. LANE. Mr. President, I would like to ask someone on the Majority side to explain these amendments to Senate Bill No. 126.

Mr. WALKER. Mr. President, I yield to the gentleman from Cumberland, Senator Wade.

The PRESIDENT. Will the gentleman from Cumberland, Mr. Wade, answer the inquiry of the gentleman from Washington, Mr. Lane?

Mr. WADE. Yes, Mr. President.

Mr. LANE. Mr. President, it is my understanding that there is an amendment in this bill, and I would like someone to explain it. It is my responsibility on this side, and I do not know much about this amendment. I would like to know a little bit about this piece of legislation.

Mr. WADE. Mr. President, am I correctly informed that Senator Lane would like an explanation of the bill?

Mr. LANE. Mr. President, it is my understanding that there is an amendment in this bill, and I want to know what the amendment does. There is a new amendment inserted, is there not?

Mr. WADE. The amendments, Mr. President, are very extensive and they are amendments to the insurance company law of the State of Pennsylvania. Now, I have a brief analysis here composed of some seven or eight pages that I should be very happy, indeed, to read to the Senator or let him read them for himself, but I want to assure you that the bill originates from a committee appointed by the Insurance Commissioner of the Commonwealth taking into consideration the opinions of all segments of the insurance industry. After a series of conferences they agreed upon this bill which is very comprehensive, and I want to say again that I have an explanation here of some eight or ten pages that I should be very glad to read to the Senator for the purpose of the record, or in private if he so wishes.

Mr. LANE. Mr. President, Senator Wade happens to be my insurance counselor, too, and I would like to ask him again if he believes that this bill is in perfect order and is beneficial to the population of this Commonwealth.

Mr. WADE. Mr. President, I firmly believe that the

bill as drawn now and as it has been amended on three different occasions twice in committee is in good order and adds valuable amendments, much needed amendments to protect the interests of the policyholders of the State of Pennsylvania. I feel that the bill should now be passed by the Senate.

Mr. LANE. Mr. President, I thank the gentleman from Cumberland, Senator Wade.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 172, as follows:

An Act to amend the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) entitled "An act relating to the practice procedure regulations and adjudications of departments departmental administrative boards and commissions independent administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof and preserving equitable jurisdiction in certain cases" by redefining "regulation" changing provisions governing promulgation of regulations imposing duties on the Department of State providing for judicial review of regulations requiring all appeals to be taken to the Superior Court and enumerating the agencies affected and the extent to which they are affected

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (e) of Section 2 of the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) entitled "An act relating to the practice procedure regulations and adjudications of departments departmental administrative boards and commissions independent administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof and preserving equitable jurisdiction in certain cases" is hereby amended to read as follows

Section 2 Definitions The following words and terms shall have the following meanings unless the context clearly indicates otherwise

* * * * *

(e) "Regulation" means any rule regulation or order in the nature of a rule or regulation [generally applic-

able to the public promulgated by an agency authorized by statute so to do but shall not be construed to include the name or facts of any adjudication giving rise to such regulation] of general application and future effect promulgated by an agency under statutory authority in the administration of any statute administered by or relating to the agency or prescribing the practice or procedure before such agency

Section 2 Section 21 of said act as amended by the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1367) is hereby further amended to read as follows

Section 21 Regulations [All regulations of any agency which are in effect on the effective date of this act or which shall be adopted thereafter shall have no effect unless they are printed and made available upon written request within thirty days after the date of adoption] All regulations of any agency which are in effect on the first day of December one thousand nine hundred fifty-one shall expire on the first day of January one thousand nine hundred fifty-two unless a copy thereof certified by the executive officer chairman or secretary of the agency is filed in the Department of State in such form and size as shall be prescribed by the Department of State prior to the first day of January one thousand nine hundred fifty-two Regulations adopted after the thirtieth day of November one thousand nine hundred fifty-one shall have no effect until a copy thereof certified by the executive officer chairman or secretary of the agency is filed in the Department of State in such form and size as shall be prescribed by the Department of State Printing of copies of regulations filed with the Department of State shall not be required All regulations shall be approved as to legality by the Department of Justice before they are filed in the Department of State but failure of the agency to submit a regulation for such approval shall not invalidate the regulation Copies of all regulations shall be made available by the adopting agency upon request

Section 3 Said act is hereby amended by adding after Section 21 thereof a new section to read as follows

Section 22 Permanent Record of Regulations The Department of State shall maintain a permanent record of all regulations filed with it Such record may be in the form of microfilm or other reproductions in which event the original certified and approved copies need not be retained The Department of State shall furnish certified copies of any regulation filed with it upon the payment of the charges made for certified copies of other records on file in the department The Department of State shall prepare and publish in such form and at such time or times as it shall determine an index of all regulations on file with it and periodic supplements thereto The Department of State shall have power to adopt and enforce rules governing the physical form and size of regulations to be filed with it and such other rules as it deems necessary in carrying out its functions under the provisions of this act but shall not require regulations to be printed

Section 4 Said act is hereby amended by adding after Section 35 thereof a new section to read as follows

Section 36 Notice to Department of Justice Before notice of any hearing leading to an adjudication is given the agency shall submit the matter to its representative in the Department of Justice who shall pass upon the legality of the proposed action or defense Failure of the agency to submit the matter to the Department of Justice shall not invalidate any adjudication

Section 5 Said act is hereby amended by adding immediately before Section 41 thereof a new section to read as follows

Section 40 Judicial Review of Regulations (a) The validity of any regulation other than rate-making wage-fixing and price-fixing regulations may be determined upon petition for a declaratory judgment thereon addressed to the Court of Common Pleas of Dauphin County when it appears that the regulation or its threatened application interferes with or impairs or threatens to

interfere with or impair the legal rights or privileges of the petitioner. The agency shall be made a party to the proceeding. The declaratory judgment may be rendered whether or not the petitioner has first requested the agency to pass upon the validity of the regulation in question.

(b) No regulation shall be declared invalid unless such regulation violates the Constitution of this Commonwealth or of the United States or does not come within the statutory authorization of the agency or was issued without observance of the procedure required by the applicable statutes or is arbitrary or capricious.

The agency or any party (including intervenors) affected by the judgment of said court may within thirty days of the filing of such judgment appeal therefrom to the Superior Court.

Judicial review of rate-making wage-fixing and price-fixing regulations shall be as provided in the particular statutes pertaining to such regulations.

Section 6 Section 45 of said act is hereby amended to read as follows:

Section 45 Appellate Review. The agency or any party affected by any decision of a court on the review of a regulation or an appeal from adjudication may within thirty days of the filing of such decision appeal to the Superior [or Supreme] Court [as in other cases].

Section 7 Said act is hereby amended by adding after Section 45 thereof a new section to read as follows:

Section 46 Final Adjudications Appeals Under Existing Law. The provisions of sections forty-one to forty-five shall not apply to any adjudication which under existing law (1) is final or (2) may be appealed to a court other than the Court of Common Pleas of Dauphin County.

Section 8 Section 51 of said act is hereby amended to read as follows:

[Exemptions]

Section 51 (a) None of the provisions of this act except sections twenty-one to twenty-three inclusive shall apply to proceedings before the Department of Revenue Auditor General Board of Finance and [Avenue or Secretary of the Commonwealth involving the original settlement resettlement review or refund of taxes bonus interest or payments made into the State Treasury or judicial review of such proceedings. The provisions of sections thirty-one to forty-five inclusive shall not apply to adjudication of an agency from which an appeal to a court is provided by another statute or to adjudication of an agency whose adjudication is provided by another statute as final.

(b) Sections forty-one to forty-five inclusive of this act shall not apply to the adjudications of the Banking Board or of the Building and Loan Board.

(c) This act shall not apply to actions of the Secretary of Banking in the taking possession and liquidation of banking institutions and building and loan associations or to actions of the Insurance Commissioner in the taking possession and liquidation of insurance companies.

Application of Act

Section 51 (a) Except as provided in section forty-six hereof all of the provisions of this act shall apply to the following agencies: (1) Department of Agriculture (2) Department of State (except election cases and except proceedings involving the original settlement resettlement review or refund to bonus interests or payments made into the State Treasury) (3) Insurance Department (4) Department of Public Instruction in so far as relates to its powers and duties in the issuance of licenses to barbers (5) Board of Property (6) State Council of Education (7) State Board of Censors (8) State Board of Medical Education and Licensure (9) State Board of Pharmacy (10) State Dental Council and Examining Board (11) State Board of Optometrical Examiners (12) State Board of Osteopathic Examiners (13) Osteopathic Surgeons' Examining Board (14) State Board of Examiners for the Registration of Nurses (15) State Board of Veterinary

Medical Examiners (16) State Board of Examiners of Architects (17) State Registration Board of Professional Engineers (18) State Real Estate Commission (19) State Board of Examiners of Public Accountants (20) State Board of Private Business Schools (21) State Board of Private Academic Schools (22) State Board of Private Correspondence Schools (23) State Board of Private Trade Schools (24) State Board of Cosmetology (25) State Board of Chiropractic Examiners (26) Pennsylvania Securities Commission (27) State Soil Conservation Commission (28) Water and Power Resources Board (29) Flood Control Commission (30) Anthracite Mine Inspectors' Examining Board (31) Mine Inspectors' Examining Board for the Bituminous Coal Mines (32) Pennsylvania Parkway Commission (33) Sanitary Water Board (34) State Board of Undertakers (35) State Workmen's Insurance Board (36) Industrial Board (37) State Board of Vocational Rehabilitation (38) State Welfare Commission (39) State Athletic Commission (40) State Board of Public Assistance (41) Pennsylvania Aeronautics Commission (42) State Planning Board (43) State Civil Service Commission (44) State Tax Equalization Board (45) Unemployment Compensation Board of Review (46) State Employees' Retirement Board and to any other agency which has been made subject to the provisions of this act by any other act of Assembly.

(b) Only sections twenty-one and thirty-one to thirty-five inclusive of this act shall apply to the Banking Board, the Building and Loan Board and the Board of Arbitration of Claims.

(c) Only section twenty-one of this act shall apply to agencies of the Commonwealth not enumerated in subsections (a) or (b) of this section. Such agencies shall not be required to have their regulations approved by the Department of Justice.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stevenson.
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 176, on third reading, entitled:

A Supplement to the act approved the twelfth day of June, one thousand nine hundred thirty-one (P. L. 575), entitled "An act providing for joint action by Pennsylvania and New Jersey in the development of the ports on the lower Delaware River, and the improvement of the

facilities for transportation across the river; authorizing the Governor, for these purposes, to enter into an agreement with New Jersey; creating The Delaware River Joint Commission and specifying the powers and duties thereof, including the power to finance projects by the issuance of revenue bonds; transferring to the new commission all the powers of the Delaware River Bridge Joint Commission; and making an appropriation," authorizing the Governor on behalf of the Commonwealth of Pennsylvania to enter into a supplemental compact or agreement with the State of New Jersey amending Articles I, II, IV, XI and XII of, and adding Article XIII, to the compact and agreement between the Commonwealth of Pennsylvania and the State of New Jersey, authorized and made pursuant to the act herein supplemented, by changing the name of The Delaware River Joint Commission to The Delaware River Port Authority, and the method of appointment of commissioners; removing the present Pennsylvania members of the commission, extending the jurisdiction, powers and duties of the Delaware River Port Authority and defining such additional jurisdiction, powers and duties; to take effect upon the enactment of substantially similar legislation by the State of New Jersey embodying the supplemental agreement between the two States in this act set forth and authorizing the Governor to apply on behalf of the Commonwealth to the Congress of the United States for its consent thereto.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 188, as follows:

An Act relating to the admissibility in evidence and the proof of official records documents and proceedings both domestic and foreign and of copies thereof and extracts therefrom and certificates in reference thereto The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Federal Official Records Admissibility A book of records regularly kept by any public officer of the United States when acting under any law or regulation or other authority is admissible to evidence any matter recorded therein and pertaining to the duties of the office

Section 2 State Official Records Admissibility A book of records regularly kept by any public officer in this State or another state or a territory or other jurisdiction of the United States or any governmental subdivision thereof when acting under any law or regulation or other authority is admissible to evidence any matter recorded therein and pertaining to the duties of the office

Section 3 Foreign Official Records Admissibility A book of records regularly kept by any public officer in a foreign state recognized by the United States Department of State or in any dominion or colony or other possession thereof when acting under any law or regulation or other authority is admissible to evidence any matter recorded therein and pertaining to the duties of the office

Section 4 Federal Miscellaneous Documents Certified Copies of Official Records Authentication A book of records made by any public officer of the United States and kept in a public office when itself relevant and admissible for any purpose may be evidenced without producing the original by a copy certified by the officer or his deputy having lawful custody thereof under the seal of the office if there be a seal or if not then under the seal of the United States court of the district in which the office is located

Section 5 Federal Records Attested Copies Under Seal Certified The records and judicial proceedings of any court of the United States may be evidenced by a copy

attested by the clerk of the court with the seal of the court annexed together with a certificate of the judge chief justice or presiding magistrate that the attestation is in due form

Section 6 State Legislative Records Certified Copies The proceedings and acts of the Legislature of any state or territory or the legislative body of any other jurisdiction of the United States may be evidenced without producing the original by a copy certified by the officer having lawful custody thereof under the seal of the state or other jurisdiction

Section 7 State Judicial Records Attested Copies Under Seal Certificates The records and judicial proceedings of a court of record of this State or any other state or a territory or other jurisdiction of the United States may be evidenced without producing the original by a copy attested by the clerk of the court with the seal of the court annexed and when the record is without this State then with a certificate annexed of the judge chief justice or presiding magistrate that the attestation is in due form

Section 8 State Miscellaneous Official Records How Admissible (a) The records kept in any public office of this State or any other state or a territory or other jurisdiction of the United States not appertaining to a court may be evidenced by a copy attested by the keeper of the record with the seal of his office annexed if there be a seal

(b) If the office be without this State then shall also be annexed a certificate of the presiding justice of the court of the county or district or parish in which such office may be kept or of the governor or secretary of state or chancellor or keeper of the seal of the state or territory or other jurisdiction that the attestation is in due form and by the proper officer If the certificate is given by the presiding justice of a court it shall be further authenticated by the clerk or prothonotary of the court who shall certify under his hand and seal of his office that the said presiding justice is duly commissioned and qualified or if the certificate is given by the governor or secretary or chancellor or keeper of the great seal it shall be under the great seal of the state or territory or other jurisdiction in which it is made

Section 9 Foreign Legislative and Executive Records Certified Copies The proceedings and acts of the legislature or of the executive in any foreign state recognized by the United States Department of State or in any dominion or colony or other possession thereof may be evidenced by a copy certified by the lawful custodian thereof under the great seal of the state or other government of which the legislature or the executive is a part

Section 10 Foreign Judicial Records Certified Copies under Seal Certificates The records of any court in a foreign state recognized by the United States Department of State or in any dominion or colony or other possession thereof may be evidenced by a copy certified by the lawful custodian thereof under seal of the court together with a certificate by a judge of the court that the attestation is in due form followed by a certificate of a diplomatic or a consular officer of the United States under the seal of his office that the person certifying is the lawful custodian of the records of such court or by a certificate to the same effect by the officer having custody of the great seal of the state or other government under which the court is held with that seal annexed

Section 11 Foreign Miscellaneous Official Records Certified Copies under Seal Certificates The records not appertaining to a court kept in any public office of a foreign state recognized by the United States Department of State or of any dominion or colony or other possession thereof or of any governmental subdivision thereof may be evidenced by a copy certified by the lawful custodian thereof under the seal of his office together with a certificate by a diplomatic or a consular officer of the United States under seal of his office that the person certifying is the lawful custodian of such records or by a certificate to the same effect by the officer having custody of the great seal of the state or other government in which the office is located with that seal annexed

Section 12 Entries or Extracts of Records A copy certified as in sections four to eleven above of one or more entries or other separable parts of such a book of records is admissible if it purports to contain all of that part of the record that is relevant to the purpose for which it is offered

Section 13 Entries Lacking in Records A certificate made by any of the foregoing officers as provided in sections four to eleven stating after diligent search no records or entry of a specified tenor is found to exist in the records or files of his office is admissible

Section 14 Federal and State Documents Filed in Public Office Certified Copies Original A copy of a document not being a conveyance of title or other interest in property required or allowed by law to be filed in a public office of the United States or of this State or any other state or a territory or other jurisdiction of the United States is admissible to evidence the original when certified by the lawful custodian of the records of that office under seal of office Provided That in any case the court may on request of a party order the production of the original document for any purpose

Section 15 Official Certificates of Returns Copies Authentication A certificate or return required by law or regulation to be made and filed by any officer of the United States or of this State or any other state or a territory or other jurisdiction of the United States having duties of administration or inspection or supervision stating that in the course of his duty he has personally done or observed a matter is admissible as well as a copy thereof if authenticated as provided in section eight

Section 16 Federal Official Documents Federal Register Printed Copies The official records and other documents being enactments or regulations or decisions or rulings or proceedings or reports or other official acts of Congress or any Federal executive department or subdivision therein or of any Federal court or commission or board or agency or public institution may be evidenced by the Federal Register or by a printed book or pamphlet or periodical purporting to be published by the Government Printing Office by authority

Section 17 State Official Documents Printed Copies The official records and other documents being enactments or regulations or decisions or rulings or proceedings or reports or other official acts of the legislative or executive or judicial branch of the government of this State or of any other state or a territory or other jurisdiction of the United States or of any court or commission or board or agency or public institution thereof may be evidenced by a printed book or pamphlet or periodical purporting to be printed by authority

Section 18 Foreign Official Documents Printed Copies The official records and other documents being codes or statutes or judicial decisions or official acts of heads of executive departments in any foreign government recognized by the United States Department of State or any dominion or colony or possession thereof may be evidenced by a printed book or pamphlet or periodical purporting to be published by authority

Section 19 Unofficially Printed Judicial Opinions and Laws The judicial opinions of the Supreme Court of any state or territory or other jurisdiction of the United States and the legislative act and resolutions thereof may be evidenced by a printed book proved to be commonly admitted as evidence in the courts of that jurisdiction

Section 20 Repeal All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Snowden,
Barr,	Hare,	McPherson, Jr.	Stevenson,
Barrett,	Holland,	Meade,	Taylor,
Berger,	Kephart,	Neff,	Toole,
Blass,	Kessler,	Pechan,	Wade,
Byrne,	Lane,	Peelor,	Wagner,
Chapman,	Leader,	Probert,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,
Dent,	Mahanay,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Scarlett,	Wood,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,			

NAYS—1

Stiefel,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 247, as follows:

An Act to amend the title and the act approved the sixth day of April one thousand nine hundred forty-five (P. L. 164) entitled "An act authorizing and empowering minors seventeen years of age or older to contract for and to make loans in accordance with the provisions of the act of Congress known as the "Servicemen's Readjustment Act of 1944" or any agency of the Commonwealth hereafter created and saving and relieving the parents guardians and trustees of such minors from any liability therefor unless joining therein" by extending the provisions thereof to include certain adults and empowering the minor spouses of such persons to join in the execution of certain contracts and validating the actions of minor spouses of such adults in heretofore joining in the execution of any such contracts under certain conditions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the sixth day of April one thousand nine hundred forty-five (P. L. 164) entitled "An act authorizing and empowering minors seventeen years of age or older to contract for and to make loans in accordance with the provisions of the act of Congress known as the "Servicemen's Readjustment Act of 1944" or any agency of the Commonwealth hereafter created and saving and relieving the parents guardians and trustees of such minors from any liability therefor unless therein" is hereby amended to read as follows.

AN ACT

Authorizing and empowering certain persons including minors seventeen years of age or older to contract for and to make loans in accordance with the provisions of the act of Congress known as the "Servicemen's Readjustment Act of 1944" or any agency of the Commonwealth hereafter created and the minor spouses of such persons to join in the execution of Such contracts prohibiting the disaffirmance of such contracts on the grounds of minority and saving and relieving the parents guardians and trustees of such minors from any liability therefor unless joining therein

Section 2 Section 1 of said act amended by the act approved the twenty-eighth day of June one thousand nine hundred forty-seven (P. L. 1096) is hereby further amended to read as follows.

Section 1 Any person including a minor who is at least seventeen years of age [and] who is eligible for guaranty or insurance of a loan pursuant to the act of Congress known as the "Servicemen's Readjustment Act of 1944" as amended and supplemented is hereby authorized and

empowered notwithstanding such minority if it exists to enter into any contract in this Commonwealth for any loan or loans guaranteed by the United States or any agency in accordance with the provisions of said act of Congress as amended and supplemented and the rules and regulations promulgated from time to time pursuant thereto or any agency of the Commonwealth hereafter created and [such minor] any such person is also authorized and empowered to execute and acknowledge all documents deeds mortgages and other or similar papers of any such [minor] persons irrespective of age is hereby authorized and empowered notwithstanding such minority to join in the execution of any such contract In the event such a [minor] person obtains such a loan or loans neither he nor his minor spouse despite any law or decision of any court to the contrary shall be permitted to avoid the contract of such loan or loans because of his or her age nor shall he or she be permitted to interpose the defense that he or she is a minor in any action or actions based upon such contract or contracts or arising out of any loan or loans authorized herein nor shall the parent or parents or guardian or guardians or trustee or trustees of any such minor be liable in any way whatsoever because of or on account of such contract or contracts or loans which may be entered into or joined in by such minor pursuant hereto unless expressly a party thereto

Section 3 Whenever heretofore any minor spouse of any person eligible for guaranty of insurance of a loan pursuant to the act of Congress known as the "Service-men's Readjustment Act of 1944" and its amendments and supplements has joined in the execution of any such contract loan or other papers necessary and incidents thereto such joinder is hereby validated for all purposes subject to the prohibition that no such contract or loan may be avoided nor may the defense of minority be interposed as a defense in any action based on any such contract or arising out of any such loan.

Section 4 The provisions of this act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stevenson.
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Proper,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahanay,	Ruth,	Watson,
Diehm,	Mallory,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMENDED

Mr. WALKER. Mr. President, I move that Senate Bill No. 303, on third reading, entitled:

An Act relating to the apportionment of estate taxes and providing procedure for enforcement of contribution or exoneration

be recommitted to the Committee on Judiciary General, and may I say for the information of the Members of the Senate, I have been advised that the Department of Revenue is preparing a similar statute, and we would like to have the opportunity of checking their best thoughts on the subject with the best thoughts that have been produced up to this minute, as represented by Senate Bill No. 303.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 306, as follows:

An Act to further amend section I and to amend section 5 of the act approved the twentieth day of May one thousand nine hundred thirty-seven (P. L. 728) entitled "An act providing for the creation of a Board of Arbitration of Claims arising from contracts with the Commonwealth providing for and regulating the procedure in prosecuting claims before such board defining the powers of the board and fixing the compensation of members and employes thereof providing that the awards of such board shall be final providing for the payment of awards and authorizing an appropriation" by increasing per diem wage of members of the board allowing such members maintenance and traveling expenses permitting hearings at such places within the Commonwealth as the board shall determine

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the twentieth day of May one thousand nine hundred thirty-seven (P. L. 728) entitled "An act providing for the creating of a Board of Arbitration of Claims arising from contracts with the Commonwealth providing for and regulating the procedure in prosecuting claims before such board defining the powers of the board and fixing the compensation of members and employes thereof providing that the awards of such board shall be final providing for the payment of awards and authorizing an appropriation" as amended by the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1081) is hereby further amended to read as follows

Section 1 Be it enacted &c That there is hereby created a departmental administrative board in the Department of the Auditor General known as the Board of Arbitration of Claims the duty of which shall be to arbitrate claims against the Commonwealth arising from contracts entered into by the Commonwealth Such board shall consist of three members appointed by the Governor one of whom shall be learned in the law and shall be chairman of the board another of whom shall be a registered civil engineer The third member of the board shall be a citizen and resident of the Commonwealth not learned in the law or an engineer Two members of the board shall constitute a quorum The members shall be appointed for terms of two four and six years and shall serve until their respective successors shall be duly appointed and qualified Their successors shall each be appointed for a term of six years In the event any member shall die or resign during his term of office the Governor shall appoint a successor who shall hold office for such unexpired term Each member of the board shall receive [thirty-five] fifty dollars per diem for each day of eight hours actually employed in his duty as a member of the board and in proportion for part day service and shall also be entitled to expenses while engaged in the performance of his official duties said expenses to include mileage at the rate of five cents per mile for each mile actually traveled from the residence of each member to the place of hearing and return together with subsistence at the rate of fifteen dollars per day while at

the place of hearing which compensation and expenses shall be deemed costs of the proceedings hereunder

Section 2 Section 5 of said act is hereby amended to read as follows

Section 5 The board shall hold hearings [at the Capitol in Harrisburg] at such place and time as the board shall determine within the Commonwealth of Pennsylvania When cases are at issue as is hereinafter provided the secretary of the board shall list such cases for hearing at the earliest available date and shall cause to be served upon the claimants in such cases thirty days written notice setting forth the time and place of such hearing

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stevenson.
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered. That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 329, as follows:

An Act to amend Section 3 of the act approved the twenty-eighth day of May one thousand nine hundred thirty-one (P. L. 202) entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream artificial or natural body of water or non-tidal waters of any river within the Commonwealth conferring powers and imposing duties on certain police officers and the Board of Fish Commissioners including the enforcement of certain existing laws and prescribing penalties" by directing the Department of Revenue to authorize local agents which may be county officers to issue motor boat licenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 3 of the act approved the twenty-eighth day of May one thousand nine hundred thirty-one (P. L. 202) entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream artificial or natural body of water or non-tidal waters of any river within the Commonwealth conferring powers and imposing duties on certain police officers and the Board of Fish Commissioners including the enforcement of certain existing laws and prescribing penalties" as amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1984) is hereby further amended to read as follows

Section 3 Any person owning a motor boat and desiring to operate or navigate the boat or cause it to be operated or navigated on any inland water shall make a written application to the Department of Revenue or to any local

agent authorized by the department for a license for such boat Such application shall be made on a form prescribed prepared and furnished by the Department of Revenue and together with such other information as the Department of Revenue may require shall state

(a) The name and address of the applicant and if the applicant is a partnership the names and addresses of all the partners and if the applicant is a corporation the names and addresses of the officers

(b) The size seating or other capacity gross weight and type of the boat

(c) The type number of cylinders the horse power and maximum speed of the motor and the type of muffler or under-water exhaust used in connection with such motor

(d) The engine number of the motor which propels the boat

Upon receipt of an application and upon the payment of a license fee of one dollar for each cylinder of the motor built in or attached to the boat or a fee of two dollars in the case of electrically propelled boat the Department of Revenue or its local agent shall issue to the applicant owner a license for his boat together with duplicate metallic license plates which plates shall contain a serial number corresponding with the number on the license issued to the owner and shall be displayed conspicuously at all times one or each side of the bow of the boat Such license plates shall be used only on the boat the engine of which bears the number set forth in the application

The Department of Revenue shall authorize at least one local agent in each county of the Commonwealth local agents shall be furnished with the materials and equipment necessary to issue licenses at the time of application and shall be paid such compensation as the Secretary of Revenue shall determine The Department of Revenue may authorize any county officer to act as its local agent for the issuance of licenses

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stevenson.
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered. That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 365, entitled:

An Act to further amend the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporation; conferring certain rights, powers, duties, and immunities upon them and their officers and

shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by permitting the Department of State to copy and destroy or return certain documents; permitting directors to fill vacancies in the board of directors resulting from an increase in the number of directors; deleting certain requirements as to the appointment, compensation and duties of agents; providing that meetings of shareholders at which directors are to be elected may be adjourned for periods of fifteen days each; fixing the method of cumulative voting in cases where directors are elected separately by the holders of different classes of shares; providing that courts having jurisdiction over trustees who are evenly divided as to how shares shall be voted may direct the voting of such shares; deleting requirements as to the voting of shares of foreign corporations owned by other corporations; providing that articles of incorporation may be amended to eliminate the preemptive rights of shareholders, and providing for the purchase of and payment for shares of any shareholders who dissent therefrom; specifying cases of merger or consolidation of which sixty days' notice to shareholders must be given; providing that shareholders of a parent corporation shall have no right to dissent from a merger or consolidation of such parent and one or more wholly-owned subsidiaries thereof, provided the state of incorporation and relative rights and preferences of the shareholders of the parent corporation are not changed thereby; providing that foreign corporations which shall have done business in Pennsylvania without procuring a certificate of authority to do so shall be conclusively presumed to have appointed the Secretary of the Commonwealth their agent to accept service of process in cases arising out of acts of omissions of such corporation in the Commonwealth, and specifying the duties of the Secretary upon receipt of such process.

And said bill having been read at length the third time,
And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill on third reading?

Mr. DENT. Mr. President, I desire to interrogate the sponsor of the act.

The PRESIDENT. Will the gentleman from Allegheny, Mr. Walker, permit himself to be interrogated?

Mr. WALKER. I have no objection, Mr. President.

Mr. DENT. Mr. President, in reading the bill—I may be wrong and therefore I want to be corrected if I am wrong—I think that under this piece of legislation, at least as I read it, a minority group could at a directors' meeting add enough directors to a corporation to take over the management of that corporation against the wishes of the majority members of the corporation's board of directors.

Mr. WALKER. Well, Mr. President, I might say to the gentleman from Westmoreland, this bill has been rather thoroughly discussed at several meetings of the State Bar Association, and just today I discussed the bill with a former distinguished member of this Senate who is somewhat interested in corporations and corporate practices.

Mr. President, the bill sets forth several amendments

to the corporate code and the minor portions of the amendments deal in a great measure with the permission granted to the Department of State to accept petitions for filing of corporations, whether they be domestic or foreign corporations, copying the petition and the papers and the letters patent, returning the originals to the company and keeping copies on file. The letters, of course, extend the microfilming privileges to the Department of State. The specific portion of the bill which is suggested by the Senator's question, I think, appears on page 9 of the bill, beginning with line 3.

Mr. President, under the corporation code at the present time, and I know that the gentleman will bear with me, because I am dealing strictly with a left-handed memory—I do not have a copy of the code before me—but I am sure the members of the bar, especially those city practitioners who carry all this stuff in their heads, will be able to correct me if I am in error, but under the code at the present time vacancies on the board of directors are filled by a majority of the remaining members of the board, and even though there is less than a quorum present, under the present code the members of the board so remaining can fill the vacancies on the board.

Now, Mr. President, in the illustration that was used by our distinguished friend in discussing this matter with him awhile ago, it is true that where you had a membership of five directors and three of them would be eliminated for one reason or the other, the other two, under the code today, could fill the balance of the board, so that in reality a minority of the board of directors would be completing the board and, therefore, a minority of the board under the corporate code today, Mr. President, could control the board. That is the law today.

Mr. President, this particular bill extends that permission to fill the vacancies in memberships on the board of directors which are created, not because of vacancies, but because of an increase in the number of the board. For example, in the illustration used, Mr. President, if the stockholders decided the board was going to be increased from five to nine or from five to eleven, then the board, in case the stockholders do not fill those vacancies at that time, can fill those vacancies pending the next meeting of the stockholders, at which time an election would take place under the routine charter or bylaws of the corporation.

Now, the only amendment that this makes, Mr. President, is to extend the same right as to vacancies which are created by an increase in the board, that the board of directors now have where a vacancy has been created by death, resignation or disqualification.

Mr. DENT. Thank you, Senator Walker. However, that does, in effect, set up the possibility of a malcontent group who may find themselves at a meeting in quorum strength to fill not only vacancies that may be existing upon the board as the law now prescribes, but they may also increase the number of directors and fill the vacancies, and by so doing they can take charge of a corporation when the majority thought of the corporation and the majority of the shareholders would not want them directly in control of the affairs of that corporation.

Mr. WALKER. Mr. President, may I suggest that that is not quite the situation. The filling of vacancies on the board, created by death, resignation or disqualification,

are controlled by the statute which is now on the books.

Mr. DENT. That is right, Mr. President.

Mr. WALKER. Mr. President, any corporation can depart from the statute in their own bylaws. Now, every corporation is presumed to have in its bylaws a rule as to how the board of directors can be increased. If, as suggested by the gentleman from Westmoreland, the stockholders have in their bylaws given the board of directors the right to, just of their own prerogative, increase the number of the board whenever they deem it necessary, then that is a prior ratification of the increase. If they are allowed to do that under their bylaws, then there is nothing to hold them back from doing it at any time, and all this does is, if there is an increase in the number of the board, then the board of directors can fill those vacancies just as they can the other vacancies.

Mr. President, there is nothing in this amendment that would give a minority any more rights or privileges to take over a corporation, as suggested by Senator Dent, than they now have under the present corporate code, unless that extension privilege was already written into the bylaws. So in this way, Mr. President, the minority stockholders, or the minority members of the board, are protected or at least they are surrounded by the bylaws of the corporation which have been approved by the stockholders.

Mr. DENT. Mr. President, I believe that we are both trying to get to the basic reason for the passing of this Act. However, I still stand upon the premise that under the present law they may fill vacancies caused by death, resignation or disqualification, but this amendment gives them the right to fill vacancies created by an increase in the number of directors, and many many companies in their corporate bylaws give the board of directors the right to increase their number if a quorum is present. That quorum may still be the majority, but the quorum could still be the minority thought upon that board of directors. They can by their own vote at that meeting create vacancies by enlarging the board of directors, and thereby with their vote that day name enough new directors to create a situation where the new directors will control the situation in that corporation for the next year until the next shareholders' meeting.

Mr. WALKER. Mr. President, what the gentleman—and I mean this in a very kindly sense—is overlooking is the fact that no board of directors in a corporation can do anything that is not set forth in the bylaws of that particular corporation. Now, if in the bylaws they are permitted, if there are ten or eleven on the board, and if under their bylaws two directors constitute a quorum, then the two directors can pass measures that will control the corporation. Now, if the bylaws permit a minority of the board, who are left because of vacancies, to increase that number, that is in the law today. They can increase the number.

Mr. President, under the present law there is a hiatus in the filling of those vacancies because of the inability of the board to fill a vacancy unless it is created by death, resignation or disqualification, and all this amendment does is to merely permit an extension of the right to fill, and that is controlled entirely by the bylaws of the corporation.

Mr. DENT. Mr. President, I think we can discuss it a

long time, but let us take a practical demonstration of the proposal as I see it.

Under the present law, they cannot fill vacancies created by increasing the membership of the board of directors regardless of whether the bylaws allow the board of directors to increase its directorship. However, under this bill they can now create, if the bylaws so allow them to create, they can now create and fill at the same meeting. Let us take a meeting of five directors, where the five directors are a quorum of an eleven member board or a seven member board. If amongst the five members, there are three who have always voted in the minority, and because of the fact that on that particular day only two of the majority thought corporation directors are there, these three then on that day constitute a majority, although in reality they are a minority. If the bylaws allowed the board of directors to increase its directorship, the three men can upon a motion increase the directorship by five. They can proceed to name the five and when a full board meeting is present, they will have eight to seven in control of the board of directors of that corporation, which is impossible today.

Now, in relation to the next change in this act, which in effect causes the sale of stock by a discontented stockholder who is not there when the amendment was placed into it by the board of directors and the shareholders had not voted, he can under this Act of the Legislature, demand his money and be paid for his stock, but if you get a malcontented group in control of a corporation, they can put through an amendment, and the only thing that the majority can do then is sell their stock to the corporation, and that may be exactly what the minor stockholders want in that corporation. This is a very dangerous piece of legislation in the hands of dishonest persons. Now, there are some persons who are dishonest who will find themselves in a position of trust in corporations. I do not know too much about the Fallansbee case, I followed it as much as I could in the newspapers, but if this act were in effect at the time that the Wollansbee Steel Company case was being tested by a minority group of stockholders, they would have had control of that corporation.

Mr. WALKER. Mr. President, as to the illustration given by the gentleman from Westmoreland—again, Senator Dent, I mean this in the kindest vein—I discussed this with Senator Shapiro when we were discussing this bill before the Senate convened today. He used a five to three illustration so that we could place this matter squarely before us in the discussion. Now, as I said to the gentleman, who is as sincerely interested in this bill as you are, this has nothing to do with the Follansbee case; it is not predicated on and will not change a hair on that case, and, as the gentleman from Westmoreland can readily ascertain from quite a competent legal staff on that side of the aisle, this does not in the least disturb any of the rights of any minority stockholder or any individual stockholder in any corporation in seeking redress for any grievances that he might have with regard to the action of a group of directors or a group of stockholders acting on behalf of a corporation. If the fallacy which is suggested by Senator Dent was a hardship and a dangerous maxim to be placed upon the statute books, then when we passed the original corporation code the same would be true, because this has been on the statute books for some

time. I would like to suggest to the gentleman, and I think my associates of the Bar will agree, that for quite sometime, where there have been vacancies created on boards of directors, because of the fact that the board has been increased, in any number of instances the board of directors have gone ahead and filled those vacancies, assuming under the code that they had that right, and you had to have a resolution adopted by the stockholders at the next meeting, ratifying the filling of those vacancies and ratifying whatever that board might have done during the time those members were in there, and finally what this does, it reduces to the written law what had grown up to be a practice among a lot of corporations.

Now, Mr. President, there is nothing dangerous in the bill. I want to assure the gentleman there is nothing in the bill that is going to deprive a minority stockholder of any of his rights or privileges. Mr. President, I want to say to the gentleman—and I say this in all sincerity—the bill has been on the Calendar for twenty days. Now, I certainly cannot be accused of trying to rush the legislation through. According to the history, it was reported from the Committee on Corporations on March 28, which was almost ten days after it was introduced in the Senate, and since the 28th of March it has been on the Calendar.

Now, Mr. President, I have conferred with various members on both sides of the aisle who happen to be lawyers, and who are interested in corporate practice, and we have discussed this thing back and forth. We placed a typographical error amendment in the bill last week so that the final reading would be before the Membership before we asked for a roll call. I have no desire to charge up San Juan hill on this thing, but in all fairness to the legislation, if the gentleman desire to have it stay on the Calendar for another twenty-one days until they have a chance to read it over again, I have no desire to hurry through the legislation. I am merely saying in all sincerity that I am sure that the legally trained men on the other side of the aisle will agree that there is nothing in this bill that will hurt the stockholders or hurt the minority groups.

Mr. DENT. Mr. President, I am not accusing the gentleman of any unfairness in the matter of handling the legislation. There was just a question in my mind then and is still in my mind now. If you will read the section, for instance Section 810, on page 18, deals with the rights of a dissenting shareholder. Now, that is a complete change in the procedure as it now exists today, and it has a great deal more in it than appears on the surface, because if it did not have a great deal in it, they have certainly taken a great deal of paper space to tell of the minor changes that are supposed to be made in the Act. However, one of the most serious things in it, and if you will listen, the original bill says, "Vacancies in the board of directors shall be filled by a majority of the remaining members of the board, though less than a quorum." Now, that sounds all right and it is the law, but when you add this, "Vacancies in the board of directors including vacancies resulting from an increase in the number of directors shall be filled by a majority of the remaining members of the board, though less than a quorum," you get the very thing that I think is wrong.

Now, Mr. President, there may be nothing wrong with

it and there may never be a combination of three knaves who would get together or four or five knaves who would get together and gain control by loading that particular board, but it could be that such a situation would arise.

Mr. President, I do not ask them to let the bill go over for twenty-one more minutes. I think he is convinced it is good legislation, and offhand I would say that, other than that particular feature of it, I have no objection to it. I am not too well versed on the rights of minority shareholders, although I should be because that is all I have ever been. The question of loading the board of directors can become a very serious, can create a very serious situation in some corporation at a future date.

Now, if that were worded to the effect that vacancies resulting from an increase in the number of directors shall be named by a majority, by a clear majority of the existing directors, then there would be no opportunity for a minority to grasp control of the corporation, and they could fill whichever vacancies needed to be filled at the moment, but if you do not say a majority of the named directors prescribed by the bylaws, then you are putting into the hands of the minority the right to take control of the directorship of that company. Then if they get control and follow Section 810, the dissenting shareholder can only do one thing. He can sell his stock within twenty days at the price set or prevailing prior to an amendment that is made to the corporation that may effect his stock, and in his opinion adversely, or he may let it lapse and receive whatever is set up by a board, who would then evaluate the stock after the amendment has been passed, and the only right that he would have would be the amount that they would give him, and if he does not say anything at that moment, or if he accepts the money that they give him, or even if he does not accept the money, as I read the bill, once it is awarded to him, he ceases to have any say as a shareholder in that corporation, once he has dissented from the majority opinion of the board of directors.

Mr. President, this can be a dangerous piece of legislation or it may be correcting some evil. I have never run across that particular thing in corporations that I have been interested in, but I do know that we have had some pretty serious battles at times between a very narrowly divided group who consider themselves the majority and another group that is in the minority, and this Act of the Legislature would have many time given me the position of being a majority share of the board of directors instead of a minority, and I do not think it is right, really I don't I will vote "no" and not ask that the bill go over any further.

REQUEST THAT BILL GO OVER IN ORDER

Mr. BARR. Mr. President, I request the sponsor to let the bill go over until tomorrow, and I would like to see that brief he has down in E Floor.

Mr. WALKER. Mr. President, I am perfectly willing to let the bill go over until tomorrow. I want the gentlemen of the Senate to understand that I have been advised that due to pressure and civic responsibilities, some of the gentlemen of the Senate who come from Philadelphia will not be with us tomorrow. Now, I would like to have a roll call on this bill tomorrow. I do not care if I am the only gentleman of the Senate who votes

in favor of the bill, and may I seriously suggest to the Senate, especially those fortunate enough not to have legal training, that you consult with some of the Members of the Senate who have been exposed to legal training, and perhaps we can calm your fears that this is a bad bill, because there is absolutely nothing wrong with the legislation; it has been sitting here getting dust, moth and rust on it for twenty-one days, but I am perfectly willing to let it go over until tomorrow and I urgently suggest that if you have any doubts, you consult some of the legal talent here on the floor of the Senate so we can call the roll on it.

REQUEST THAT BILL GO OVER IN ORDER WITHDRAWN

Mr. BARR. Mr. President, I will withdraw my request, have the Senate vote on it today, and let everybody from Philadelphia have a vote.

Mr. WALKER. I have no objection, Mr. President. I would like to have a roll call on the bill because I am satisfied, and I say this sincerely, that there is nothing wrong with the bill and we do not yield to any minority groups, any knaves who steal the corporate profits while they are in the minority, and I think if the bill is passed you will find that the sun will still rise in the East as heretofore. I ask that the roll be called.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. DENT. Mr. President, I want to inform the Majority Leader that this is not a caucus action on our part. It is my own personal opinion on this legislation, and there is no binding contract on the Members on the Minority Side one way or the other. They are free to vote as they feel.

(The Senate was at ease)

Mr. WALKER. Mr. President, may I inquire from the Committee of the Whole, what has been done about my bill?

Mr. DENT. Mr. President, I can only speak for myself and for Senator Barr, Senator McManamin and a few more of them. The Philadelphia Members of the Senate who will not be here tomorrow have suggested that as far as they are concerned, they will not hold the bill up today because of their necessary absence tomorrow, that they would just as soon have the bill voted upon today or, for the purpose of trying to get the bill more clearly understood, letting it ride until tomorrow. They will not object if the vote is taken in their absence. Now that is the status as I can see it.

Mr. WALKER. Mr. President, as I have said, after three weeks, I have no objection to the bill going over in order. I am just curious to know Mr. President, and this is a selfish motive on my part from here in, what particular advantage, if any, would the bill gain by waiting until tomorrow? Is the gentleman from Westmoreland suggesting that it would look any sweeter on Tuesday than it does on Monday?

Mr. DENT. Mr. President, I have yet in my forty-three years to close my mind to an argument, and if I can be convinced that I am wrong I will be the first to stand upon this floor and say I misinterpreted the Act. If it is held over until tomorrow, and I should change my

mind, then I will get up and ask my colleagues to vote for the bill. I think that is the only thing to be gained by asking that the bill go over until tomorrow.

Mr. WALKER. Mr. President, I accept the suggestion made by the Gentleman from Westmoreland. He suggests that in all his forty-three years that he has not closed his mind to an argument. Well, then in all my forty-three years, Mr. President, I have never met a gentleman yet that I could not discuss something with and when I am right I can convince him, and when we call the bill up tomorrow I will have his vote.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, on behalf of all those interested, I ask unanimous consent that Senate Bill No. 365, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DiSILVESTRO. Mr. President, I hope that while we are putting the Charter vote through tomorrow, if my vote is recorded it will be "aye" instead of "nay," like last week.

Mr. WALKER. Mr. President, at the request of the sponsor, I ask unanimous consent that Senate Bill No. 404, on third reading, entitled:

An Act to add Clause (15) to Section 14 of the act approved the twenty-fourth day of April one thousand nine hundred forty-seven (P. L. 89) entitled "An act relating to the form execution revocation operation and interpretation of wills to nuncupative wills to the appointment of testamentary guardians to elections to take under or against wills and the procedure in reference thereto" by providing for a rule of construction with respect to cemetery lots owned by a testator or in which he has a right of interment

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 425, as follows:

An Act to further amend section four hundred eleven of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing the shooting restrictions on regulated shooting grounds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred eleven of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An Act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" as last amended by the act approved the eighth day of April one thousand nine hundred forty-nine (P. L. 409) is hereby further amended to read as follows

Section 411 Shooting Restrictions on Regulated Grounds Such permits shall entitle the holder or holders thereof and their guests to kill or take by shooting only not to exceed seventy-five per centum of the pheasants bobwhite quail of the subspecies approved by the commission and chukar partridges and ninety per centum

of the mallard or black ducks propagated or purchased and released on the premises each year said propagation or release to be established to the satisfaction of the commission

All game birds released on said regulated shooting grounds shall be full-winged and fully able to care for themselves in a wild state and wherever the commission deems it desirable all mature birds released shall bear a metal leg band of a type approved by it. Such propagated or released birds may be taken without regard to sex or age or daily or season bag limits so long as not more than the specified percentages herein enumerated are taken during the shooting period below authorized

(a) The period for taking domestically produced pheasants bobwhite quail of the subspecies approved by the commission [and] chukar partridges and mallard or black ducks more than two generations removed from the wild on regulated shooting grounds [in areas where wild ring-neck pheasant sand bobwhite quail of the subspecies approved by the commission thrive and normally produce a shootable supply of such birds] shall begin on the date and hour of the general State-wide open season for [small] such game birds as fixed by the act or the commission and continue [to] through the [thirty-first] last day of [December inclusive] February next following Sundays excepted unless otherwise provided in paragraph (b) below

(b) The period for taking such ringneck pheasants bobwhite quail of the subspecies approved by the commission [and] chukar partridges and mallard or black ducks more than two generations removed from the wild on regulated shooting grounds established in areas [other than those stipulated in paragraph (a) above] where wild ringneck pheasants and bobwhit quail of the subspecies approved by the commission do not thrive and normally produce a shootable supply of such birds or which are commercially operated and are open to public use shall [be fixed by the commission without regard to the general State-wide open season for small game the period so fixed to be certified to the holders of such permits at least thirty days in advance of the season] begin on the fifteenth day of October and continue through the last day of February next following Sundays excepted

(c) The period for taking domestically produced mallard or black ducks less than two generations removed from the wild on all regulated shooting grounds [unless otherwise fixed and so certified by the commission] shall conform with the season established for waterfowl hunting by Federal regulations in effect for the Commonwealth of Pennsylvania

All species of game other than those specified found on the premises covered by such regulated shooting grounds permits may be taken on said premises only under the general provisions of the law governing seasons bag limits etc

Every person hunting on such regulated shooting grounds or participating in a shoot held under a regulated shooting grounds permit shall be possessed of a resident or nonresident hunter's license for the current year as required by law

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,

Berger,	Kephart,
Blass,	Kessler,
Byrne,	Lane,
Chapman,	Leader,
Crowe,	Letzler,
Dent,	Mahanay,
Diehm,	Mallery,
DiSilvestro,	McCreesh,
Fleming,	McGinnis,
Freed,	McMenamin,

Pechan,
Peelor,
Probert,
Robinson,
Rosenfeld,
Ruth,
Scarlett,
Silvert,
Snowden,

Toole,
Wade,
Wagner,
Walker,
Watkins,
Watson,
Wolfe,
Wood,
Yosko,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order.

The Senate proceeded to the third reading and consideration of Senate Bill No. 426, as follows:

An Act to amend section seven hundred twenty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing the period for retriever trials

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven hundred twenty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 721 Permits for Retriever Trials It shall be lawful to hold field meets or trials for retrieving dogs where the skill of such animals is demonstrated by retrieving dead and wounded game birds or animals which have been propagated or otherwise legally acquired and released on the day of the trials on premises owned or controlled by the club or individual conducting same and shot for such purpose at any time during daylight hours Sundays excepted from the [fifteenth] first day of October to the thirty-first day of [December] March next following after having secured a permit as herein required

Such permits may be issued by the director upon proper application and the payment of a fee of ten dollars for each day upon which such trials shall be conducted. A representative of the commission shall supervise all such trials and enforce any rules and regulations of the commission governing the same

Such permits shall authorize the holders thereof to kill all of the birds or animals specifically released by the permittee on the day of the trials or from the hand while the trials are in progress under the observation of an official representative of the commission

The person or persons designated by the committee in charge to do the shooting for such trials shall be known as the official gun or guns and no other person shall be permitted to kill or attempt to kill any of the birds or animals released for such trials. Birds or animals so released may be killed during the above period without regard to sex or numbers

Before any game killed under the provisions of this section shall be consumed on the premises or removed therefrom the official representative of the commission shall attach a tag to each birds or animal killed such tags to be numbered consecutively and supplied by the commission at reasonable cost and shall contain such information as the commission may require. Said tags shall remain attached to the individual birds or animals until prepared for consumption and shall not be used more than once

It is unlawful for any person to hold conduct or to

participate in a retriever trial before the permit required by this section has been secured or for any person to possess or remove from the shooting grounds any birds or animals killed which have not been tagged as herein required or for any person to sell or purchase or attempt to sell or purchase any birds or animals killed in conformity with the provisions of this section

Participants in such a recognized retriever trial shall not be required to be possessed of either a hunter's license or a tag while participating in such trial

Any person who shall violate any provisions of this section shall upon conviction be sentenced to pay a fine of fifty dollars and costs of prosecution for each offense

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 459, on third reading, entitled:

An Act to further amend Section 1101 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by authorizing the payment of bounties for the destruction of rattlesnakes

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 461, as follows:

An Act establishing a procedure by which the register of wills elected in counties of the first class shall execute record and file his bond to the Commonwealth and receive his commission and conferring powers and imposing duties upon the Secretary of of the Commonwealth and the recorder of deeds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In counties of the first class the register of wills before entering upon the duties of his office shall with one corporate surety or two individual sureties on a form prepared and supplied by the Secretary of the Commonwealth give a joint and several bond to the Commonwealth of Pennsylvania in the sum of forty thousand dollars (\$40,000)

The condition of the bond shall be that the said register of wills shall faithfully execute the duties of his said office and well and truly account for and pay according to law all moneys received by him for the use of the Commonwealth and to deliver up the books seals records and other writings belonging to his said office whole safe and undefaced to his successor in office Such bond shall be for the relief of all who may be aggrieved by the acts or neglect of such register

Such bond shall be submitted to the Secretary of the Commonwealth for approval and when approved the Secretary shall forward the bond together with the commission of the register to the recorder of deeds of the county and so notify the register who shall cause such bond to be recorded in the office of the recorder of deeds After recording such bond the recorder of deeds shall deliver to the register his commission and forward such bond to the Secretary of the Commonwealth for filing

Section 2 All acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 480, on third reading, entitled:

An Act relating to the discharge of joint and several tortfeasors in certain cases

go over in its order.

The PRESIDENT. Is there objection?

Mr. STIEFEL. Mr. President, some of the Philadelphia Members will be away tomorrow in Philadelphia, and when this bill comes up for final action we will be precluded from expressing our opinion one way or the

other on it, but there are certain phases of this bill on which I would like to elucidate at the time of the final vote. So, I wonder whether it can be postponed until such a time that the Philadelphia contingent will be back.

Mr. WALKER. Mr. President, I have been advised that the sponsor of the bill has no objection to it going over until next Monday. So, therefore, I will ask that the bill go over in order and then I will assure the gentleman from Philadelphia, Dr. Stiefel, that the bill will go over and over and over.

Mr. STIEFEL. Senator Walker, you command my everlasting gratitude.

The PRESIDENT. The Chair hearing no objection, the bill will go over in its order.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 484, as follows:

An Act to further amend subsection (a) of section 704 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by permitting the use of semi-automatic shotguns for the hunting and killing of small game predators and unprotected birds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section 704 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" as amended by the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 810) is hereby further amended to read as follows

(a) Unlawful Methods and Devices

Section 704 Unlawful Methods of Hunting It is unlawful for any person to shoot at or to shoot for any wild bird or wild animal unless it is plainly visible to him or to dig cut or smoke or in any other manner take any live wild bird or wild animal other than a predator out of its den or place of refuge except that woodchucks may be dug out of their dens in cultivated fields under the conditions stipulated in the preceding section

Except as otherwise provided it is unlawful to hunt for catch take kill or wound or attempt to catch take kill or wound any wild bird or wild animal of any kind through the use of (a) what is commonly known as an automatic gun or an automatic firearm of any kind except that semi-automatic shot guns may be used for hunting and killing small game predators and unprotected birds (b) or a magazine shotgun to hunt for any bird or animal other than big game which contains more than three shells at one time in the magazine and chamber combined or a swivel gun or an air-rifle or the apparatus known as a silencer (c) or from an automobile or vehicle or boat or craft of any kind propelled by any mechanical power (d) or to set lay or prepare for use or to use any bait hay grain or other food or any trap snare set-gun net bird-line deelick pit-fall turkey blind or turkey pen the term "set-gun" as herein used meaning any contrivance device or firearm capable of discharging or projecting a deadly charge or missile which is set to operate in the absence of the owner (e) or to make use of or take advantage of any artificial light battery or other contrivance or device except that artificial lights such as are ordinarily carried in the hand or on the person may be used for the purpose of taking raccoons opossums and skunks (f) or to make

use of any method or device not specifically permitted by this act for the purpose of catching taking wounding or killing wild birds or wild animals

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. DENT. Mr. President, I intend to vote "no" on House Bill No. 484, because I do not believe in having automatic or semi-automatic guns of any kind, or rather shotguns and rifles in the woods. I think it is dangerous enough now, and anybody that cannot shoot the type of animal that this bill prescribes, such as crows and other non-protected birds and predators, with a regular double-barreled or pump shotgun, certainly ought not to be given a destructive weapon such as an automatic or semi-automatic shotgun. Any of you that have ever been in the woods the first hunting day know that enough lead is flying around to recreate the Battle of the Argonne, and I do not think we ought to give some wild-eyed Indian an automatic shotgun and have him pump lead all over the hill side. I am going to vote "no."

Mr. WALKER. Mr. President, may I suggest to the gentleman from Westmoreland, I am perfectly willing to put this bill over.

Mr. President, I have such a high regard for the gentleman's conclusions that I wanted to give him an opportunity of checking the present rights of any hunter to take a semi-automatic shotgun into the woods, and I think you will find, Mr. President, if the gentleman will check this, that they are permitted to take pump guns into the woods now. This deals strictly with hunting predatory animals, and small game predators and the unprotected birds such as the crow.

Now, Mr. President, I do not want to debate a House Bill. I have no pride of authorship in it. It is just that I would like to have the gentleman vote with me at all times, and that is why I wanted to give him the opportunity of going back and taking a look at these semi-automatic guns and compare them to going into the woods with a pump gun that you can now use.

Mr. Dent. Mr. President, I have been shooting crows for years, and I use both a double barreled and single barreled gun, and sometimes when I feel a little sharp, I use a rifle.

Mr. WALKER. That would be the day, Mr. President.

Mr. DENT. Mr. President, I am still against semi-automatic shotguns. I don't think they should have ever been invented, to tell the truth, and nothing will change my mind on that.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32

Berger,	Kephart,	Peelor,	Taylor,
Blass,	Kessler,	Probert,	Wade,
Chapman,	Letzler,	Robinson,	Wagner,
Crowe,	Mahanay,	Rosenfeld,	Walker,
Diehm,	Mallery,	Scarlett,	Watkins,
Fleming,	McPherson, Jr.	Snowden,	Watson,

Freed, Hare,	Meade, Pechan,	Stevenson, Stiefel,	Wolfe, Wood.
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NAYS—18

Bane, Barr, Barrett, Byrne, Dent,	DiSilvestro, Haluska, Holland, Lane, Leader,	McCreesh, McGinnis, McMenamin, Neff,	Ruth, Silvert, Toole, Yosko.
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A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SECOND READING CALENDAR

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 120, entitled:

An Act to further amend the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 803) entitled as amended "An act providing for the creation maintenance and operation of a county employees' retirement system in counties of the fifth sixth seventh and eighth class imposing certain charges on counties and prescribing penalties" by further defining county employee substituting the chief clerk for the auditor as a member of and secretary to the board in certain cases and extending the period in which a certain option may be exercised

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 202, entitled:

An Act to further amend Section 2445 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by authorizing the issuance of non-debt revenue bonds for the alteration addition to or enlargement of existing sewers sewer systems and sewage treatment works and the pledging of revenue derived from the existing system in payment of such bonds and authorizing the issue and sale of non-debt revenue bonds at one time

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 221, entitled:

An Act to reenact and amend the title of and the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1676) entitled "An act to provide revenue in school districts of the first class by im-

posing a temporary tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county assessing authority board of revision of taxes receiver of school taxes school treasurer board of public education in such districts and courts providing for compensation to certain officers and employes and imposing penalties" by continuing the provisions thereof for the year one thousand nine hundred fifty-two and succeeding years and deleting certain obsolete provisions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 222, entitled:

An Act to reenact and amend the title of, and the act, approved the twenty-third day of May, one thousand nine hundred forty-nine (P. L. 1669), entitled "An act to provide revenue for school districts of the first class by imposing a temporary tax in persons engaging in certain businesses, professions, occupations, trades, vocations and commercial activities therein; providing for its levy and collection; conferring and imposing powers and duties on the Board of Public Education, receiver of school taxes and school treasurer in such districts; and prescribing penalties," by continuing the provisions thereof for the year one thousand nine hundred fifty-two and succeeding years; and deleting certain obsolete provisions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 296, on second reading, entitled:

An Act to further amend the act, approved the nineteenth day of June, one thousand nine hundred thirty-one (P. L. 589) entitled, as amended "An act to promote the public health and safety, by providing for the examination and licensure of those who desire to engage in the occupation of barbering; regulating barber shops and barber schools, and apprentices and students therein; regulating compensation for service rendered; conferring certain powers and duties on the Department of Public Instruction; and providing penalties," by changing the provisions as to fees charged apprentices and students, and as to the powers of municipalities, and transferring the administration of several provisions of this act to the State Board of Barber Examiners.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 297, on second reading, entitled:

An Act to further amend the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof, and the administrative departments, boards, commissions and officers thereof; including the boards of trustees of State Normal Schools, or Teachers Colleges abolishing, creating, reorganizing or authorizing the organization of

certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions, and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," by creating the State Board of Barber Examiners as a departmental administrative board in the Department of Public Instruction.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 380, on second reading, entitled:

An Act to amend the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1368), entitled "An act amending, revising and consolidating the laws relating to delinquent county, city, except of the first and second class and second class A, borough, town, township, school district, except of the first class and school districts within cities of the second class A, and institution district taxes; providing when, how and upon what property, and to what extent liens shall be allowed for such taxes; the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the lien of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divestiture by certain tax sales of estates in property and of mortgages and liens on such property, and the proceedings therefor; creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws," by giving municipal claims equal priority with taxes in the distribution of certain moneys recovered under the provisions of said act.

go ovtr in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMENDED

Mr. WALKER. Mr. President, I move that Senate Bill No. 415, on second reading, entitled:

An Act authorizing the establishment in The Pennsylvania State College through the extension services of said institution and educational program in industrial and labor relations stating the objectives and purposes of said program conferring obligations and duties on the trustees and president of said institution providing for the establishment of an advisory committee its appointment and defining its powers and duties and making an appropriation therefor

be recommended to the Committee on Appropriations.

Mr. WATKINS. Mr. President, I second the motion. The motion was agreed to.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 458, on second reading, entitled:

An Act to amend Section 5 and to add Section 5.1 to the act approved the second day of May one thousand nine hundred forty-five (P. L. 382), entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," by requiring certain bonds issued for certain purposes to be offered for sale at open and competitive bidding in certain cases.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 479, entitled:

An Act to add subsection (e) to section 501 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by providing for an open season for hunting deer with bows and arrows, requiring a special permit therefor and fixing fees.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER offered the following amendments:

Amend Sec. 1 (Sec. 501), page 3, line 4, by striking out the word "commission" and inserting in lieu thereof "Department of Revenue"; Amend Sec. 1 (Sec. 501), page 3, line 10, by inserting after the word "kind" the following: "during a lawful open season."

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 479, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 512, entitled:

An Act to further amend subsection (b) of Section 4 of and to add Section 36.1 to the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by requiring taxing districts to pay the premiums on corporate bonds of the tax collector in townships of the first class and further regulating the fixing of the compensation of elected tax collectors

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 538, on third reading, entitled:

An Act to amend section one thousand one hundred fifty-four of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto" by providing for the payment of salaries of professional and temporary professional employees in cases of sickness or death.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 602, entitled:

An Act to reenact and amend the title and the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled as amended "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employees' Retirement System and for Pension Annuity Contracts and in certain other cases into the State Employees' Retirement Fund for certain purposes" by extending the benefits of the act to certain county police pension funds

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 701, entitled:

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," by changing requirements for contracts and purchases and imposing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

SENATE BILL No. 104 CALLED UP FROM POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up from the Second Reading Postponed Calendar Senate Bill No. 104 for consideration of this time.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 104, entitled:

An Act providing for the sentencing of persons convicted of certain crimes to an indeterminate sentence having a minimum of one day and a maximum of life in certain cases; authorizing the criminal courts to impose such a sentence and certain temporary sentences in connection therewith, requiring psychiatric examinations of such persons before the imposition of such a sentence, conferring powers and imposing duties upon the Department of Welfare and the Pennsylvania Board of Parole, and providing for the parole, conditional parole or absolute discharge of persons so sentenced and the procedure relating thereto.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

SENATE BILL No. 319 CALLED UP FROM POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up from the Second Reading Postponed Calendar Senate Bill No. 319.

BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that the Senate Bill No. 319, on second reading, entitled:

An Act to further amend Section 1 of the act, approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" by providing for the method of valuation of taxable shares of stock in any investment company registered as such with the Federal Securities and Exchange Commission.

be recommitted to the Committee on Corporations.

Mr. CROWE. Mr. President, I second the motion.

The motion was agreed to.

SENATE RESOLUTION

SYMPATHY OF THE SENATE EXTENDED TO COMMUNITY, FRIENDS AND FAMILY OF THE LATE ROBERT C. GREER, SR.

Mr. WATKINS. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WATKINS, offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 16, 1951.

Inevitable death, the ultimate fate of all, has brought the long and honorable earthly career of Robert C. Greer, Sr., to an end.

His was a sojourn replete with distinguished service in many fields. He crowded a diversification of interest and labor into the eighty-two years allotted him by his Maker and his stewardship of his many responsibilities must be a source of gratification to God and of unending inspiration to his fellow men.

He was active and progressive in community affairs and became the first Burgess of East Lansdowne many years ago.

His association with the church was fervent and constructive. His vital interest in the welfare of his church and its ethical contribution to his community found expression in his appointment as the Director of the Brotherhood of St. Andrew of the Episcopal Church.

As a business man, he was always motivated by lofty principles and unquestionable precepts. Confidence in his sterling qualities as a business leader was manifested by his associates in their selection of him as President of the Bourse Sales Association. His long tenure on earth was happy, constructive, and fruitful. One of his daughters, Mrs. Eleanor G. Evans, has in a sense extended the beneficent labors and the altruistic approach of her father into her administration of the Department of Public Assistance.

Mr. Greer is survived by another daughter, Mrs. George N. Barrett, and three sons, David W., George F., and Robert C.

Although death always brings its poignant sorrows, yet its shock can be somewhat ameliorated when the honorable labors that have been consistently rendered throughout a long active life are brought to a cessation to receive their reward in Heaven; therefore be it

Resolved, That this Senate desires to express its respects and sorrow at the passing of Robert C. Greer, Sr.—a truly distinguished citizen of Pennsylvania; and be it further

Resolved, That this Senate tenders sympathy to his community, his many friends, and his family over the irreparable loss sustained by them; and be it further

Resolved, That copies of this resolution shall be transmitted to the surviving sons and daughters of Robert C. Greer, Sr.

BILLS INTRODUCED AND REFERRED

Mr. DiSILVESTRO. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DiSILVESTRO, read in his place and presented to the Chair Senate Bill No. 519, entitled:

An Act to amend Section 1 of the act, approved the twenty-sixth day of April, one thousand nine hundred forty-five (P. L. 318), entitled "An act to regulate the sale and possession of penicillium (penicillin), and its derivatives, preparations and compounds in the interest of public health," by providing certain exceptions to said act.

Which was committed to the Committee on Public Health and Welfare.

Mr. MALLERY. Mr. President, I ask unanimous consent to introduced a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. MALLERY and STEVENSON, read in place and presented to the Chair Senate Bill No. 520, entitled:

An Act to further amend Section 3 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2045), entitled "An act relating to the support of indigent persons publicly cared for or assisted; providing for the support of such persons by certain relatives, and for the recovery of public moneys expended for care and assistance from the property and estates of such persons; providing for guardians of the person and property of such persons; providing for the arrest and seizure and sale of the property of deserters; and providing procedure," by providing proceedings for support shall not be on petition of indigent person; imposing duty to first ascertain financial responsibility of nearest relatives and making such orders enforceable in any county of this Commonwealth.

Which was committed to the Committee on Judiciary General.

BILLS ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 387, entitled:

An Act to amend Section 404 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing for additional clerks of election in election districts having more than twelve hundred qualified electors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 559, entitled:

An Act to further amend section sixteen of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties," by authorizing supervisors of townships of the second class to add names to the tax assessment lists and tax duplicates.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

INTERROGATION

Mr. YOSKO. Mr. President, I desire to interrogate the Chairman of the Committee on Executive Nominations, Senator Watson.

The PRESIDENT. Will the gentleman from Bucks, Mr. Watson, permit himself to be interrogated?

Mr. WATSON. I will, Mr. President.

The PRESIDENT. The gentleman will proceed.

Mr. YOSKO. Senator Watson, about a month ago the Committee on Executive Nominations met with Mr. Draemel, Secretary of Forests and Waters, at which time he was interrogated relative to the administration of his department. He agreed at that time to answer a series of questions that were propounded to him. He informed me that those questions had been answered and that the answers had been delivered to the Secretary to the Governor, Mr. McCallum—I think that is his name. I had asked you last week whether or not the Secretary to the Governor had delivered the answers to the questions to you, and your answer was no. I now ask you whether the answers to the questions were delivered to you.

Mr. WATSON. They were not, Mr. President.

Mr. YOSKO. Has the Secretary to the Governor discussed the questions with you or the fact that he had them in his possession?

Mr. WATSON. He has not, Mr. President.

Mr. YOSKO. Thank you very much.

ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Tuesday, April 17, 1951, at 1:30 o'clock, p. m., Eastern Standard Time.

Mr. DISILVESTRO. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:00 o'clock, p. m., Eastern Standard Time, until Tuesday, April 17, 1951, at 1:30 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, April 16, 1951.

The House met at 4:30 p. m.

The SPEAKER (Herbert P. Sorg) in the Chair.

PRAYER

The Chaplain, Reverend William Hugh Fryer, offered the following prayer:

Almighty God, by whose Holy Spirit men have been guided in their councils since the beginning of the world, direct, we beseech Thee, the deliberations of the Assembly of the State of Pennsylvania. To the Governor and all who share with him the task and burden of planning the program of the people of the State, grant spiritual strength, wise judgment, and adventurous faith, that they may lead us ever onward toward the goal that Thou hast set before us; the brotherhood of man; through Jesus Christ our Lord. Amen.

JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Wednesday, April 11, 1951? If not, and without objection, the Journal is approved.

BILLS INTRODUCED AND REFERRED

By Mr. COSTA.

HOUSE BILL No. 999.

A Supplement to the act, approved the twelfth day of June, one thousand nine hundred thirty-one (P. L. 575), entitled "An act providing for joint action by Pennsylvania and New Jersey in the development of the ports on the lower Delaware River, and the improvement of the facilities for transportation across the river; authorizing the Governor, for these purposes, to enter into an agreement with New Jersey; creating The Delaware River Joint Commission and specifying the powers and duties thereof, including the power to finance projects by the issuance of revenue bonds; transferring to the new commission all the powers of the Delaware River Bridge Joint Commission; and making an appropriation," authorizing the Governor, on behalf of the Commonwealth of Pennsylvania, to enter into a supplemental compact or agreement with the State of New Jersey, amending Articles I, II, IV, XI and XII of, and adding Article XIII to the compact and agreement between the Commonwealth of Pennsylvania and the State of New Jersey authorized and made pursuant to the act herein supplemented, by changing the name of The Delaware River Joint Commission to The Delaware River Port Authority; and the method of appointment of commissioners, removing the present Pennsylvania members of the Commission; extending the jurisdiction powers and duties of the Delaware River Port Authority; and defining such additional jurisdiction powers and duties to take effect upon the enactment of substantially similar legislation by the State of New Jersey embodying the supplemental agreement between the two States in this act set forth, and authorizing the Governor to apply on behalf of the Commonwealth to the Congress of the United States for its consent thereto.

Referred to the Committee on State Government.

By Mr. WHEELER.

HOUSE BILL No. 1000.

An Act to amend Section 201 of the act, approved the twenty-eighth day of April, one thousand nine hundred thirty-seven (P. L. 417), entitled "An act relating to milk and the products thereof; creating a Milk Control Commission; establishing its jurisdiction, powers and duties; regulating the production, transportation, manufacturing, processing, storage, distribution, delivery and sale of milk and certain products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers; authorizing the holding of hearings and the issuance of subpoenas by the commission; conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules, regulations and orders of the commission; authorizing the commission to adopt rules, regulations and orders, and to enter into interstate and Federal compacts; requiring persons who weigh, measure, sample or test milk to procure permits or certificates, to take examinations, to pay fees therefor, to furnish certain notices, records and statements, and to use certain methods of weighing, measuring, sampling and testing; authorizing the commission to examine the business, papers and premises of milk dealers and producers, requiring the keeping of records and the filing of reports by milk dealers, and permitting, with limitations, the use of information obtained thereby; authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor, and conferring certain powers upon the Governor with respect thereto; provid-

ing for appeals to the courts from decisions of the commission, and for the burden of proof upon such appeals; prescribing penalties, fines and imprisonment for violations of this act and rules, regulations and orders of the commission; defining perjury; defining remedies; repealing legislation supplied and superseded by this act, and saving rights, duties and proceedings thereunder; and making appropriations," by providing that one of the members of the Milk Control Commission shall be a representative of organized labor.

Referred to the Committee on State Government.

By Messrs. SEYLER and ROBERT K. HAMILTON.

HOUSE BILL No. 1001.

An Act to further amend clauses (f) and (g) of Section 448 and Section 450 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," by providing that upon each, The Advisory Health Board, The State Welfare Commission and the State Board of Public Assistance there shall be one representative of organized labor.

Referred to the Committee on State Government.

By Messrs. WELSH and TAYLOR.

HOUSE BILL No. 1002.

An Act prohibiting discriminatory practices and policies based upon race, religion, color, or national origin in educational institutions, creating the Pennsylvania Fair Educational Opportunities Commission, defining its functions, powers, and duties, providing for judicial review and enforcement, providing for loss of State appropriations as a penalty, and making an appropriation.

Referred to the Committee on Appropriations.

By Messrs. WELSH and TAYLOR.

HOUSE BILL No. 1003.

An Act to amend the act, approved the twenty-fifth day of April, one thousand nine hundred twenty-seven (P. L. 381), entitled "An act concerning arbitration, and to make valid and enforceable written provisions and agreements for the arbitration of disputes in certain contracts, including contracts to which the State or any municipal subdivision thereof may be a party; regulating the procedure under such provisions and agreements; and conferring certain powers and imposing certain duties upon the courts with reference thereto," extending the provisions thereof with certain exceptions to written collective bargaining contracts for arbitration of controversies; further providing for modification or correction of awards and further defining the effect of judgments, confirming, modifying or correcting awards.

Referred to the Committee on Labor Relations.

By Messrs. WELSH and TAYLOR.

HOUSE BILL No. 1004.

An Act authorizing the establishment in The Pennsylvania State College through the extension services of said institution, and educational program in industrial and labor relations, stating the objectives and purposes of said program; conferring obligations and duties on the trustees and president of said institution; providing for the establishment of an advisory committee, its appointment and defining its powers and duties; and making an appropriation therefor.

Referred to the Committee on Appropriations.

By Mr. DOWLING.

HOUSE BILL No. 1005.

An Act requiring certain officers of the Commonwealth of Pennsylvania and its departments, boards, commissions, and agencies, and of the political subdivisions thereof, to deduct, from the salaries, wages, or other compensation payable by them to any elected or appointed officers or employees, the premiums or other charges due from such persons under various contracts of group insurance, when written authorization to make such deductions is given by any such persons; and requiring the deductions so made to be paid directly to the association or corporation furnishing such group insurance.

Referred to the Committee on State Government.

By Messrs. DOWLING and ZIEGLER.

HOUSE BILL No. 1006.

An Act fixing the minimum salaries for tipstaves in the courts of record in counties of the fourth class.

Referred to the Committee on Counties.

By Mr. TAHL.

HOUSE BILL No. 1007.

An Act to amend Subsection (b) of Section 4, of the act, approved the twenty-third day of May, one thousand nine hundred forty-five (P. L. 913), entitled "An act relating to and regulating the practice of the profession of engineering; including civil engineering, mechanical engineering, electrical engineering, mining engineering, chemical engineering, surveying and constituent parts and combinations thereof as herein defined; providing for the licensing and registration of persons practicing said profession, and the certification of engineers in training, and the suspension and revocation of said licenses, registrations and certifications for violation of this act; prescribing the powers and duties of the State Registration Board for Professional Engineers, the Department of Public Instruction and the courts; prescribing penalties; and repealing existing laws," by further providing for the issuance of a certificate of registration without examination.

Referred to the Committee on Professional Licensure.

By Messrs. WATERHOUSE and OLSEN.

HOUSE BILL No. 1008.

An Act relating to and regulating the practice of massage; providing for the licensure and for the revocation and suspension of licenses of masseurs and masseuses by the Department of Health, conferring powers and imposing duties upon the Department of Health and prescribing penalties.

Referred to the Committee on Professional Licensure.

By Mr. GREENWOOD.

HOUSE BILL No. 1009.

An Act providing group hospitalization contracts and benefits for State employes, the costs thereof to be divided between the Commonwealth and such employes; and

requiring the Executive Board to enter into the necessary contracts for such purpose.

Referred to the Committee on State Government.

By Messrs. McGEE and ROSEN. HOUSE BILL No. 1010.

An Act making an appropriation to the Trustees of the University of Pennsylvania for the purpose of erecting a building for the School of Education.

Referred to the Committee on Appropriations.

By Messrs. McGEE and ROSEN. HOUSE BILL No. 1011.

An Act making an appropriation to the Trustees of the University of Pennsylvania for the School of Veterinary Medicine.

Referred to the Committee on Appropriations.

By Messrs. McGEE and ROSEN. HOUSE BILL No. 1012.

An Act making an appropriation to the Trustees of the University of Pennsylvania.

Referred to the Committee on Appropriations.

By Messrs. BEECH and VERONA.

HOUSE BILL No. 1013

An Act relating to real estate transactions in general and the building of private homes and residences; requiring that all Real Estate Brokers and Builders deposit all down money received in such transactions with escrow holders and designating proper escrow holders for such purposes.

Referred to the Committee on Judiciary.

By Mr. SNIDER.

HOUSE BILL No. 1014.

An Act to further amend Section 15 and to add Section 15.1 to the act, approved the eleventh day of May, one thousand nine hundred twenty-one (P. L. 522), entitled, as amended, "An act relating to dogs, and the protection of live stock, poultry, and game birds raised in captivity from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock, poultry, and game birds by dogs, and for live stock killed by, or dying from, rabies, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employees, directing the payment of all moneys collected into the State Treasury; and providing penalties," authorizing county treasurers to retain certain moneys collected under said act and the payment thereof to certain societies and association of individuals for prevention of cruelty to animals upon petition to, and under supervision of the courts of common pleas, and providing for the disposition of unexpended funds.

Referred to the Committee on Agriculture and Dairy Industries.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 6.

An Act relating to the administration and distribution of incompetents' estates both as to real and personal property and the procedure relating thereto including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a guardian in certain cases the appointment bond removal and discharge of guardians of such estates their powers duties and liabilities the rights of persons dealing with such guardians and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees and containing provisions concerning the determination of incompetency and the powers duties and liabilities of foreign guardians and also generally dealing with the jurisdiction powers and procedure of the common pleas court relating to incompetents' estates

Referred to the Committee on Judiciary.

SENATE BILL No. 17.

An Act relating to the jurisdiction powers and duties of registers of wills and regulating proceedings before them and the costs thereof the effects of their acts and appeals therefrom

Referred to the Committee on Judiciary.

SENATE BILL No. 25.

An Act relating to the orphans' courts conferring exclusive jurisdiction on such courts over the administration and distribution of decedents' estates trust estates minors' estates and absentees' estate providing for the organization of orphans' courts the procedure therein the powers and duties of the judges thereof and appeals therefrom

Referred to the Committee on Judiciary.

SENATE BILL No. 128.

An Act to amend subsections (d) and (f) of section 211.1 and to further amend section 212 and subsection (a) of section 301 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by further regulating assessments made by the Insurance Commissioner against life insurance companies to defray certain expenses providing for reciprocity with other states in assessing taxes and fees on insurance companies permitting foreign companies to write workmen's compensation insurance in Pennsylvania limiting the basis for valuation of reserve liability of life insurance companies organized in foreign countries

Referred to the Committee on Insurance.

SENATE BILL No. 136.

An Act to amend Section 1 Clause (8) of Section six and Section nine of the act approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1210) entitled "An act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder limiting the amount of such insurance prescribing standard policy provisions and requiring notice of conversion privileges" by further defining policies of group life insurance limit-

ing the amount of an individual policy issued to a person entitled thereto and changing the premium basis and rate of interest thereon.

Referred to the Committee on Insurance.

SENATE BILL No. 191.

An Act to further amend Section 671 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by authorizing the change of the fiscal year by districts of the second class.

Referred to the Committee on Education.

SENATE BILL No. 247.

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by regulating the authority of school districts to purchase supplies and to perform and contract for construction, reconstruction, repairs and work of any nature.

Referred to the Committee on Education.

SENATE BILL No. 374.

An Act to amend the act approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further regulating health and accident insurance.

Referred to the Committee on Insurance.

SENATE BILL No. 406.

An Act to further amend Section 305 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts, and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," by requiring the approval of the court of quarter sessions for the erection and alteration of institutions and further prescribing the powers of the Department of Welfare.

Referred to the Committee on Welfare.

SENATE BILL No. 407.

An Act to further amend the title and section one of the act, approved the third day of May, one thousand nine hundred and nine (P. L. 424), entitled as amended, "An act providing that in all counties of the first, second, third, fourth, fifth, and sixth class, advertisements and notices required by law or rules of court to be published in newspapers of general circulation, unless dispensed with by special order of court, shall be published in the legal newspaper, issued at least weekly, of the proper county, designated by rules of court for the publication of court or other legal notices," by extending the provisions of the said act to all counties, and further defining publications excepted from its operation.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 432.

An Act to amend the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing for nominations and elections of county officers in counties about to undergo a change in classification and imposing certain duties upon county commissioners county boards of elections and others.

Referred to the Committee on Elections and Apportionment.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. HERSCH.

RESOLUTION No. 30.

In the House of Representatives, April 11, 1951.

Eugene J. Hagerty, a distinguished member from Philadelphia, is doubly blessed. His daughter, Mrs. John Casey, better known as "Our Val," has thrilled the members of the last House with her beautiful songs. In fact her singing is so melodious and captivating and her charm as a performer is so infectious that she has been invited to sing to the present House at its closing session. Mr. Hagerty is indeed fortunate in having a talented and a personable daughter, but he has been even more graciously honored by her presentation to him on January 8, 1951, of a grandson, who, after a feeble start in life has now developed into a lusty eleven pound heir apparent. The word has gone forth that young Dennis Casey will some day become as notable a singer as his mother is, provided a proper inference from his present ability to hit high C is correctly taken; thereby be it

Resolved, That this House of Representatives is particularly joyous that Mr. Hagerty has become the grandfather of a splendid boy, Dennis Casey, and extends its heartiest congratulations to Mr. Hagerty on the occasion of thus extending his distinguished lineage, and be it further

Resolved, That the whole hearted felicitations of this House be tendered to Mrs. John Casey and her son, with its sincere wish that happiness and health will rule their lives.

Referred to the Committee on Rules.

By Messrs. NAUGLE and WHALLEY.

RESOLUTION No. 31.

In the House of Representatives, April 11, 1951.

Whereas, The Fourth Annual Somerset County Maple

Festival will be held on April 13 and 14 of this week in Meyersdale, Pennsylvania, and

Whereas, This event has captured the public fancy throughout the Nation, by calling attention to this sweet distillation of the sugar maple tree, and

Whereas, The Meyersdale Chamber of Commerce is the guiding light in thus calling attention to an almost forgotten art, and

Whereas, It is common knowledge and a generally accepted fact that the residents of Somerset County have been singularly blessed with an abundance of the better traits found in man, and

Whereas, On many occasions discussions concerning the County have been matters of public debate embracing the productivity of our fields, the size and color of our barns, and the pulchritude of our fair ladies, inevitably ending up on the sweet subject of maple syrup, and

Whereas, The County's inhabitants have been known for generations as the Frosty Sons of Thunder, and their abiding place has been called the Roof Garden of Pennsylvania, the Foothills of eHaven, and

Whereas, Our third grade maple syrup is regularly sold to the city slickers as first grade Vermont syrup, and

Whereas, The House of Representatives of Pennsylvania is always ready to commend any person or group of persons who publicize the natural products of our great State, therefore be it

Resolved, That the House of Representatives of Pennsylvania commend the Community and the County of their initiative in originating and carrying forward The Somerset County Maple Festival, and be it further

Resolved, That the Chief Clerk of the House of Representatives forward copies of this resolution to Mr. Herman Bashore and to Mr. Thomas Shipley, Meyersdale, Pennsylvania, Co-Chairmen of the Festival Committee.

Referred to the Committee on Rules.

By Messrs. VARNER and SPENCER.

RESOLUTION No. 32.

In the House of Representatives, April 11, 1951.

For 18 years the American public has been spoon-fed with a series of crises calculated to frighten them into delivering their rights and duties into an expanding bureaucracy run by the few for the few.

All agree America's position on April 11, 1951 is filled with danger. We are engaged in a war and we are preparing to defend our homes from enemy action. The great question is not of the danger, it is who will decide to eliminate it correctly?

At just the point when all the military, political and diplomatic losses incurred since 1946 by the national administration's vacillating and incongruous policy and course of action, if any, could be recouped by vigorous counter-action and self-interest, President Harry S. Truman has seen fit to compound all the past errors by relieving from his command General Douglas MacArthur, a God-fearing American as well as a military genius.

In defense of this action, it is explained that a military commander must defer to his commander-in-chief, which is true; and must not meddle in the political action which is part of all war, which is false. No explanation, however, is or will be forthcoming explaining this newly-created political smokescreen to cover up the clinging murkiness of the older smokescreen around present administration policy and action, if any, which has for its purpose the appeasement of self-seeking foreign interests instead of protecting the welfare of the United States.

American citizens, including Harry S. Truman, know and believe in Douglas MacArthur. He is a recognized expert on military affairs and on the people and politics of the Pacific perimeter area. His achievements in keeping Japan from the entire Pacific perimeter under his jurisdiction free from communist influence, attack, and domination, as well as defeating the enemy's statellites in superior numbers with a limited force are only the latest in a long and distinguished career in the service of his country.

How long can America afford risking its life through the throttling of its first-rate leaders?; therefore be it

Resolved, That the House of Representatives of the Commonwealth regretfully but firmly extend to President Harry S. Truman our unequivocal censure of his dismissal of General Douglas MacArthur, of his reaffirmation of the dilly-dallying policy of the State Department, and his consideration of the interests of foreigners over the rights of our citizens; and be it further

Resolved, That copies of this resolution be sent to the President of the United States and to the presiding officers of both houses of Congress.

Referred to the Committee on Rules.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 17, 43, 459, 483 and 716.

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, April 12, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 17, Printer's No. 41, entitled "An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract of land in the City of Pittsburgh Allegheny County Pennsylvania containing approximately two hundred forty-seven acres for use as a site for a Veterans' Administration Hospital and ceding jurisdiction to the United States."

JOHN S. FINE.

April 12, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 43, Printer's No. 45, entitled "An Act authorizing the Board of Trustees of Pennsylvania Soldiers' Orphan School with the approval of the Department of Public Instruction to accept on behalf of the Commonwealth a stone amphitheater erected on the grounds of the Pennsylvania Soldiers' Orphan School."

JOHN S. FINE.

April 12, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 459, Printer's No. 55, entitled "An Act to further amend Section 2561 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial school amending revising consolidating and changing the laws relating thereto' by including additional items in 'overhead cost per pupil' for purposes of reimbursement between school districts."

JOHN S. FINE.

April 12, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 483, Printer's No. 56, entitled "An Act to amend section five hundred seventeen of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain

provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' by providing for the payment of traveling expenses of certain employees."

JOHN S. FINE.

April 11, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 716, Printer's No. 112, entitled "A supplement to the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (Appropriation Acts page 62) entitled 'An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-nine and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-nine' providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred and fifty-one."

JOHN S. FINE.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Sarraf for Mr. SCHMIDT because of illness.

Mr. Najaka for Mr. MIKULA for Monday and Tuesday.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 569, entitled:

An Act to further amend the act approved the twenty-fourth day of May one thousand eight hundred and ninety-three (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same" by providing a method of paying service increments from the retirement fund in cities to members of the police force after retirement

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 683, entitled:

An Act to further amend subsection (c) of section nine hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace and courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the

negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by removing certain equipment requirements pertaining to motor buses

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 900, entitled:

An Act to further amend section one thousand and twenty-seven of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon the owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by changing the requirements that certain vehicles stop at railway grade crossings.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 958, entitled:

An Act to further amend subsections (a) of Sections 1016 and 1112 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the requirements for stop signs

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 169, entitled:

An Act to amend Section 602 and subsections (a) and (g) of Section 607 of the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1368), entitled "An act amending, revising and consolidating town, township, school district, except of the first class and school districts within cities of the second class A, and institution district taxes; providing when, how and upon what property, and to what extent liens shall be allowed for such taxes; the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the lien of such tax claims, the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property, and the proceedings therefor; creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws," by further regulating the giving of notice of sale, the effect of failing to give notice as required by the act, and the bureau's return of sale to court for confirmation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 173, entitled:

An Act relating to the serving in public eating places of imported trout regulating the serving thereof and prescribing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 239, entitled:

An Act to further amend Section 412 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing for audits of accounts of expenditures of organizations of the National Guard by controllers or auditors of counties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 240, entitled:

An Act to further amend clause 35 of Section 2403 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by providing for audit of accounts of expenditures of organizations of

the National Guard by controllers of cities of the third class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 241, entitled:

An Act to amend Section 2 of the act approved the tenth day of March one thousand nine hundred thirty-seven (P. L. 39) entitled "An act authorizing cities of the first class second class and second class A to make appropriations for the support maintenance discipline and training of units of the National Guard providing for the paying over expenditure and accounting for of such appropriations and repealing existing laws" by providing for audit of accounts of expenditures of organizations of the National Guard by controllers of cities of the first class second class and second class A.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 304, entitled:

An Act authorizing, in certain cases, the renewal of motor vehicle operators' licenses for persons honorably discharged from the armed forces of the United States or from any women's organization officially connected therewith, without a learner's permit, examination or additional fee; and while in such service the operation of motor vehicles without renewal of operator's license; and the temporary suspension of existing laws requiring the same.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 362, entitled:

An Act to further amend the act, approved the twenty-sixth day of June, one thousand nine hundred thirty-one (P. L. 1379), entitled "An act creating in counties of the third class a board for the assessment and revision of taxes; providing for the appointment of the members of such board by the county commissioners; providing for their salaries, payable by the county; abolishing existing boards; defining the powers and duties of such board; regulating the assessment of persons, property, and occupations for county, borough, town, township, school, and poor purposes; authorizing the appointment of subordinate assessors, a solicitor, engineers, and clerks; providing for their compensation, payable by such counties; abolishing the office of ward, borough, and township assessors, so far as the making of assessments and valuations for taxation is concerned; and providing for the acceptance of this act by cities," by authorizing the payment of additional compensation to subordinate assessors by the boroughs, townships and school districts in which he makes assessments.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 33, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for filling the office of county superintendent when the only candidate for election becomes unavailable therefor within thirty days of the election date

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 772, entitled:

An Act to amend the act approved the tenth day of May one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the training of uneducable mentally handicapped children at day care training centers provided by the Department of Public Instruction and the care training and supervision by the Department of Welfare of children uneducable and untrainable in the public schools increasing State reimbursements for courses of handicapped children and making an appropriation

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mrs. MARKLEY. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 955, entitled:

An Act to amend section 10 of the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 903) entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employees independently of any pension system or systems existing in such cities" by removing the limitations on contributions by the city

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 956, entitled:

An Act to add Section 1201.1 to the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates

aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing for traffic courts in cities of the third class

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 68, entitled:

An Act to validate and confirm certain contracts heretofore entered into by boards of school directors where there is no evidence of fraud or conspiracy and to authorize ratify confirm and validate payments on such contracts by the school district

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 73, entitled:

An Act to amend Article V of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by permitting school directors to attend meetings of educational or financial interest to districts and providing for the payment of their expenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article V of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended by adding after section five hundred sixteen a new section to read as follows

Section 516.1 Attendance at Meetings of Educational or Financial Interest to District Expenses The board of school directors of each district may authorize the attendance of one or more of its members at any meeting when in the opinion of the board such attendance will be of educational or financial advantage to the district Each person so authorized to attend and attending shall be reimbursed for all expenses actually and necessarily incurred in going to attending and returning from the place of such meeting but not exceeding twelve dollars (\$12) per day together with railroad expenses actually incurred in going to and returning from such meeting Such expenses shall be paid by the treasurer of the school district in the usual manner out of the funds of the district upon presentation of an itemized verified statement of such expenses

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—165

Andrews,	Gleason,	Madigan,	Royer,
Banker,	Good,	Markley,	Sarra,
Barkdoll,	Goodling,	Maxwell,	Schuster,
Baumunk,	Graybill,	Mazza,	Scott,
Bear,	Greenwood,	McConnell,	Seyler,
Beaver,	Greer,	McCullough,	Shoemaker,
Beech,	Gutendorf,	McDermitt,	Shotwell,
Berkstreser,	Guthrie,	McInroy,	Smith,
Blair,	Hall,	McKinney,	Snider,
Bloom,	Hamilton, R. E.,	McMillen,	Sollenberger,
Boles,	Harney,	McNally,	Spencer,
Bolton,	Haudenshield,	Metz,	Stank,
Bomberger,	Headlee,	Mihm,	Stimmel,
Boorse,	Helm,	Miller, H. G.,	Stoner,
Bower,	Hewitt,	Miller, J. C.,	Swartz,
Breisch,	Hocker,	Mills,	Swope,
Breth,	Hunter,	Moore, C. E.,	Thompson, R. L.,
Brown,	Jenkins,	Moore, H. A.,	Tompkins,
Bucchin,	Johnson,	Moran,	Toomey,
Clapper,	Jones, J. M.,	Munley,	VanSant,
Clendening,	Jones, P. F.,	Murray,	Varnier,
Cochran,	Jones, T. H. W.,	Musto,	Verona,
Cooper,	Jump,	Najaka,	Wachhaus,
Corr,	Kamyk,	Naugle,	Wargo,
Dairymple,	Keller,	Needham,	Waterhouse,
Davis,	Kent,	Olsen,	Watkins,
Dennisson,	Kline,	Petrosky,	Weidner,
Dowling,	Kohl,	Pitzer,	Wescott,
DuBois,	Kornick,	Polaski,	Westrick,
Dunn,	Kratz,	Polen,	Whalley,
Erb,	Kubacki,	Price, H. W. Jr.,	Wheeler,
Ewing,	Lafore,	Price, R. A.,	White,
Fenrich,	Lelsey,	Readinger,	Williams,
Ferster,	Leonard, L.,	Reagan,	Wilt,
Filip,	Leonard, W. C.,	Reese,	Wood,
Filo,	Light,	Reidenbach,	Yeakel,
Firmstone,	Lopresti,	Reilly, J. M.,	Yester,
Flack,	Lovett,	Rigby,	Yetzer,
Frost,	Lutty,	Riley, R. L.,	Young,
Gaffney,	Lyons,	Robertson,	Ziegler,
Geer,	Madden,	Rovansek,	Sorg,
Gibson,			Speaker

NAYS—0

NOT VOTING—42

Amarando,	Hersch,	Mintess,	Rubin,
Byrne,	Hoggard,	Monroe,	Sax,
Cella,	Jones, G. E.,	Muldowney,	Scanlon,
Conway,	Kolankiewics,	Penglase,	Schmidt,
Costa,	Lederer,	Peta,	Tahl,
Coyle,	Leven,	Pettigrew,	Taylor,
Dougherty,	Limper,	Pfaff,	Thompson, E. F.,
Duffy,	Loftus,	Pichney,	Toll,
Guarnieri,	McCormack,	Rose,	Varallo,
Hagerty,	McGee,	Rosen,	Welsh,
Hamilton, W. H.,	Mikula,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 486, Printer's No. 220, was passed over at the request of the SPEAKER.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 204, as follows:

An Act to amend Section 1512 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled 'An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto' by requiring water utility companies to furnish to townships lists

of water meter readings flat-rate bills and other data for the purpose of determining sewer charges and providing reimbursement for their expenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1512 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled 'An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto' as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) is amended to read as follows

Section 1512 Sewer Rentals All persons whose property connects with a system of sewers or drains shall pay to the township treasurer in addition to the cost of making such connection a monthly quarterly semi-annual or annual charge prescribed by a resolution of the board of supervisors Such monthly quarterly semi-annual or annual charge or charges shall constitute a lien until paid against the property so connecting with such system and the amount thereof may be recovered by due process of law All water utilities supplying water to users within the boundaries of any township shall at the request of the board of supervisors furnish to the township on or before the fifteenth day of the month following the month during which bills are issued a list of all water meter readings and flat-rate water bills and the basis for each flat-rate water charge so that the data may be used in calculating such charges The township is authorized and empowered to pay to such utilities reasonable amounts for necessary clerical and other expenses incurred in the preparation of such lists

Nothing in this section shall be construed to repeal or modify any of the provisions of the Public Utility Law

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—165

Andrews,	Gleason,	Madigan,	Royer,
Banker,	Good,	Markley,	Sarra,
Barkdoll,	Goodling,	Maxwell,	Schuster,
Baumunk,	Graybill,	Mazza,	Scott,
Bear,	Greenwood,	McConnell,	Seyler,
Beaver,	Greer,	McCullough,	Shoemaker,
Beech,	Gutendorf,	McDermitt,	Shotwell,
Berkstreser,	Guthrie,	McInroy,	Smith,
Blair,	Hall,	McKinney,	Snider,
Bloom,	Hamilton, R. E.,	McMillen,	Sollenberger,
Boles,	Harney,	McNally,	Spencer,
Bolton,	Haudenshield,	Metz,	Stank,
Bomberger,	Headlee,	Mihm,	Stimmel,
Boorse,	Helm,	Miller, H. G.,	Stoner,
Bower,	Hewitt,	Miller, J. C.,	Swartz,
Breisch,	Hocker,	Mills,	Swope,
Breth,	Hunter,	Moore, C. E.,	Thompson, R. L.,
Brown,	Jenkins,	Moore, H. A.,	Tompkins,
Bucchin,	Johnson,	Moran,	Toomey,
Clapper,	Jones, J. M.,	Munley,	VanSant,
Clendening,	Jones, P. F.,	Murray,	Varnier,
Cochran,	Jones, T. H. W.,	Musto,	Verona,
Cooper,	Jump,	Najaka,	Wachhaus,
Corr,	Kamyk,	Naugle,	Wargo,
Dairymple,	Keller,	Needham,	Waterhouse,
Davis,	Kent,	Olsen,	Watkins,
Dennisson,	Kline,	Petrosky,	Weidner,
Dowling,	Kohl,	Pitzer,	Wescott,
DuBois,	Kornick,	Polaski,	Westrick,
Dunn,	Kratz,	Polen,	Whalley,
Erb,	Kubacki,	Price, H. W. Jr.,	Wheeler,
Ewing,	Lafore,	Price, R. A.,	White,
Fenrich,	Lelsey,	Readinger,	Williams,
Ferster,	Leonard, L.,	Reagan,	Wilt,
Filip,	Leonard, W. C.,	Reese,	Wood,
Filo,	Light,	Reidenbach,	Yeakel,
Firmstone,	Lopresti,	Reilly, J. M.,	Yester,

Flack, Frost, Gaffney, Geer, Gibson.	Lovett, Lutty, Lyons, Madden.	Rigby, Riley, R. L., Robertson, Rovansek.	Yetzer, Young, Ziegler, Sorg. Speaker
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NAYS—0

NOT VOTING—42

Amarando, Byrne, Cella, Conway, Costa, Coyle, Dougherty, Duffy, Guarnieri, Hagerty, Hamilton, W. H.	Hersch, Hoggard, Jones, G. E., Kolankiewicz, Lederer, Leven, Limper, Loftus, McCormack, McGee, Mikula.	Mintom, Monroe, Muldowney, Penglass, Peta, Pettigrew, Pfaff, Pichney, Rose, Rosen.	Rubin, Sax, Scanlon, Schmidt, Tahl, Taylor, Thompson, E. F., Toll, Varallo, Welsh.
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 206, as follows:

An Act to further amend Section 2401 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by requiring water utility companies to furnish to the township lists of water meter readings flat-rate water bills and other data for the purpose of determining sewer and drainage rates and providing reimbursement for their expenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2401 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" as reenacted and amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1955) is hereby further amended to read as follows

Section 2401 Power to Establish and Construct Sewers and Drains Require Connections Sewer Rentals Townships may establish and construct a system of sewers and drainage locating the same as far as practicable along and within the lines of the public streets and highways of the township as seem advisable to the commissioners. The township commissioners may permit and where necessary for the public health by ordinance require any owner of property abutting on or adjoining any street or highway in which is a sewer to make connections with such sewer or drainage in such manner as the commissioners may order for the purpose of discharge of such drainage or waste matter as the commissioners may specify. The township commissioners may by penalties enforce any regulation they may ordain with reference to any sewer or drainage connections. All connections required shall be uniform. All persons so connecting may be required to pay in addition to the cost of making such connections a monthly or annual rate prescribing by ordinance. Such monthly or annual rate shall constitute a lien until paid against the property so connecting with such system and the amount thereof may be recovered by due process of law. All water utilities supplying water to users within the boundaries of any township shall at the request of the township commissioners furnish to the township on or before the fifteenth day of the month following the month during which bills are issued a list of all water meter readings and flat-rate water bills and

the basis for each flat-rate water charge so that the data may be used in calculating a monthly or annual rate. The township is authorized and empowered to pay to such utilities reasonable amounts for necessary clerical and other expenses incurred in the preparation of such lists.

Nothing in this section shall be construed to repeal or modify any of the provisions of the Public Utility Law.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—165

Andrews, Banker, Barkdoll, Baumunk, Bear, Beaver, Beech, Berktremmer, Blair, Bloom, Boles, Bolton, Bomberger, Boores, Bower, Brelach, Breth, Brown, Buechin, Clapper, Clendenen, Cochran, Cooper, Corr, Dalrymple, Davis, Dennison, Dowling, DuBois, Dunn, Erb, Ewing, Fenrich, Fenster, Filip, Filo, Firmstone, Flack, Frost, Gaffney, Geer, Gibson,	Gleason, Good, Goodling, Graybill, Greenwood, Greer, Gutendorf, Guthrie, Hall, Hamilton, R. E., Harney, Haudenaheld, Headlee, Helm, Hewitt, Hocker, Hunter, Jenkins, Johnson, Jones, J. M., Jones, P. F., Jones, T. H. W., Jump, Kamyk, Keller, Kent, Kline, Kohl, Kornick, Krats, Kubacki, Lafors, Lalsey, Leonard, L., Leonard, W. C., Light, Lopresti, Lovett, Lutty, Lyons, Madden, Madigan, Markley, Marwell, Mazza, McConnell, McCullough, McDermitt, McInroy, McKinney, McMillen, McNally, Metz, Mihm, Miller, H. G., Miller, J. C., Mills, Moore, C. E., Moore, H. A., Moran, Munley, Murray, Musto, Najaka, Naugle, Needham, Olson, Petrosky, Pitzer, Polaski, Polen, Price, H. W. Jr., Price, R. A., Readinger, Reagan, Reese, Reidenbach, Reilly, J. M., Rigby, Riley, R. L., Robertson, Rovansek, Royer, Sarraf, Schuster, Scott, Seyler, Shoemaker, Shotwell, Smith, Snider, Sollenberger, Spencer, Stank, Stimmel, Stoner, Swartz, Swope, Thompson, R. L., Tompkins, Toomey, VanSant, Varner, Verona, Wachhaus, Wargo, Waterhouse, Watkins, Weidner, Wescott, Westrick, Whalley, Wheeler, White, Williams, Wilt, Wood, Yeakel, Yetzer, Young, Ziegler, Sorg. Speaker
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NAYS—0

NOT VOTING—42

Amarando, Byrne, Cella, Conway, Costa, Coyle, Dougherty, Duffy, Guarnieri, Hagerty, Hamilton, W. H.	Hersch, Hoggard, Jones, G. E., Kolankiewicz, Lederer, Leven, Limper, Loftus, McCormack, McGee, Mikula.	Mintom, Monroe, Muldowney, Penglass, Peta, Pettigrew, Pfaff, Pichney, Rose, Rosen.	Rubin, Sax, Scanlon, Schmidt, Tahl, Taylor, Thompson, E. F., Toll, Varallo, Welsh.
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 252, as follows:

An Act to amend Section 605 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled 'An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment' by requiring the recorder's record of conveyances to contain complete post office addresses of grantees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 605 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled 'An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment' is hereby amended to read as follows

Section 605 Recorder of Deeds to Furnish Record of Conveyances Compensation It shall be the duty of the recorder of deeds in each county to keep a daily record separate and apart from all other records of every deed or conveyance of land in said county entered in his office for recording which record shall set forth the following information to wit The date of the deed or conveyance the names of the grantor and grantee the complete post office address of the grantee the consideration mentioned in the deed the location of the property as to city borough ward town or township the acreage of the land conveyed if mentioned and if the land conveyed be a lot or lost on a recorded plan the number or numbers by which the same may be designated on the plan if mentioned in the deed and it shall be the further duty of the recorder on or before the first Monday of each month to file the aforesaid daily record in the office of the board for the assessment and revision of taxes of the proper county together with his certificate appended thereto that such record and the recorder of deeds shall charge and collect from the person presenting a deed of conveyance for record the sum of fifteen cents when it contains but one description of land and ten cents for each additional description therein described which sum shall be in full compensation for his services under this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—165

Andrews,	Gleason,	Madigan,	Royer,
Banker,	Good,	Markley,	Sarrafi,
Barkdoll,	Goodling,	Maxwell,	Schuster,
Jaumunk,	Graybill,	Mazza,	Scott,
Bear,	Greenwood,	McConnell,	Seyler,
Beaver,	Greer,	McCullough,	Shoemaker,
Beech,	Gutendorf,	McDermitt,	Shotwell,
Berkstresser,	Guthrie,	McInroy,	Smith,
Blair,	Hall,	McKinney,	Snider,
Bloom,	Hamilton, R. K.,	McMillen,	Sollenberger,
Boles,	Harney,	McNally,	Spencer,
Bolton,	Haudenshield,	Metz,	Stank,
Bomberger,	Headlee,	Mihm,	Stimmel,
Boorse,	Helm,	Miller, H. G.,	Stoner,
Bower,	Hewitt,	Miller, J. C.,	Swartz,
Breisch,	Hocker,	Mills,	Swope,
Breth,	Hunter,	Moore, C. E.,	Thompson, R. L.,
Brown,	Jenkins,	Moore, H. A.,	Tompkins,
Bucchin,	Johnson,	Moran,	Toomey,
Clapper,	Jones, J. M.,	Munley,	VanSant,
Clendenning,	Jones, P. F.,	Murray,	Varnier,
Cochran,	Jones, T. H. W.,	Musto,	Verona,
Cooper,	Jump,	Najaka,	Wachhaus,
Corr,	Kamyk,	Naugle,	Wargo,
Hympie,	Keller,	Needham,	Waterhouse,
Davis,	Kent,	Olsen,	Watkins,
Dennison,	Kline,	Petrosky,	Weidner,
Dawling,	Kohl,	Pitzer,	Wescott,
DuBois,	Kornick,	Polaski,	Westrick,
Gunn,	Kratz,	Polen,	Whalley,
Erb,	Kubacki,	Price, H. W. Jr.,	Wheeler,
Ewing,	Lafore,	Price, R. A.,	White,
Fenrich,	Leisey,	Readinger,	Williams,
Fenster,	Leonard, L.,	Reagan,	Wilt,
Filip,	Leonard, W. C.,	Reese,	Wood,
Filo,	Light,	Reidenbach,	Yeakel,
Firmstone,	Lopresti,	Reilly, J. M.,	Yester,
Flack,	Lovett,	Rigby,	Yetzer,
Frost,	Lutty,	Riley, R. L.,	Young,
Gaffney,	Lyons,	Robertson,	Ziegler,
Geer,	Madden,	Rovansek,	Sorg,
Gibson,			Speaker

NAYS—0

NOT VOTING—42

Amarando,	Hersch,	Mikula,	Rubin,
Byrne,	Hoggard,	Mintess,	Sax,
Cella,	Jones, G. E.,	Monroe,	Scanlon,
Conway,	Kolankiewicz,	Muldowney,	Schmidt,
Costa,	Lederer,	Pengilase,	Tahl,
Coyle,	Leven,	Peta,	Taylor,
Dougherty,	Limper,	Pettigrew,	Thompson, E. F.,
Duffy,	Loftus,	Pfaff,	Toil,
Guarnieri,	McCormack,	Pichney,	Varallo,
Hagerty,	McGee,	Rose,	Welsh,
Hamilton, W. H.,		Rosen,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 277, Printer's No. 85, and

House Bill No. 629, Printer's No. 176,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 702, as follows:

An Act to further amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by further regulating the affairs of boroughs and revising amending and changing the law relating thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 109 404 425 430 805 811 816 901 1001 1003 1005 1006 1028 1030 subsection (b) of Section 1035 and Sections 1047 1057 1115 1132 1136 1140 1145 1155 1160 1167 1178 1201 and clauses VI and XIX of Section 1202 of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" as reenacted or as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1621) are hereby amended or further amended as the case may be to read as follows

Section 109 Publication of Notices Wherever in any of the provisions of this act notice is required to be given in one newspaper in the county such notice shall be published in a [general] newspaper of general circulation published within the limits of the borough affected or if none is published therein then in a [general] newspaper of general circulation of the county or adjacent county circulating in such borough and such notice shall also be published in the legal journal if any designated by the rules of court for the publication of legal notices and advertisements when such notice refers to any proceeding in any court or the holding of elections for the increase of indebtedness or the sale of bonds unless such publication is dispensed with by special order of the court

Section 404 Wards Until changed in the manner provided by law the township of the first class or part thereof annexed to the borough if not divided into wards shall constitute a separate new ward of the enlarged borough if such borough is at the time divided into wards If the township or part of the township at the time of annexation was divided into wards then each ward of the township or part of the township shall constitute a separate ward of the enlarged borough (if divided into wards and shall be consecutively numbered or otherwise appropriately designated by the council of the borough Provided That in any case where a part of a township only is annexed to a borough divided into wards the court in the order annexing such part of a township to such borough may include a provision that such annexed territory shall be attached to an existing ward or wards of such borough

Section 425 Annexation Ordinance Limitation of Subsequent Proceedings Any borough may by ordinance annex adjacent land situate in a township of the second class in the same or any adjoining county upon petition and may attach such annexed territory to an existing ward or wards The petition shall be signed by a majority in number of all of the freeholders of the territory to be annexed If an ordinance to make such annexation is defeated no other proceeding for the annexation of the same territory or any part thereof shall be had within five years thereof

Section 430 Petitions to Detach Territory The court of quarter sessions upon petition may change the limits of any borough by detaching territory therefrom and annexing the same to a contiguous township or borough in cases where the line between a borough and a township or another borough shall separate the lands of any person or where the territory of any borough is divided by reason of natural or artificial causes or where any part of a borough is so located that access to the remaining portion can be had only by passing through some other township or borough or where any part of a borough is so located that the convenience of the inhabitants thereof would be served by the detachment of such part

Section 805 Election of Borough Officers When Boroughs Created Etc Whenever a borough is incorporated under the provisions of sections 201 to 211 inclusive of this act or whenever two or more boroughs are consolidated under the provisions of sections 215 to 222 of this act or whenever a borough is created from a city of the third class

under the provisions of sections 225 to 229 of this act the officers of the borough provided for in section 807 of this act shall be elected at the appropriate municipal election as provided in said sections and such officers shall take office on the first Monday of January succeeding such election

At any such election if the borough is not divided into wards of the seven councilmen to be elected three or four councilmen as the case may be shall be elected for terms of two years each and three or four councilmen as the case may be shall be elected for terms of four years each to coincide with the number of councilmen elected at such election in existing boroughs under the provisions of section 810 of this act

In the case of the consolidation of two or more boroughs into one borough or the creation of a borough from a city of the third class and where in either event two councilmen are to be elected from each ward one councilman shall be elected from each ward for a term of two years and one councilman shall be elected from each ward for a term of four years

In all boroughs coming within the provisions of this section three auditors shall be elected one for a term of two years one for a term of four years and one for a term of six years

All other officers of the borough shall be elected at such election for terms of two or four years as the case may be to coincide with the terms of officers elected under this act at such election in the existing boroughs

Section 811 Election of Councilmen Where New Wards Created Whenever the court of quarter sessions shall divide any borough into wards erect new wards out of two or more wards or parts thereof [or] divide a ward already erected into two or more wards or create a new ward out of annexed territory and when the report in such case is confirmed by the court it shall at the same time decree the election of an equal number of councilmen in each of the wards in such manner as not to interfere with the terms of those theretofore elected Where a borough is first divided into wards the court shall fix the number of councilmen in each ward at not more than two In decreeing such election when the entire number of council shall be composed of an even number the decree shall be so made that one-half of the entire number shall thereafter be elected at each municipal election When the entire number of council shall be an odd number the court shall divide such council into two classes and shall make its decrees so that one-half of the entire number of councilmen less one shall as soon as possible take their office in a year divisible by four and the remaining number of councilmen shall take their office in an even-numbered year not divisible by four The apportionment shall be so made by the court that there shall be equal or as nearly equal as possible representation by wards in each class Biennially thereafter at each municipal election a sufficient number of councilmen shall be elected for the term of four years from the first Monday of January next succeeding to fill the places of those whose terms shall expire on the first Monday of January next following such election

Section 816 Decrease of Number of Ward Councilmen Whenever the electors of any borough divided into wards are authorized by this act or by a decree of court to elect two members of council from each ward or whenever a borough at the time of the enactment of this act shall elect three councilmen from each ward [the court of quarter sessions may upon the petition of at least five per centum of the registered electors of such borough and after notice to the council decrease the number of members of the council to be elected in each of such wards from two to one or from three to one or two] and the council of such borough in either case consists of more than nine members at least five per centum of the registered electors of such borough shall have power to petition the court of quarter sessions for a decrease in the number of members of council from each ward The purpose of such decrease may be to achieve any or all of the following results a council which is less unwieldy in size a council which is comparable in size to those in boroughs not divided into wards a council consisting of an odd number

of members instead of an even number a reduction in borough expenditures and the expedition of the conduct of council meetings Said petition shall clearly state whether it is the prayer of the petitioners that the number of members of such council to be elected in each ward shall be reduced from two to one or from three to two or one and shall further state the reasons why such reduction in number shall be desired The sufficiency of the number of signers to any such petition shall be ascertained as of the date the petition is presented to court

The court shall give notice of the filing of such petition by advertisement in the legal journal of the county and in one newspaper of the county and in such notice shall a day and time for hearing After such hearing the court may decrease the number of councilmen elected from each ward from two to one from three to two or to one

At each municipal election thereafter in such borough where there are two members from each ward the electors of each ward shall elect one councilman to hold office for a term of four years from the first Monday of January next succeeding his election

At each municipal election thereafter in such boroughs where there is one member from each ward the electors from each of the odd-numbered wards shall at the first municipal election thereafter elect one councilman for a term of four years and the electors from each of the even-numbered wards shall elect one councilman for a term of two years At each municipal election thereafter the electors of the even-numbered wards or odd-numbered wards as the case may be shall each elect one councilman for a term of four years to take the place of those whose terms are about to expire All such councilmen shall take office on the first Monday of January following their election

In any borough where under the provisions of this section the number of councilmen shall be reduced the councilmen then in office shall remain in office until the end of their respective terms

Section 901 Filling Vacancies in Elective Borough Offices If any vacancy shall occur in the office of burgess member of council auditor controller or tax collector by death resignation removal from the borough or from a ward in the case of a ward office or by failure to take the required oath or to give bond as provided by law or ordinance or in any other manner whatsoever the borough council shall fill such vacancy by appointing by resolution a registered elector of the borough or of the ward in case of a ward office to hold such office for the unexpired term of the office

The person appointed shall give bond if required by law or ordinance

In cases where the person elected to the office shall fail to give bond if any required or to take the required oath the borough council before making the appointment shall declare the office vacant

If the council of any borough shall refuse fail or neglect or be unable for any reason whatsoever to fill any vacancy within thirty days after the vacancy happens as provided in this section then the court of quarter sessions shall upon petition of the burgess or council or five citizens fill the vacancy in such office by the appointment of a qualified resident of the borough for the unexpired term of the office

Section 1001 Organization of Council Quorum [Not Compensation Eligibility] The borough council shall organize at eight o'clock post meridian on the first Monday of January of each even-numbered year by electing a president treasurer and secretary which shall constitute the organization of council The council may at the organization meeting elect such other officers as may be provided for by law or ordinance or as may be deemed necessary for the conduct of affairs of the borough The president shall preside over the meetings of council and when absent his place shall be filled by a president pro tempore A majority of the entire membership of council shall constitute a quorum The councilmen may receive compensation to be fixed at any time and from time to time as follows In boroughs whose population is seven hundred fifty (750) or less a maximum of five dollars

(\$5) a month in boroughs whose population is more than seven hundred fifty (750) and not more than fifteen hundred (1500) a maximum of ten dollars (\$10) a month in boroughs whose population is more than fifteen hundred (1500) and not more than twenty-five hundred (2500) a maximum of fifteen dollars (\$15) a month in boroughs whose population is more than twenty-five hundred (2500) and not more than five thousand (5000) a maximum of twenty dollars (\$20) a month in boroughs whose population is more than five thousand (5000) a maximum of twenty-five dollars (\$25) a month

The population shall be determined by the latest United States decennial census or by two and one-half (2½) times the number of registered voters in the borough No compensation shall be paid in any month to a councilman who has failed to attend at least one regular meeting of council during the month A school director shall not be eligible to the office of member of council

Section 1003 When the Burgess May Preside Over Council and Vote Attendance of Burgess at Council Meetings Breaking Tie Votes The burgess shall preside over the organization of the council until it is organized as provided in section 1001 and he shall be deemed a member of council at the organization meeting if his membership becomes necessary to constitute a quorum but he shall not vote thereat unless his vote shall for any reason whatsoever be required to effect the organization of council or to elect any officer who is required to be or may be elected at the organization meeting In case of the unavoidable absence of the burgess at the organization meeting one of the members of council chosen by the members present at the meeting shall preside

The burgess shall attend all regular meetings of council unless detained by sickness or prevented by necessary absence from the borough In all cases where by reason of a tie or split vote the council of any borough shall be unable to enact or pass any ordinance resolution or motion or to declare or fill any vacancy in its membership or in any other borough office or to take any action on any matter lawfully brought before it it shall be the duty of the burgess of such borough to cast the deciding vote

Section 1005 Powers of Council The council of the borough shall have power

I To create by motion ordinance or resolution and appoint a solicitor an engineer a street commissioner and such other officers as it deems necessary

II To mitigate or remit fines and forfeitures in reasonable cases

III By resolution to make temporary loans on the credit of the borough in anticipation of taxes to be collected and to issue certificates of indebtedness therefor All such loans shall be repaid from the first moneys available from taxes in anticipation of which the same were made

IV To appoint and revoke the appointment of one or more depositories for borough funds and to fix and approve security to be furnished by any such depository Such security may be bonds with corporate or individual securities to be approved by council or collateral security consisting of obligations of the United States or the Commonwealth of Pennsylvania or any political subdivision thereof deposited with the borough or with any bank or trust company within the Commonwealth of a market value of one hundred and twenty per centum of the amount of the deposit to be secured Any deposit of collateral shall be under proper agreement and be accompanied by proper assignment or power of attorney for the transfer of the collateral The borough treasurer shall deposit all borough funds in any depository so designated and when so deposited the borough treasurer shall be released and discharged from further liability on account of such deposit Nothing herein contained shall be construed to require a depository to furnish bond or collateral security to cover the amount of any deposit to the extent that the same is insured with the Federal Deposit Insurance Corporation

V To secure such indemnity bonds or policies of insurance as it may deem necessary to protect the borough

from loss by reason of fire flood windstorm burglary larceny negligence or dishonesty insolvency of a depository or otherwise and to pay for such protection the usual or customary costs

VI To make temporary investment of borough funds whether they be general special or sinking fund in bonds sylvania the bonds of the borough or in any other security of the Federal Government the Commonwealth of Pennsylvania authorized by law for the investment of sinking funds of municipalities when in its judgment the interests of the borough will be enhanced thereby and to dispose of such securities when the funds may be needed by the borough Any such purchase or sale shall be made by the president and secretary of council or a resolution adopted by the council

VII To employ a certified public accountant by a two-thirds vote of the entire number of councilmen elected such certified public accountant to act in addition to and not in place of the auditors or controller of the borough

VIII To make authorize and ratify expenditures for lawful purposes from funds available therefor or from funds borrowed within legal limits

Section 1006 Duties of Council It shall be the duty of the borough council

I To meet statedly at least once a month Council may adjourn to a particular time for general business or for special business If no quorum is present at a regular or adjourned meeting a majority of those who do meet may agree upon another date for like business and may continue to so agree until the meeting is held Special meetings may be called by the president of council or upon written request of at least one-third of the members thereof Members shall have at least twenty hours' notice of such special meetings The notice shall state whether it is for general or special purposes and if it is for special purposes the notice shall contain a general statement of the nature of the business to be transacted Presence at a meeting constitutes waiver of notice Council may adopt rules relating to the calling and holding of all meetings which rules shall supersede the provisions of this section

II To make and preserve full records of its proceedings

III To enact revise repeal and amend such by-laws rules regulations ordinances and resolutions not inconsistent with the laws of the Commonwealth as it shall deem beneficial to the borough and to provide for the enforcement of the same The legislative powers of boroughs including capital expenditures not payable out of current funds shall be exercised by or be based on an ordinance All other powers shall be exercised by vote of the majority of council present at a meeting unless otherwise provided Routine ministerial or administrative purchases and powers may be made and exercised by officers or committees if authority therefor was previously given or if the action is subsequently ratified by council

IV Except where otherwise in this act provided to publish every ordinance or resolution of a legislative character once in one newspaper of general circulation in the borough

V To cause notice to be served as required by law or ordinance in a manner council may be motion or other action decide

VI To keep open for public inspection in a place provided by the borough any plans of highways that may be made

VII To appoint and remove a treasurer and secretary The treasurer and secretary shall not be members of council A bank or bank and trust company may be appointed as treasurer

VIII To fix the compensation of the treasurer and secretary and such other officers appointees and employes as it may appoint to be paid from the borough treasury by orders drawn thereon

IX To fix the amount of security to be given by the treasurer and of such other officers appointees and employes as it may designate

Section 1028 Duties of Burgess It shall be the duty of the burgess

I To preserve order in the borough to enforce the ordinances and regulations to hear complaints to remove nuisances and to exact a faithful performance of the duties of the officers appointed

II To demand and receive sufficient security in the amount fixed by the council of the borough from the treasury]

III To sign such papers contracts obligations and documents as may be lawfully required by council

IV To keep correct accounts of all fees fines and costs received by him to render to the [councils] council at each regular meeting an itemized statement of all such moneys so received since the last regular meeting of the council with the dates at which and the names of the persons from whom the same was received and to app all meeting except such costs and fees as he may be authorized such moneys into the borough treasury prior to such regular meeting to retain in lieu of salary The burgess shall be reimbursed by the borough for the costs of such dockets books and forms not to exceed twenty-five dollars in the aggregate for any one year as are directly useful in the conduct of his office Such dockets books and forms shall be and remain the property of the borough and shall be surrendered to his successor in office

V To cause to be opened all public roads or streets lying within or partly within the borough

Section 1030 When President of Council to Act as Burgess Whenever the burgess is absent or incapacitated the duties of his office shall be discharged by the president of council While discharging the duties of the burgess the president of council shall be entitled to the same salary or fees as the burgess would receive and during the time such salary is paid to the president of council as acting burgess the burgess shall not be paid compensation The president of council when acting as burgess shall have no power to veto any proposed ordinance or to break a tie but shall have power to vote as councilman

Section 1035 Auditors to Meet Yearly and Audit Accounts Uniform Forms * * * *

(b) The auditors shall audit adjust and settle the accounts of the tax collectors and all officers of the borough and of [any] every person committee and commission receiving or expending borough funds and shall prepare a report thereof which shall contain an audit of the accounts of the last fiscal year and shall also show a complete statement of the financial condition of the borough giving in detail the actual indebtedness the amount of the funded debt the amount of the floating debt thereof the valuation of taxable property therein the assets of the borough with the character and value thereof and the date of maturity of the respective forms of funded debt thereof Such report shall be prepared within sixty (60) days after the close of the fiscal year

Section 1047 Compensation of Auditors Each auditor shall receive no less than five dollars or more than ten dollars as council may determine per day for each day necessarily employed in the discharge of his duties to be paid by the borough a day shall consist of not less than five hours in the aggregate

Section 1057 General Powers and Duties of Controller The borough controller shall superintend the fiscal concerns of the borough He shall examine audit and settle all accounts whatsoever in which the borough is concerned either as debtor or creditor where provisions for the settlement thereof [is] are made by law and where no such provisions or an insufficient provision has been made he shall examine such accounts and report to the borough council the facts relating thereto with his opinion thereon

In the examination audit and settlement of accounts the controller shall have all of the powers and perform all of the duties vested in and imposed on the auditors by this act He shall make and file an annual report of his audit and make and publish the annual financial report in the same form and manner and at the same time as in this act required of the auditors or the secretary of the borough

The borough controller shall have supervision and control of the accounts of all departments bureaus and officers of the borough authorized to collect receive or disburse the public moneys or who are charged with the manage-

ment or custody thereof He shall audit their respective accounts and may at any time require from any of them a statement in writing of any moneys or property of the borough in their hands or under their control showing the amount of cash on hand and the amount deposited in banks and banking institutions together with the names of such institutions He shall have power to examine every such account of a borough officer in any bank or banking institution to verify the accuracy of the statement of such borough department bureau or officer and it shall be the duty of every such bank and banking institution its officers and agents to furnish full information to the controller in relation to such account No banker or banking institution its officers or agents shall be subject to prosecution under other laws of this Commonwealth for disclosing any such information with respect to any such account He shall immediately upon the discovery of any default irregularity or delinquency report the same to the borough council He shall also audit and report upon the account of any such officer upon the death resignation removal or expiration of the term of the said officer

Section 1115 Appointment [On the first Monday of January or within thirty days thereafter of each even-numbered year the] The borough council may appoint one person as street commissioner who shall serve [for a term of two years or] until his successor shall qualify

Section 1132 Service Required Before Retirement The ordinance establishing the police pension fund may prescribe a minimum period of [continuous] total service not less than twenty years after which members of the force may be retired from active duty Borough policemen so retired shall be subject to service as police reserve until unfitted for such service by reason of age or disability when they may be finally discharged

Section 1136 Rights of Members No person participating in such police pension fund and becoming entitled to receive a benefit therefrom shall be deprived of his right to an equal and proportionate share therein upon the basis upon which he first became entitled thereto except for the following causes that is to say conviction of a crime or misdemeanor becoming a habitual drunkard [becoming a nonresident of the Commonwealth] or failing to comply with some general regulation relating to the management of such fund which may be made by ordinance and which provides that a failure to comply therewith shall terminate the right to participate in the pension fund after such notice and hearing as it shall prescribe

Section 1140 Borough Manager May Be Created by Ordinance Election The council of any borough may at its discretion at any time create by ordinance the office of borough manager and may in like manner abolish the same While said office exists the council shall from time to time and whenever there is a vacancy elect by a vote of a majority of all the members one person to fill said office who shall serve until the first Monday of January of the even-numbered year succeeding his election and until his successor [qualified] qualifies subject however to removal by the council at any time by a vote of the majority of all the members

Section 1145 Creation of Borough Planning Department Appointment of Commissioners Powers No Compensation The council of any borough may at any time create by ordinance a department to be known as the Department of Borough Planning which shall be in charge of a Borough Planning Commission consisting of five persons to be appointed by council In the first instance one member of said commission shall be appointed for one year one member for two years one member for three years one member for four years and one member for five years and annually thereafter a member of said commission shall be appointed for a term of five years An appointment to fill a vacancy shall be only for the unexpired portion of the term All members of the said commission shall reside within the [zone of jurisdiction of said commission as hereinafter defined] borough They may make and alter rules and regulations for their own organization and procedure consistent with the ordinances of the borough and the laws of the Commonwealth They shall serve without compensation and make annually to the council a report of their transactions They may employ

engineers and other persons whose salaries and wages and other necessary expenses of the commission where approved by council shall be provided for through proper appropriation by council They may contract for professional planning services the costs and expenses of which when approved by council shall be provided for through proper appropriation by council

Section 1155 Ordinance Creating [Boroughs] Any borough within the limits of either the anthracite or bituminous region of the Commonwealth may by ordinance create a bureau of mine inspection and surface support

Section 1160 Certain Surface Supports to Be Removed It shall be unlawful for any person copartnership association or corporation to dig mine remove or carry away the coal rock earth or other materials or materials forming the natural support of the surface beneath the public highways streets alleys court and places of any borough in the anthracite or bituminous region to such an extent and in such a manner as to thereby remove the necessary support of the surface without having first placed or constructed an artificial permanent support sufficient to uphold and preserve the stability of the surfaces of such public highways streets alleys courts and places

Section 1167 Offices Incompatible With Civil Service Commissioner No commissioner shall at the same time hold an elective or appointed office under the United States government the Commonwealth of Pennsylvania or any political subdivision of the Commonwealth except that one member of the commission may be a member of the council of the borough and one a member of the teaching profession

Section 1178 Manner of Filling Appointments Every position or employment in the police force or as pair operators of fire apparatus except that of chief of police or chief of the fire department of equivalent shall be filled only in the following manner the council shall notify the commission of any vacancy which is to be filled and shall request the certification of a list of eligibles The commission shall certify for each existing vacancy from the eligible list the names of three persons thereon or a lesser number where three are not available who have received the highest average The council shall thereupon with sole reference to the merits and fitness of the candidates make an appointment from the three names certified unless they make objections to the commission as to one or more of the persons so certified for any of the reasons stated in section 1177 of this act Should such objections be sustained by the commission as provided in said section the commission shall thereupon strike the name of such person from the eligible list and certify the next highest name for each name stricken off As each subsequent vacancy occurs in the same or another position precisely the same procedure shall be followed

In the case of a vacancy in the office of chief of police or chief of the fire department or equivalent official the appointive power may nominate a person to the commission It shall thereupon become the duty of the commission to subject such person to a noncompetitive examination and if such person shall be certified by the commission as qualified he may then be appointed to such position and thereafter shall be subject to all the provisions of this act

Section 1201 General Powers A borough may
I Have succession perpetually by its corporate name
II Sue and be sued and complain and defend in the court of the Commonwealth

III Make and use a common seal and alter the same at pleasure

IV Purchase acquire by gift or otherwise lease let and convey by gift sale or lease such real and personal property as shall be deemed to be to the best interest of the borough Provided That no real estate owned by the borough shall be sold for a consideration in excess of one thousand dollars except to the highest bidder after due notice by advertisement for bids in one newspaper of the county Such advertisement shall be published not less than ten days prior to the date fixed for the opening of bids and such date for opening bids shall be

announced in such advertisement The acceptance of bids shall be made only by public announcement at the meeting at which bids are received All bids shall be accepted on the condition that payment of the purchase price in full shall be made within ten days of the acceptance of bids

Section 1202 Specific Powers The powers of the borough shall be vested in the corporate officers They shall have power

* * * * *

VI Comfort Stations [To construct and maintain] To use land owned by the borough and to acquire or lease land or land and buildings within the borough limits for the purposes of construction or of providing comfort and waiting stations and drinking fountains and to maintain such public facilities to contribute to the maintenance of any such public facilities which may be located in or upon property not owned or leased by the borough The damages accruing to abutting properties by reason of any such improvement constructed or provided by the borough shall be ascertained and collected in the manner provided in article fourteen of this act

* * * * *

XIX Fire apparatus and Houses To purchase or contribute to the purchase of fire-engines and fire-apparatus and supplies for the use of the borough and to appropriate money to fire companies and for the construction repair and maintenance of fire company houses including the acquisition of land for such purposes

Section 2 Clause XXX of said Section 1202 of said act as last amended by the act approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1082) is hereby further amended to read as follows

Section 1202 * * * * *

XXX Other Insurance To appropriate such amount as may be necessary to secure insurance or compensation for volunteer firemen of companies duly recognized by the borough by motion or resolution killed or injured while going to returning from or attending fires or while performing their duties as special fire police To make contracts of insurance with any insurance company association or exchange authorized to transact business in this Commonwealth insuring borough employees or any class thereof under a policy or policies of insurance covering life health or accident insurance and to contract with any such company granting annuities or pensions for the pensioning of such employees and to agree to pay part or all of the premiums or charges for carrying such contracts and to appropriate moneys from the borough treasury for such purposes

Section 3 Clauses XLII LXI and LXV of said Section 1202 of said act as so reenacted and amended or added by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1621) which in the case of clause XLII superseded the amendment of the thirty-first day of May one thousand nine hundred forty-seven (P. L. 330) are hereby amended or further amended as the case may be to read as follows

Section 1202 * * * * *

XLII Appropriations to Organizations of Veterans To appropriate annually a sum not exceeding five hundred dollars to be divided in such amounts as council deems proper to organizations composed of veterans of any war in which the United States was engaged to aid in defraying the expenses of Memorial Day Armistice Day or any similar day hereafter provided for by State or Federal law Such payments shall be made to defray actual expenses only Before any payment is made the organization receiving the same shall submit verified accounts of [their] its expenditures

LXI Building and Plumbing Codes by Reference To enact and enforce suitable ordinances relating to buildings their construction alteration extension repair maintenance and all facilities and services in or about such buildings and for the enforcement thereof and provide for the enforcement thereof by a reasonable fine and by instituting appropriate actions or proceedings at law or in equity to effect the purposes of this provision and ordinances there-

under At least one week and not more than three weeks prior to the presentation of the proposed building code ordinance to council an informative notice of intention to consider such proposed ordinance and a brief summary setting forth the principal provisions of the proposed ordinance in such reasonable detail as well give adequate notice of its contents pursuant to a uniform form which shall be prepared or approved by the Department of Internal Affairs and a reference to the place or places within the borough where copies of the proposed building code may be examined or obtained shall be published in the manner provided by law for the publication of ordinances

To enact suitable ordinances relating to plumbing in the same manner and to the same effect as herein provided for building codes The building code and plumbing code may be combined or separately enacted

The provisions of the ordinance need not be advertised or recorded as in other cases but may be supplied by reference to a standard building code approved by the Department of Internal Affairs of the Commonwealth or to parts thereof determined by council or the provisions of the ordinances may be supplied by reference to a typed or printed building code prepared under the direction of or accepted by the borough council or the provisions may consist of a standard code approved as aforesaid or parts thereof and also further provisions typed or printed as aforesaid Copies of the ordinance thus adopted by reference shall be made available to any interested party at the cost thereof or may be furnished or loaned without charge and a copy of such ordinance whether by reference to a standard building code or to a typed or printed code or a combination of them shall be attached to the ordinance book with the same force and effect as if duly recorded therein The procedure set forth relating to the adoption of the ordinance by reference may likewise be adopted in amending supplementing or repealing any of the provisions of the ordinance

* * * * *

LXV Regulation of Charges in the Operation of its Utilities Parking Meters Parking Lots or Its Other Facilities and Services to the Public [To] In the operation of its utilities parking meters parking lots and other facilities and services to make and regulate charges therefor for general borough purposes in relief of taxes on real estate

Section 4 [Section] Sections 1301 and 1316 of said act as added by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1621) [is] are hereby amended to read as follows

Section 1301 Tax Levy The council of the borough shall have power by ordinance to levy and collect annually [any] a tax not exceeding fifteen mills for general borough purposes and in addition thereto such additional millage as may be sufficient to pay interest and sinking fund charges on the indebtedness of the borough Where the borough council by majority action shall upon due cause petition the court of quarter sessions for the right to levy additional millage the court after such public notice as it may direct and after hearing may order a greater rate than fifteen (15) mills but not exceeding five additional mills to be levied The said taxes shall be levied on the dollar on the valuation assessed for county purposes as now is or may be provided by law All real property offices professions and persons made taxable by the laws of this Commonwealth for county rates and levies may in the discretion of council be taxed after the same manner for such purposes No action on the part of the borough authorities fixing the tax rate for any year at a mill rate need include a statement expressing the rate of taxation in dollars and cents on each one hundred dollars of assessed valuation of taxable property

Section 1316 Regulation of Contracts (a) All contracts or purchases in excess of [five hundred] seven hundred fifty dollars except those hereinafter mentioned shall not be made except with and from the lowest responsible bidder after due notice in one newspaper of general circulation published or circulating in the county in which the borough is situated at least [three] two times at intervals of not less than three days which daily newspapers of general circulation are available for such publication and in case of weekly newspapers shall be published once a

week for two successive weeks The first advertisement shall be published not less than ten days prior to the date fixed for the opening of bids The amount of the contract shall in all cases whether of straight sale price conditional sale bailment lease or otherwise be the entire amount which the borough pays to the successful bidder or his assigns in order to obtain the services or property or both and shall not be construed to mean only the amount which is paid to acquire title or to receive any other particular benefit or benefits of the whole bargain

(b) The acceptance of bids shall only be made by public announcement at the meeting at which bids are received or at a subsequent meeting the time and place of which shall be publicly announced when bids are received If for any reason one or both of the above meetings shall not be held the same business may be transacted at any subsequent meeting if at least five days notice thereof shall be published in the newspaper aforesaid

(c) The successful bidder when advertising is required herein shall be required to furnish a bond with suitable reasonable requirements guaranteeing the work to be done with sufficient surety in the amount of fifty per centum of the amount of the liability under the contract within twenty days after the contract has been awarded unless council shall prescribe a shorter period of not less than ten days and upon failure to furnish such bond within such time the previous award shall be void Deliveries accomplishment and guarantees may be required in all cases of expenditures including the exceptions herein

(d) The contracts or purchases made by council involving an expenditure of over [five hundred] seven hundred fifty dollars which shall not require advertising or bidding as hereinbefore provided are as follows

(1) Those for maintenance repairs or replacements for water electric light or other public works of the borough provided they do not constitute new additions extensions or enlargements of existing facilities and equipment but a bond may be required by council as in other cases of work done

(2) Those made for improvements repairs and maintenance of any kind made or provided by any borough through its own employes Provided however That this shall not apply to construction materials used in a street improvement

(3) Those where particular types models or pieces of new equipment articles apparatus appliances vehicles or parts thereof are desired by council which are patented and manufactured or copy-righted products

(4) Those involving any policies of insurance or surety company bonds those made for public utility service under tariffs on file with the Pennsylvania Public Utility Commission those made with another political subdivision or a county the Commonwealth of Pennsylvania the Federal Government any agency of the Commonwealth or the Federal Government or any municipal authority including the sale leasing or loan of any supplies or materials by the Commonwealth or the Federal Government or their agencies But the price thereof shall not be in excess of that fixed by the Commonwealth the Federal Government or their agencies

(5) Those involving personal or professional services

Section 5 Article XIII of said act as so reenacted and amended is hereby amended by adding immediately following Section 1316 thereof a new section to read as follows

Section 1316.1 Evasion of advertising requirements No member or members of council shall evade the provisions of section one thousand three hundred sixteen as to advertising for bids by purchasing or contracting for services and personal properties piecemeal for the purpose of obtaining prices under seven hundred and fifty dollars upon transactions which transactions should in the exercise of reasonable discretion and prudence be conducted as one transaction amounting to more than seven hundred and fifty dollars this provision is intended to make unlawful the evading of advertising requirements by making a series of purchases or contracts each for less than the advertising requirement price or by making several simultaneous purchases or contracts each below said price when in either case the transactions involved should have been

made as one transaction for one price any members of council who so vote in violation of this provision and who know that the transaction upon which they so vote is or ought to be a part of a larger transaction and that it is being divided in order to evade the requirements as to advertising for bids shall be jointly and severally subject to surcharge for ten per centum of the full amount of the contract or purchase whenever it shall appear that a member of council may have voted in violation of this section but the purchase or contract on which he so voted was not approved by council this section shall be inapplicable

Section 6 Section 1666 of said act as so reenacted and amended is hereby further amended to read as follows

Section 1666 Streets Not to be Opened Etc Without Approval of Council No person shall construct open or dedicate any street or any drainage facilities in connection therewith for public use or travel or for the common use of occupants of buildings abutting thereon in any borough without first submitting suitable plans thereof to the council for its approval Such plans shall be prepared in accordance with such rules and regulations as may be prescribed by the council and shall show the profiles of such streets the course structure and capacity of any drainage facilities and the method of drainage of the adjacent or contiguous territory and also any other or further details that may be required under the rules or regulations adopted by the council Before acting upon any such plans the council may at its discretion arrange for a public hearing after giving such notice as it may deem desirable in each case The council is authorized to alter such plans and to specify any changes or modifications of any kinds which it may deem necessary with respect thereto and may make its approval of such plans subject to any such alterations changes or modifications Any plans when so approved shall be signed on behalf of the borough by such officer as the council may designate and shall be filed in the office of the borough engineer or other proper officer where the same shall be available to public inspection No street or any drainage facilities in connection therewith shall be opened constructed or dedicated for public use or travel except in strict accordance with plans so approved by the council or with further plans subsequently approved by it in the same manner

In any case where council has heretofore required or shall hereafter require the construction or improvement of streets or parts of streets or of any draining facilities in connection therewith or the posting of a bond or other security for so doing within any parts or subdivisions of a borough as a condition to approval of any plan thereof and the materials or other specifications for such construction or improvements are required by the borough to be of better quality or type or otherwise superior to and more costly than those of most of the already existing streets and drainage facilities in connection therewith of the borough or of the particular zone of the borough in case it has a zoning ordinance the cost of such construction or improvement shall be allocated and paid in accordance with the provisions of section one thousand seven hundred twelve of this act and the submission of a plan shall not be deemed a petition for the constructions or improvements so required but if the borough shall require substantially the same quality or type and specifications of street and drainage facilities as generally exists either in the borough or if the borough has a zoning ordinance in the particular zone involved the submission of a plan shall be deemed a petition therefor by a majority in the number of feet of assessable properties abutting thereon and the cost of such constructions and improvements shall be paid in accordance with the provisions of section one thousand seven hundred twelve of this act under such circumstances Provided however That council and the person or persons submitting a plan may in all cases by agreement provide otherwise as to such costs and Provided further That this section shall not authorize the recovery or avoidance of any such costs heretofore agreed to or paid Whenever council requires the construction or improvement of streets or parts thereof it shall establish or cause to be established the grades of such streets or parts or shall approve the grades indicated upon the plan submitted before such streets or parts are improved or constructed

Council's approval of plans whether or not such plans are subject to any such conditions as to **streets parts of streets** or drainage facilities in connection therewith shall constitute the streets as shown upon the plans so approved as streets of the borough Any plan so approved shall as filed and as recorded indicate clearly all such constructions and improvements required to be made the grades thereof the materials and other specifications required and the allocation of cost thereof as provided by law or as agreed upon

Section 7 Article XVI of said act as so reenacted and amended is hereby amended by adding immediately following subdivision (f) thereof a new subdivision (g) and Sections 1671 through 1678 inclusive to read as follows

(g) Land Subdivision

Section 1671 Grant of Power For the purpose of assuring sites suitable for building purposes and human habitation and to provide for the harmonious development of boroughs for the coordination of existing streets with proposed streets parks or other features of the official street plan of the borough for insuring adequate open spaces for traffic recreation light and air and for proper distribution of population thereby creating conditions favorable to the health safety morals and general welfare of the citizens any borough is hereby empowered to adopt by ordinance land subdivision regulations Such regulations may include definitions design standards plan requirements plan processing procedures improvement and construction requirements and conditions of acceptance of public improvements by the borough

Section 1672 Definition of "Subdivision" "Subdivision" is hereby defined as the division of a single lot tract or parcel of land or a part thereof into two or more lots tracts or parcels of land including changes in street lines or lot lines for the purpose whether immediate or future of transfer of ownership or of building development Provided however That divisions of land for agricultural purposes into parcels of more than ten acres not involving any new street or easement of access shall not be included within the meaning of "subdivision"

Section 1673 Public Hearing No such regulations shall be adopted until after a public hearing shall have been held by council in relation thereto at which parties in interest and citizens shall have an opportunity to be heard Notice of the time and place of such hearing shall be published once a week for two successive weeks in one newspaper in the county

Section 1674 Subdivision Control Where subdivision regulations have been adopted under the authority of this act no subdivision of any lot tract or parcel of land shall be effected no street sanitary sewer storm sewer water main or other facilities in connection therewith shall be laid out constructed opened or dedicated for public use and travel or the common use of occupants of buildings abutting thereon except in strict accordance with the provisions of such regulations and of this act

Section 1675 Subdivisions Wherein Lots Abut Existing Improved Streets of Sufficient Width Such regulations may provide that plans of subdivisions wherein lots abut existing improved streets of sufficient width shall be subject to approval or rejection by the borough engineer or a committee appointed by council as specified in the ordinance establishing such regulations In the event such a plan is disapproved the reasons therefor shall be set forth in writing and given or sent to the applicant Any person aggrieved by a decision of the borough engineer or the said committee may appeal to the borough council within ten days after such decision shall have been made Such appeal shall be considered by the council at its next regular meeting The decision of council shall be final

Section 1676 Subdivisions Wherein Lots Abut Existing Streets of Insufficient Width or Proposed Streets

(a) Approval or Rejection of Such Plans by Council Appeal to Court Such regulations may provide that plans of subdivision wherein lots abut existing streets of insufficient width or streets proposed to be laid out through unimproved land shall be subject to approval or rejection of council Council shall have authority to seek the advice and opinion of the borough solicitor or a committee ap-

pointed by council as specified in the ordinance establishing such regulations In the event such a plan is rejected by council the reasons therefor shall be set forth in writing and given to the applicant

(b) General Requirements Prerequisites to Approval of Plan Council shall not approve any subdivision plan unless all streets thereon shall be approved in accordance with the provisions of section 1666 of this act In determining whether or not any such street shall be approved council shall consider whether such street shall be of sufficient width and proper grade whether it shall be so located as to accommodate the probable volume of traffic thereon afford adequate light and air facilitate fire protection provide access of fire fighting equipment to buildings and provide a coordinated system of streets conforming to the borough's official plan of streets No such plan shall be approved by council unless all land whereon buildings are to be constructed shall be such character that it can be used for building purposes without danger to health or peril from fire flood or other hazard

(c) Improvements or Guarantee Thereof Prerequisite to Approval of Plan Before approving any subdivision plan council shall require either that the necessary grading paving and other street improvements including where specified by council curbs sidewalks street lights fire hydrants water mains sanitary sewers and storm sewers shall have been installed in strict accordance with the standards and specifications of the borough or that the borough be assured in the form of a bond or deposit of funds or securities in escrow sufficient to cover the cost to the owner of the required improvements as estimated by the borough engineer or any other person designated by council that the said improvements will subsequently be installed by the owner of said subdivided lot tract or parcel of land

(d) Public Hearing Before acting on any subdivision plan council may arrange for a public hearing thereon after giving such notice as council may deem desirable in each case

(e) Modifications Council may alter any subdivision plan and specify alterations changes or modifications therein which it deems necessary and may make its approval subject to such alterations changes or modifications

(f) Appeals Where Council Refuses Approval In any case where council disapproves a subdivision plan any person aggrieved thereby may within thirty days thereafter appeal therefrom by petition to the court of quarter sessions of the county wherein such subdivision is located which court shall hear the matter de novo and after hearing enter a decree affirming reversing or modifying the action of the council as may appear just in the premises The court shall designate the manner in which notices of the hearing of such appeal shall be given to all parties interested The decision of the court shall be final

(g) Recording The action of council or of the court on appeal in approving any subdivision plan and an approved duplicate copy of such plan shall within thirty days after the date of approval be recorded by the owners in the office of the recorder of deeds of the county wherein such land is located

(h) Recorded Plan to Become Part of Official Plan After an approved subdivision plan shall have been officially recorded the streets parks and other public improvements shown thereon shall be considered to be a part of the official plan of the borough

(i) Offer of Dedication may be Noted on Recorded Plan Streets parks and other public improvements shown on a subdivision plan to be recorded may be offered for dedication to the borough by formal notation thereof on the plan or the owner may note on such plan that any such improvements have not been offered for dedication to the borough

(j) Streets Parks and Other Improvements Private until Dedicated or Condemned Every street park or other improvement shown on a subdivision plan that is recorded as provided herein shall be deemed to be a private street park or improvement until such time as the same shall have been offered for dedication to the borough and accepted by ordinance or resolution or until it shall have

been condemned for use as a public street park or other improvement

Section 1677 Sale of Lots Issuance of Building Permit or Erection of Building In any borough where subdivision regulations shall have been adopted under the authority of this act no lot in a subdivision may be sold no permit to erect alter or repai rany building upon land in a subdivision may be issued and no building may be erected in a subdivision unless and until a plan of such subdivision shall have been approved and properly recorded and until the improvements required by council in connection therewith shall have either been constructed or guaranteed as hereinabove provided Where owing to special conditions a literal enforcement of this provision would result in unnecessary hardship council may make such reasonable exception thereto as will not be contrary to the public interest and may permit the sale of a lot issuance of a permit or erection of a building subject to conditions necessary to assure adequate streets and other public improvements

Section 1678 Penalty In any borough which shall adopt subdivision regulations under the provisions of this act any person copartnership or corporation who or which shall subdivide any lot tract or parcel of land lay out construct open or dedicate any street sanitary sewer storm sewer or water main for public use or travel or for the common use of occupants of buildings abutting thereon sell any lot or erect any building in a subdivision without first having complied with all the provisions here of and the subdivision adopted hereunder shall be guilty of a misdemeanor and upon conviction thereof such person or the members of such copartnership or the officers of such corporation responsible for such violation shall be sentenced to suffer imprisonment not exceeding two years or to pay a fine not exceeding one thousand dollars or both in the discretion of the court

Section 8 Sections 1735 1786 2105 the subdivision heading of subdivision (j) of Article XXI and Sections 2170 2171 2408 and 3304 of said act as added or as so reenacted and amended by said act are hereby amended or further amended to read as follows

3 Streets More Than One-half the Width of Which are Within the Borough

Section 1735 Whenever any street more than one-half the width of which is within the limits of any borough shall divide the said borough from any other municipality or township [located within the same county] such street may be improved by the borough within which the greater width is located in the same manner as if the said street were entirely located within the limits of said borough

The property abutting on the side of said street which is located outside the limits of the borough making such improvements shall for a depth of one hundred and fifty feet plus one-half the width of said street from its center line be assessed for any and all municipal improvements to or on the said street in the same manner as such property would be assessed under the laws of the Commonwealth if it were entirely located within the limits of such borough

Section 1786 [Contract Price] Expenditures Take as Cost The [contract price] expenditures for such improvements and interest thereon to the first day when interest is payable on such bonds shall be taken as the cost of said improvements to be assessed on the property benefited according to existing law

Section 2105 Assessment By Foot-front Rule Where a borough constructs sewers in streets of the borough and desires to assess the cost and expenses thereof by the foot-front rule [they] it may by ordinance provide that the expenses shall be assessed [upon] against the property abutting thereon by the foot-front rule and may provide for equitable adjustments for corner lots or lots of irregular shape where an assessment for the full frontage would be unjust The secretary of the borough shall cause thirty days' notice of the assessment to be given to each party assessed either by service on the owner or his agent or left on the assessed premises

(j) [Assessment of Cost of Maintenance and Repair] Annual Rentals

Section 2170 Ordinance for Annual Rental Whenever any borough has constructed any sewer [or] sewer system or sewage treatment works or has acquired wholly or partially the same at public expense as authorized in this article the council of such borough may provide by ordinance for the collection of an annual rental or charge for the use of such sewer [or] sewer system or sewage treatment works from the owner of property served by it The council may at its discretion in lieu of such annual rental or charge provide for the payment by such owner of a fixed sum

Section 2171 How Rental Fixed Such annual rental [shall not exceed] may include the amount expended annually by the borough in [the] maintenance repair alteration inspection depreciation or other expense [in relation to] of such sewer [or] sewer system or sewage treatment works and may include [any] interest on money expended or borrowed by the borough in the construction of the sewer [or] sewer system or sewage treatment works or in the acquisition enlargement or extension of the sewer or sewer system and may also include an amount sufficient for the amortization of debt incurred by the borough for any such purposes including the construction of sewage treatment works according to law The said annual or fixed sum shall be apportioned equitably among the several properties served by the said sewer sewer system or sewage treatment works

Section 2408 Assessment for Water Mains Boroughs shall have power to assess the whole cost or any part of the cost of construction of new water mains built in connection with the establishment or extension of a municipally owned water supply system whether such mains be located within or without the limits of the borough and serving the properties abutting thereon against the properties abutting along the line thereof by the front-foot rule and to collect such assessments as other municipal claims are now by law collectible Provided That the assessment [shall] may be rebated to the owner of the property assessed out of rates charged for water consumed in serving the property so assessed and provided further That the borough may issue negotiable credit memorandum to the amount of the assessment which may be used for the payment of any water service to the extent of the said assessment

Section 3304 Exercise by Council of Zoning Power Notice The council shall exercise the powers granted in [section 3301 hereby] this article by ordinance which shall provide for effecting of its purposes and for the enforcement of the regulations and restrictions established therein by reasonable fines and by [the] instituting appropriate actions or proceedings at law or in equity At least one week and not more than three weeks prior to the presentation of the proposed ordinance an [information] informative notice of intention to consider such proposed ordinance and a brief summary setting for the principal provisions of the proposed ordinance in such reasonable detail as will give [adequate] notice of its contents [pursuant to a uniform form which shall be prepared or approved by the Department of Internal Affairs] and a reference to the place or places within the borough where copies of the proposed ordinance may be examined shall be published in the manner provided by law for the publication of ordinances

The provisions of the ordinance need not be advertised or recorded as in other cases [Provisions respecting the construction alteration extension repair care and maintenance of buildings and structures] but may be supplied by reference to a [standard building] code [approved by the Department of Internal Affairs] or to parts thereof determined by the council or such provisions of the ordinance may be supplied by reference to a typed or printed [building] code prepared under the direction of or accepted by the council or such provisions may consist of a standard code approved as aforesaid or parts thereof and also further provisions type or printed as aforesaid

Copies of the provisions of the ordinance thus adopted by reference shall be made available to any interested party at the cost thereof or may be furnished or loaned without charge and a copy of such provisions of the ordinance whether by reference to a standard [building] code or a combination of them shall be attached to the ordinance book with the same force and effects as if duly recorded therein

The procedure set forth relating to the adoption of the ordinance may likewise be adopted in amending supplementing or repealing any of the provisions of the ordinance

Section 9 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—165

Andrews,	Gleason,	Markley,	Sarra,
Banker,	Good,	Maxwell,	Schuster,
Barkdoll,	Goodling,	Mazza,	Scott,
Baumunk,	Graybill,	McConnell,	Seyler,
Bear,	Greenwood,	McCullough,	Shoemaker,
Beaver,	Greer,	McDermitt,	Shotwell,
Beech,	Gutendorf,	McInroy,	Smith,
Berkstresser,	Guthrie,	McKinney,	Snider,
Blair,	Hall,	McMillen,	Sollenberger,
Bloom,	Hamilton, R. K.,	McNally,	Spencer,
Boles,	Harney,	Metz,	Stank,
Bolton,	Haudenschild,	Mihm,	Stimmel,
Bomberger,	Headlee,	Miller, H. G.,	Stoner,
Boorse,	Helm,	Miller, J. C.,	Swartz,
Bower,	Hewitt,	Mills,	Swope,
Breisch,	Hocker,	Moore, C. E.,	Thompson, R. L.,
Breth,	Hunter,	Moore, H. A.,	Tompkins,
Brown,	Jenkins,	Moran,	Toomey,
Bucchin,	Johnson,	Munley,	VanSant,
Clapper,	Jones, J. M.,	Murray,	Varnier,
Clendenning,	Jones, P. F.,	Musto,	Verona,
Cochran,	Jones, T. H. W.,	Najaka,	Wachhaus,
Cooper,	Jump,	Naugle,	Wargo,
Corr,	Kamyk,	Needham,	Waterhouse,
Dalrymple,	Keller,	Olsen,	Watkins,
Davis,	Kent,	Petrosky,	Weidner,
Dennison,	Kline,	Pitzer,	Wescott,
Dowling,	Kohl,	Polaski,	Westrick,
DuBois,	Kornick,	Polen,	Whalley,
Dunn,	Kratz,	Price, H. W. Jr.,	Wheeler,
Erb,	Kubacki,	Price, R. A.,	White,
Ewing,	Lafore,	Readinger,	Williams,
Fenrich,	Leisey,	Reagan,	Wilt,
Ferster,	Leonard, L.,	Reese,	Wood,
Filip,	Leonard, W. C.,	Reldenbach,	Yeakel,
Filo,	Light,	Reilly, J. M.,	Yester,
Firmstone,	Lopresti,	Rigby,	Yetzer,
Flack,	Lovett,	Riley, R. L.,	Young,
Frost,	Lutty,	Robertson,	Ziegler,
Gaffney,	Lyons,	Rovansek,	Sorg,
Geer,	Madden,	Royer,	Speaker
Gibson,	Madigan,		

NAYS—0

NOT VOTING—42

Amarando,	Hamilton, W. H.,	McGee,	Rosen,
Byrne,	Hersch,	Mikula,	Rubin,
Cella,	Hoggard,	Mintess,	Sax,
Conway,	Jones, G. E.,	Monroe,	Scanlon,
Costa,	Kolankiewicz,	Muldowney,	Schmidt,
Coyle,	Lederer,	Penglase,	Tahl,
Dougherty,	Leven,	Peta,	Taylor,
Duffy,	Limper,	Pettigrew,	Thompson, E. F.,
Guarnieri,	Loftus,	Pfaff,	Toll,
Hagerty,	McCormack,	Pichney,	Varallo,
		Rose,	Welsh,

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 811, entitled:

An Act to add section 1501.1 to the act approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class, and amending, revising, consolidating, and changing the law relating thereto," by empowering township supervisors to compel connection with and use of sewer systems constructed by municipal authorities to impose penalties, to enforce regulations and orders, and to connect properties of owners failing or neglecting to make connection.

On the question,

Will the House agree to the bill on third reading?

Mr. READINGER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 1, (Sec. 1501.1), page 2, line 13, by inserting after the word "to" where it appears the first time in said line, the following: "and whose principal building is within one hundred fifty feet from."

Amend Sec. 1, (Sec. 1501.1), page 2, line 17, by inserting after the word "to" the following: "and whose principal building is within one hundred fifty feet from."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time. Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 201, as follows:

An Act to amend Section 1705 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by authorizing investment of sinking fund moneys in deposits insured by the Federal Deposit Insurance Corporation and in shares of Building and Loan or Federal Savings and Loan Association insured by the Federal Savings and Loan Insurance Corporation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1705 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" as reenacted by the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1955) is hereby amended to read as follows

Section 1705 Sinking Fund Regulations and Invest-

ments It shall be the duty of the board of commissioners to cause accounts of the sinking fund and other accounts relating to the indebtedness of the township to be kept and to see to the proper application and superintend the investment of moneys therein in accordance with law The commissioners shall meet as often as may be necessary and keep a record of the proceedings The board of commissioners shall not direct the investment of any moneys to the credit of the sinking fund except in loans of the township the loans of the Commonwealth [or] the loans of the United States [and the] or in deposits in banking institutions or in shares of building and loan associations or Federal Savings and Loan Associations the deposits or shares of which are insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporations respectively and which deposits or shares shall at no time exceed the maximum amount so insured The income derived from such investments or on any bank balances credited to the sinking fund shall be credited and applied only to the sinking fund

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—165

Andrews,	Gleason,	Markley,	Sarraf,
Banker,	Good,	Maxwell,	Schuster,
Barkdoll,	Goodling,	Mazza,	Scott,
Baumunk,	Graybill,	McConnell,	Seyler,
Bea,	Greenwood,	McCullough,	Shoemaker,
Beaver,	Greer,	McDermitt,	Shotwell,
Beech,	Gutendorf,	McInroy,	Smith,
Berkstresser,	Guthrie,	McKinney,	Snider,
Blair,	Hall,	McMillen,	Sollenberger,
Bloom,	Hamilton, R. K.,	McNally,	Spencer,
Boles,	Harney,	Metz,	Stank,
Bolton,	Headschild,	Mihm,	Stimmel,
Bomberger,	Headlee,	Miller, H. G.,	Stoner,
Boorse,	Helm,	Miller, J. C.,	Swartz,
Bower,	Hewitt,	Mills,	Swope,
Breisch,	Hocker,	Moore, C. R.,	Thompson, R. L.,
Breth,	Hunter,	Moore, H. A.,	Tompkins,
Brown,	Jenkins,	Moran,	Toomey,
Bucchin,	Johnson,	Munley,	VanSant,
Clapper,	Jones, J. M.,	Murray,	Varnar,
Clendenning,	Jones, P. F.,	Musto,	Verona,
Cochran,	Jones, T. H. W.,	Najaka,	Wachhaus,
Cooper,	Jump,	Naugle,	Wargo,
Corr,	Kamyk,	Needham,	Waterhouse,
Dalrymple,	Keller,	Olsen,	Watkins,
Davis,	Kent,	Petrosky,	Weidner,
Dennison,	Kline,	Pitzer,	Wescott,
Dowling,	Kohl,	Polaski,	Westrick,
DuBois,	Kornick,	Polen,	Whalley,
Dunn,	Kratz,	Price, H. W. Jr.,	Wheeler,
Erb,	Kubacki,	Price, R. A.,	White,
Ewing,	Lafore,	Readinger,	Williams,
Fenrich,	Leisey,	Reagan,	Wilt,
Ferster,	Leonard, L.,	Reese,	Wood,
Filip,	Leonard, W. C.,	Reldenbach,	Yeakel,
Filo,	Light,	Reilly, J. M.,	Yester,
Firmstone,	Lopresti,	Rigby,	Yetzer,
Flack,	Lovett,	Riley, R. L.,	Young,
Frost,	Lutty,	Robertson,	Ziegler,
Gaffney,	Lyons,	Rovansek,	Sorg,
Geer,	Madden,	Royer,	Speaker
Gibson,	Madigan,		

NAYS—0

NOT VOTING—42

Amarando,	Hersch,	Mintess,	Rubin,
Byrne,	Hoggard,	Monroe,	Sax,
Cella,	Jones, G. E.,	Muldowney,	Scanlon,
Conway,	Kolankiewicz,	Penglass,	Schmidt,
Costa,	Lederer,	Peta,	Tahl,
Coyle,	Leven,	Pettigrew,	Taylor,
Dougherty,	Limper,	Pfaff,	Thompson, E. F.,

Duffy,	Loftus,	Pichney,	Toll,
Guarnieri,	McCormack,	Rose,	Varello,
Hagerty,	McGee,	Rosen,	Welsh,
Hamilton, W. H.,	Mikula,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 366, as follows:

An Act to further amend subsection A of Section 221 and to amend Section 241 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by extending non-resident fishing privileges to Canadians and redefining resident

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection A of Section 221 of the Act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" as last amended by the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2643) is hereby further amended to read as follows

Section 221 Non-resident and Alien Non-resident Fishing License Fees Tourist Fishing License Fees for Non-residents and Alien Non-residents A for the purposes of this article every person twelve years of age and upward upon application to any issuing agent within the Commonwealth or to the Department of Revenue and the presentation of proof that he is a Canadian subject or citizen or a non-resident of this Commonwealth but a citizen of the United States and in the case of naturalized foreign-born non-residents the production of such applicant's naturalization paper shall upon the payment to the issuing agent or the Department of Revenue of the same amount as is charged and received from non-residents by the State of which the applicant is a resident or the country of which the applicant is a subject or citizen for a similar license (not however less in any case than two dollars and fifty cents (\$2.50) and in the event that the license is issued by an issuing agent the payment of ten cents (10c) for the use of the issuing agent to entitled to the license herein referred to as a "non-resident fishing license"

Section 2 Section 241 of said act is hereby amended to read as follows

Section 241 Unnaturalized Foreign-born Resident Defined For the purpose of this act any unnaturalized foreign-born person except Canadian subjects or citizens who shall reside or live within the boundaries of the Commonwealth of Pennsylvania for ten consecutive days shall be considered a resident and shall be liable to the penalties imposed for violation of the provisions of this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—165

Andrews,	Gibson,	Madden,	Royer,
Banker,	Gleason,	Madigan,	Sarraf,
Barkdoll,	Good,	Markley,	Schuster,
Baumunk,	Goodling,	Maxwell,	Scott,
Bear,	Graybill,	Mazza,	Seyler,
Beaver,	Greenwood,	McConnell,	Shoemaker,
Beech,	Greer,	McCullough,	Shotwell,
Berkstresser,	Gutendorf,	McDermitt,	Smith,
Blair,	Guthrie,	McInroy,	Snider,
Bloom,	Hall,	McKinney,	Sollenberger,
Boles,	Hamilton, R. K.,	McMillen,	Spencer,
Bolton,	Harney,	McNally,	Stank,
Bomberger,	Haudenshield,	Metz,	Stimmel,
Boorse,	Headlee,	Mihm,	Stoner,
Bower,	Helm,	Miller, H. G.,	Swartz,
Breisch,	Hewitt,	Miller, J. C.,	Swope,
Breth,	Hocker,	Mills,	Thompson, R. L.,
Brown,	Hunter,	Moore, C. E.,	Tompkins,
Bucchin,	Jenkins,	Moore, H. A.,	Toomey,
Clapper,	Johnson,	Moran,	VanSant,
Clendening,	Jones, J. M.,	Munley,	Varner,
Cochran,	Jones, P. F.,	Murray,	Verona,
Cooper,	Jones, T. H. W.,	Musto,	Wachhaus,
Corr,	Jump,	Najaka,	Wargo,
Dalrymple,	Kamyk,	Naugle,	Waterhouse,
Davis,	Keller,	Needham,	Watkins,
Dennison,	Kent,	Olsen,	Weidner,
Dowling,	Kline,	Petrosky,	Wescott,
DuBois,	Kohl,	Pitzer,	Westrick,
Dunn,	Kornick,	Polaski,	Whalley,
Erb,	Kratz,	Polen,	Wheeler,
Ewing,	Kubacki,	Price, H. W. Jr.,	White,
Fenrich,	Lafore,	Price, R. A.,	Williams,
Ferster,	Leisey,	Readinger,	Wilt,
Filip,	Leonard, L.,	Reagan,	Wood,
Filo,	Leonard, W. C.,	Reese,	Yeakel,
Firmstone,	Light,	Reidenbach,	Yester,
Flack,	Lopresti,	Reilly, J. M.,	Yetzer,
Frost,	Lovett,	Rigby,	Young,
Gaffney,	Lutty,	Riley, R. L.,	Ziegler,
Geer,	Lyons,	Robertson,	Sorg,
		Rovansek,	Speaker

NAYS—0

NOT VOTING—42

Amarando,	Hersch,	Mintess,	Rubin,
Byrne,	Hoggard,	Monroe,	Sax,
Cella,	Jones, G. E.,	Muldowney,	Scanlon,
Conway,	Kolankiewicz,	Penglase,	Schmidt,
Costa,	Lederer,	Peta,	Tahl,
Coyle,	Leven,	Pettigrew,	Taylor,
Dougherty,	Limper,	Pfaff,	Thompson, E. F.,
Duffy,	Loftus,	Pichney,	Toll,
Guarnieri,	McCormack,	Rose,	Varallo,
Hagerty,	McGee,	Rosen,	Welsh,
Hamilton, W. H.,	Mikula,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

RESOLUTIONS

Mr. McMILLEN offered a resolution which was filed with the Clerk.

Mr. MADIGAN offered a resolution which was filed with the Clerk.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. BLOOM asked and obtained unanimous consent to add additional sponsors to a resolution to be introduced by him.

RESOLUTION

CONDOLENCE

Messrs. BLOOM, CLENDENING, WILLIAM C. LEON-

ARD and ROBERTSON offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, April 16, 1951.

Inevitable death, the ultimate fate of all, has brought the long and honorable earthly career of Robert C. Greer, Sr. to an end.

His was a sojourn replete with distinguished service in many fields. He crowded a diversification of interest and labor into the eighty-two years allotted him by his Maker and his stewardship of his many responsibilities must be a source of gratification to God and of unending inspiration to his fellow men.

He was active and progressive in community affairs and became the first Burgess of East Lansdowne many years ago.

His association with the church was fervent and constructive. His vital interest in the welfare of his church and its ethical contribution to his community found expression in his appointment as the Director of the Brotherhood of St. Andrew of the Episcopal Church.

As a business man, he was always motivated by lofty principals and unquestionable precepts. Confidence in his sterling qualities as a business leader was manifested by his associates in their selection of him as President of the Bourse Sales Association. His long tenure on earth was happy, constructive, and fruitful. One of his daughters, Mrs. Eleanor G. Evans, has in a sense extended the beneficent labors and the altruistic approach of her father into her administration of the Department of Public Assistance.

Mr. Greer is survived by another daughter, Mrs. George N. Barrett, and three sons, David W., George F., and Robert C.

Although death always brings its poignant sorrows, yet its shock can be somewhat ameliorated when the honorable labors that have been consistently rendered throughout a long active life are brought to a cessation to receive their reward in Heaven; therefore be it

Resolved, That this House desires to express its respect and sorrow at the passing of Robert C. Greer, Sr.,—a truly distinguished citizen of Pennsylvania, and be it further

Resolved, That this House tenders sympathy to his community, his many friends, and his family over the irreparable loss sustained by them; and be it further

Resolved, That copies of this resolution shall be transmitted to the surviving sons and daughters of Robert C. Greer, Sr.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, I was visited this morning by two process servers. They evidently originally had it in mind to come on the floor of the House and serve every Member with a summons. It is my information that the Speaker, in legal terms, said: "Nothing doing so far as that is concerned." I told them I was in agreement with the Speaker.

Then they said: "Howabout handling our summons to Members of the House in the corridors?" I said that as far as I was concerned, I could not concede their right, nor the right of any other litigant, nor could I concede the right of any court to issue summonses of that kind, not only within this Chamber, not only within the Capitol building itself, but that I could not concede their right to issue a summons anywhere in Harrisburg, while this Legislature was in session. I could not prevent a process server from handing me a paper, but I could not concede and did not concede his right to do it.

Now I see by the press the various parties in Philadelphia are going to ask a three-Judge Federal Court to invalidate the Commonwealth's 1921 Apportionment Law.

I will concede that the proper court can invalidate that Act. The proper court can declare any of our statutes unconstitutional.

Then they want to proceed, according to this newspaper clipping, to restrain the Secretary of the Commonwealth from issuing any nomination petitions for legislative elections until the state is reapportioned—that raises a legal issue which I do not care to discuss—and until the state is reapportioned, to hold each Senator and Representative in contempt if the job is not done at the current session. At that point, while I am not a lawyer, I venture the statement that no court of competent jurisdiction can either issue legally or enforce such a proceeding.

It is an absurd proposition upon its face. As a Member of this House I can only vote for such bills as may be reported from a Committee. Now no one more than myself, no one in this House at least, desires a proper reapportionment bill more than I. Very frankly I admit that we of the minority have more to gain from an honest reapportionment than has the majority party.

The census will show that our 20 Senators in the Senate actually represent more men, women and children resident in their districts than are represented by the 30 Senators seated by the Republican party. If we were apportioning the state on the basis of population, we would have 51 percent of the strength in the Senate.

I repeat I can only vote for such bills as are reported from Committee. The presumption is that any bill reported from Committee will be an improvement upon the part of the existing reapportionment act, but it is conceivable that we could have reported to us a bill that from my point of view was worse than the existing situation. And if I so believed, no court, no court can command me or any other Member of this House to support a measure that is repugnant to my judgment or my conscience.

The principle, where the court should rule that we should act within a given session is also the principle that the court could say that we should operate within ten days or twenty days or ninety days. The proposal raised by the litigants, in which the court has not yet acquiesced, raises one of the most important constitutional questions that has faced the General Assembly in this generation.

How far can the courts go in determining the time at which this Legislature must operate, or what it must do?

We know that there has been a gradual accretion over the years in the powers of the court; a gradual encroachment upon the prerogatives of the Legislative branch of the government. So the proposal that we should submit to a summons is repugnant to common sense. I agree with the Speaker when he said that no process servers would be allowed upon the floor of this House, or in the corridors of the Capitol, nor would we concede that they could properly serve us with their papers here in Harrisburg while the Legislature is in session.

PERMISSION TO ADDRESS HOUSE

Mr. SMITH asked and obtained unanimous consent to address the House.

Mr. Speaker, I have introduced a bill to reapportion the legislative districts and am doing all in my power to secure its passage.

I welcome all the help I can get to secure legislative reapportionment, but those who are attempting to bring this action in the courts and have harassed and annoyed Members of the Senate and the House in an effort to serve them with legal process are doing far more to hinder than to help. If their interest is in getting reapportionment rather than personal publicity they will withdraw the suit immediately.

The Constitution has made this the responsibility of the Legislature. It is not a judicial function. Furthermore, it is a state matter—not a federal matter. I am not a lawyer, but I cannot see what any court, especially a federal court has to do with it.

I agree with the Minority leader that this is a matter which the courts should refuse to consider. It is a legislative matter and not a court matter. Up to this time, we do not have the official census figures for the boroughs, the towns, the townships, the cities, and the wards. I do not know what we could have done up to this time without official figures. The federal officials have only furnished us with the census of the counties.

I am sure that before this session ends, we will reapportion the legislative districts in our state.

PRIVILEGES OF MEMBERS

The SPEAKER. Article II, Section 15, of the Constitution of Pennsylvania provides that Members of the General Assembly are privileged from arrest, in the following language:

"The Members of the General Assembly shall in all cases, except treason, felony, violation of their oath of office, and breach or surety of the peace, be privileged from arrest during their attendance at the sessions of their respective Houses and in going to and returning from the same; and for any speech or debate in either House they shall not be questioned in any other place."

It has been held from earliest times by the Supreme Court of Pennsylvania, as well as several lower court decisions when the question has arisen, that the Members of the General Assembly are exempt from arrest or service of civil process while performing their legislative duties;—immunity being granted on the grounds of public policy;—the Members of the Legislature should not be drawn away from public duties with private suits.

The Chair is of the opinion that if a Member of this House is served a summons during his attendance at the session of the House, he is within his constitutional rights under privileges of a Member to refuse to accept such process.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 187.

An Act to further amend Article XIV of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by authorizing the appointment of special school police and defining their powers and duties

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.
The Clerk read the amendments as follows:

Amend Section 1, page 2, by striking out on lines 12 and 13, the following: "shall be empowered to make arrests in connection with the performance of their duties"; and inserting in lieu thereof the following: "who shall be in uniform and shall display a badge or other sign of authority and who shall be vested with all of the powers of local police officers."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—165

Andrews,	Gleason,	Madigan,	Royer,
Banker,	Good,	Markley,	Sarra,
Barkdoll,	Goodling,	Maxwell,	Schuster,
Baumunk,	Graybill,	Mazza,	Scott,
Bear,	Greenwood,	McConnell,	Seyler,
Beaver,	Greer,	McCullough,	Shoemaker,
Beech,	Gutendorf,	McDermitt,	Shotwell,
Berkstresser,	Guthrie,	McInroy,	Smith,
Blair,	Hall,	McKinney,	Snider,
Bloom,	Hamilton, R. K.,	McMillen,	Sollenberger,
Boles,	Harney,	McNally,	Spencer,
Bolton,	Haudenshield,	Metz,	Stank,
Bomberger,	Headlee,	Mihm,	Stimmel,
Boorse,	Helm,	Miller, H. G.,	Stoner,
Bower,	Hewitt,	Miller, J. C.,	Swartz,
Breisch,	Hocker,	Mills,	Swope,
Breth,	Hunter,	Moore, C. E.,	Thompson, R. L.,
Brown,	Jenkins,	Moore, H. A.,	Tompkins,
Bucchin,	Johnson,	Moran,	Toomey,
Clapper,	Jones, J. M.,	Munley,	VanSant,
Clendening,	Jones, P. F.,	Murray,	Varnier,
Cochran,	Jones, T. H. W.,	Musto,	Verona,
Cooper,	Jump,	Najaka,	Wachhaus,
Corr,	Kamyk,	Naugle,	Wargo,
Dalrymple,	Keller,	Needham,	Waterhouse,
Davis,	Kent,	Olsen,	Watkins,
Dennison,	Kline,	Petrosky,	Weldner,
Dowling,	Kohl,	Pitzer,	Wescott,
DuBols,	Kornick,	Polaski,	Westrick,
Dunn,	Kratz,	Polen,	Whalley,
Erb,	Kubacki,	Price, H. W. Jr.,	Wheeler,
Ewing,	Lafore,	Price, R. A.,	White,
Fenrich,	Laisey,	Readinger,	Williams,
Ferster,	Leonard, L.,	Reagan,	Wilt,
Filip,	Leonard, W. C.,	Reese,	Wood,
Filo,	Light,	Reidenbach,	Yeakel,
Firmstone,	Lopresti,	Relly, J. M.,	Yester,
Flack,	Lovett,	Rigby,	Yetzer,
Frost,	Lutty,	Riley, R. L.,	Young,
Gaffney,	Lyons,	Robertson,	Ziegler,
Geer,	Madden,	Rovansek,	Sorg,
Gibson,			Speaker

NAYS—0

NOT VOTING—42

Amarando,	Hersch,	Mintess,	Rubin,
Byrne,	Hoggard,	Monroe,	Sax,
Cella,	Jones, G. E.,	Muldowney,	Scanlon,
Conway,	Kolankiewicz,	Penglase,	Schmidt,
Costa,	Lederer,	Peta,	Tahl,
Coyle,	Leven,	Pettigrew,	Taylor,
Dougherty,	Limper,	Pfaff,	Thompson, E. F.,
Duffy,	Loftus,	Pichney,	Toll,
Guarnieri,	McCormack,	Rose,	Varallo,
Hagerty,	McGee,	Rosen,	Welsh,
Hamilton, W. H.,	Mikula,		

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 175.

An Act authorizing and directing the Pennsylvania Fish Commission to make a comprehensive study of the migratory habits of fish particularly shad and the stocking and tagging of shad below and above the Safe Harbor Dam the Holtwood Dam and the Conowingo Dam and to cooperate with the federal government and the Joint State Government Commission in connection therewith and prescribing powers and duties

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.
The Clerk read the amendments as follows:

Amend the title, page 1, line 1, by striking out after the word "the" the words "Joint State Government" and inserting in lieu thereof the words "Pennsylvania Fish"; lines 6 and 7 by striking out after the word "government" the words "in connection therewith prescribing" and inserting in lieu thereof the words "and the Joint State Government Commission in connection therewith and prescribing"; page 2, line 2, by striking out after the word "duties" the words "and making an appropriation."

Amend Section 1, page 2, line 1, by striking out after the word "The" the words "Joint State Government" and inserting in lieu thereof the words "Pennsylvania Fish."

Amend Section 3, page 3, line 6, by inserting after the figure 1 the following "and to cooperate with the Joint State Government Commission in connection therewith."

Amend the bill by striking out all of section 4.

Amend the bill, page 3, line 15, by striking out after the word "Section" the figure "5" and inserting in lieu thereof the figure "4."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—165

Andrews,	Gleason,	Madigan,	Sarra,
Banker,	Good,	Markley,	Schuster,
Barkdoll,	Goodling,	Maxwell,	Scott,
Baumunk,	Graybill,	Mazza,	Seyler,
Bear,	Greenwood,	McConnell,	Shoemaker,
Beaver,	Greer,	McCullough,	Shotwell,
Beech,	Gutendorf,	McDermitt,	Smith,
Berkstresser,	Guthrie,	McInroy,	Snider,
Blair,	Hall,	McKinney,	Sollenberger,
Bloom,	Hamilton, R. K.,	McMillen,	Spencer,
Boles,	Harney,	McNally,	Stank,
Bolton,	Haudenshield,	Metz,	Stimmel,
Bomberger,	Headlee,	Mihm,	Stoner,
Boorse,	Helm,	Miller, H. G.,	Swartz,
Bower,	Hewitt,	Miller, J. C.,	Swope,
Breisch,	Hocker,	Mills,	Thompson, R. L.,
Breth,	Hunter,	Moore, C. E.,	Tompkins,
Brown,	Jenkins,	Moore, H. A.,	Toomey,

Bucchin,
Clapper,
Clendenning,
Cochran,
Cooper,
Corr,
Dalrymple,
Davis,
Dennison,
Dowling,
DuBois,
Dunn,
Erb,
Ewing,
Fenrich,
Ferster,
Fillip,
Filo,
Firmstone,
Flack,
Frost,
Gaffney,
Geer,
Gibson,

Johnson,
Jones, J. M.,
Jones, P. F.,
Jones, T. H. W.,
Jump,
Kamyk,
Keller,
Kent,
Kline,
Kohl,
Kornick,
Kratz,
Kubacki,
Lafore,
Lelsey,
Lecnard, L.,
Leonard, W. C.,
Light,
Lopresti,
Lovett,
Lutty,
Lyons,
Madden,

Moran,
Munley,
Murray,
Musto,
Najaka,
Naugle,
Needham,
Olsen,
Petrosky,
Pitzer,
Polaski,
Polen,
Price, H. W. Jr.,
Price, R. A.,
Readinger,
Reagan,
Reese,
Reidenbach,
Reilly, J. M.,
Rigby,
Riley, R. L.,
Robertson,
Rovasek,
Royer,

VanSant,
Varner,
Verona,
Wachhaus,
Wargo,
Waterhouse,
Watkins,
Weidner,
Wescott,
Westrick,
Whalley,
Wheeler,
White,
Williams,
Wilt,
Wood,
Yeakel,
Yester,
Yetzer,
Young,
Ziegler,
Sorg,
Speaker

NAYS—0

NOT VOTING—42

Amarando,
Byrne,
Cella,
Conway,
Costa,
Coyle,
Dougherty,
Duffy,
Guarnieri,
Hagerty,
Hamilton, W. H.,
Mikula,

Hersch,
Hoggard,
Jones, G. E.,
Kolankiewicz,
Lederer,
Leven,
Limper,
Loftus,
McCormack,
McGee,
Mikula,

Mintess,
Monroe,
Muldowney,
Penglase,
Peta,
Pettigrew,
Pfaff,
Pichney,
Rose,
Rosen,

Rubin,
Sax,
Scanlon,
Schmidt,
Tahl,
Taylor,
Thompson, E. F.,
Toll,
Varallo,
Welsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. OLSEN asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair is pleased to welcome to the House a former Member, the gentleman from Delaware, Honorable William H. Milliken, Jr.

COMMITTEE MEETINGS

Boroughs, Mr. Baumunk, Chairman, Room 324, Tuesday, April 17, at 10:30 a. m.

Game and Forestry, Mr. Goodling, Chairman, Room 331, Tuesday, April 17, at 10:00 a. m.

Judiciary, Mr. McKinney, Chairman, Room 520, Tuesday, April 17, at 11:00 a. m.

Tickets for the biennial dinner of the Pennsylvania Legislative Correspondents' Association are now available in the capitol news room. Those desiring to purchase tickets—the price is \$10—should see Mr. Morris Swartz, the news room supervisor, by Friday of this week. The dinner will be held at the Penn-Harris hotel at 7:30 on the evening of Tuesday, April 24.

ADJOURNMENT

Mr. HEADLEE. Mr. Speaker, I move that this House do now adjourn until Tuesday, April 17, 1951, at 1:00 p. m.

The motion was agreed to, and (at 5:22 p. m.) the House adjourned.

Legislative Journal.

Session 1951.

139th of the General Assembly.

Vol. 32.

HARRISBURG, PA., TUESDAY, APRIL 17, 1951.

No. 38.

SENATE

TUESDAY, April 17, 1951.

The Senate met at 1:30 o'clock, p. m., Eastern Standard Time.

The PRESIDENT pro tempore M. Harvey Taylor in the Chair.

PRAYER

The Chaplain, Rec. THOMAS D. GARNER, Pastor of St. John's Evangelical and Reformed Church, Bedford, Pennsylvania, offered the following prayer:

Our Father God, we pause this moment to hallow Thy holy name. We lift our hearts before Thee in complete adoration and praise.

We acknowledge our many shortcomings, but, even as we confess them unto Thee, we pray for Thy forgiving love. We thank Thee for the blessings which have been ours. We are grateful for the privilege of serving Thee and our fellowmen.

May Thy blessing be with the Members of this Senate. Imbue them with wisdom, insight and understanding faith, that they may serve all well.

In the name of our Lord. Amen.

JOURNAL APPROVED

The PRESIDENT pro tempore. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. WADE, further reading was dispensed with, and the Journal was approved.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House, as follows:

House Bill No. 73, entitled:

An Act to amend Article V of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by permitting school directors to attend meetings of educational or financial interest to districts and providing for the payment of their expenses.

Which was committed to the Committee on Education.

House Bill No. 204, entitled:

An Act to amend Section 1512 of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," by requiring water utility companies to furnish to townships, lists of water meter readings, flat-rate bills and other data for the purpose of determining sewer charges.

Which was committed to the Committee on Corporations.

House Bill No. 206, entitled:

An Act to further amend Section 2401 of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "First Class Township Law," by requiring water utility companies to furnish to the township lists of water meter readings, flat-rate water bills, and other data for the purpose of determining sewer and drainage rates.

Which was committed to the Committee on Corporations.

House Bill No. 252, entitled:

An Act to amend Section 605 of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 571), entitled "The Fourth to Eighth Class County Assessment Law," by requiring the recorder's record of conveyances to contain complete post office addresses of grantees.

Which was committed to the Committee on Local Government.

House Bill No. 702, entitled:

An Act to further amend the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "General Borough Act" by further regulating the affairs of boroughs, and revising, amending, and changing the law relating thereto.

Which was committed to the Committee on Local Government.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 175

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 175, entitled:

An Act authorizing and directing the Joint State Government Commission to make a comprehensive study of the migratory habits of fish, particularly shad, and the stocking and tagging of shad below and above the Safe Harbor Dam, the Holtwood Dam and the Conowingo Dam, and to cooperate with the federal government in connection therewith; prescribing powers and duties and making an appropriation.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 187

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 187, entitled:

An Act to further amend Article XIV of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "First Class Township Law," by authorizing the appointment of special school police and defining their powers and duties.

SENATE BILL No. 201 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 201, entitled:

An Act to amend Section 1705 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," by authorizing investment of sinking fund moneys in deposits insured by the Federal Deposit Insurance Corporation.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT pro tempore. The bill as amended will appear on tomorrow's Calendar.

HOUSE CONCURS IN SENATE BILL No. 366

He also returned to the Senate, Senate Bill No. 366, entitled:

An Act to further amend subsection A of Section 221 and to amend Section 241 of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by extending non-resident fishing privileges to Canadians and redefining resident.

with the information that the House has passed the same without amendments.

The PRESIDENT pro tempore. The Chair at this time invites the gentleman from Luzerne, Mr. Wood, to the rostrum to preside.

The PRESIDING OFFICER (T. Newell Wood) in the Chair.

REPORTS FROM COMMITTEES

Mr. McPHERSON, from the Committee on Insurance, reported as committed, Senate Bill No. 464, entitled:

An Act to add Section 17.1 to the act approved the seventeenth day of July, one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status; authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected, and regulating such benefits and collections; providing for the organization and incorporation of such societies and for their supervision, regulation, and examination by the Insurance Commissioner, and for the admission of foreign societies; designating tables of mortality as a basis for rates of contribution; requiring all societies to make annual and other reports; and appointing the Insurance Commissioner as attorney for service of process; providing penalties for any violations of the act; exempting

such societies from taxation and certain other societies from its provisions; and requiring beneficial associations, other than fraternal benefit societies, to report to and be supervised by the Insurance Commissioner; and repealing existing laws," by regulating the amendment of articles of incorporation and providing for fees.

Mr. BLASS, from the Committee on Public Health and Welfare, reported as committed, House Bill No. 788, entitled:

An Act providing for the construction and equipping of the Pennsylvania Institution for Mental Defectives providing for the acquisition of land providing for the care maintenance and control of inmates imposing duties and conferring powers on the Department of Welfare and the Department of Property and Supplies

Mr. SNOWDEN, from the Committee on Highways, reported as committed, Senate Bill No. 324, entitled:

An Act to further amend Section 102 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by defining "monotrailer," and extending to apply to monotrailers the provisions of said act applicable to trailers.

He also, from the Committee on Highways, reported as committed, Senate Bill No. 235, entitled:

An Act to further amend Section 814 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by allowing motor vehicles to be equipped with certain warning apparatus approved by the secretary.

Mr. KESSLER, from the Committee on Public Health and Welfare, reported as committed, Senate Bill No. 490, entitled:

An Act to further amend section two of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 216), entitled "An act relating to dentistry; defining and providing for the licensing and registration of dentists and dental hygienists, and for the revocation and suspension of such licenses and registrations, subject to appeal, and for their reinstatement; defining the powers and duties of the State Dental Council and Examining Board and the Department of Public Instruction; providing penalties; and repealing existing laws," by further defining the term "Practice of Dentistry."

Mr. YOSKO, from the Committee on State Government, reported as committed, Senate Bill No. 516, entitled:

An Act to further amend the act, approved the twenty-second day of June, one thousand nine hundred thirty-seven (P. L. 1987), entitled, as amended "An act to preserve and improve the purity of the waters of the Commonwealth for the protection of public health, animal and aquatic life, and for industrial consumption, and recreation; empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution; providing protection of water supply; providing for the jurisdiction of courts in the enforcement thereof; requiring the approval of the Attorney General for prosecutions thereunder; providing additional remedies for abating pollution of waters; imposing certain penalties; and repealing certain acts; authorizing the acquisition by purchase or condemnation, or otherwise, of easements and right of ways; the acquisition or construction of pipes, conduits, drains or tunnels by the Sanitary Water Board; and providing for payment of the costs thereof by the Commonwealth; authorizing the Sanitary Water Board to establish standards of purity and to determine the time for compliance with certain provisions of the act in certain cases and making it unlawful to open, reopen or continue operation of any coal mine, or to change any approved drainage or disposal plan without prior approval by the Sanitary Water Board," by increasing maximum time after notice for discontinuance of discharge or treatment of sewage or discharge of industrial waste.

BILLS INTRODUCED AND REFERRED

Mr. Hare on behalf of Mr. WOOD, read in his place and presented to the Chair Senate Bill No. 521, entitled:

An Act authorizing the Secretary of Highways to lay out open construct and maintain a road to be a part of the system of State Highways in Luzerne and Lackawanna Counties.

Which was committed to the Committee on Highways.

Mr. TOOLE read in his place and presented to the Chair Senate Bill No. 522, entitled:

An Act to amend the act, approved the seventeenth day of May, one thousand nine hundred thirty-nine (P. L. 157), entitled "An act regulating the selection, drawing, and summoning of all jurors and talesmen, in counties of the third class, and defining their qualifications in such counties; creating a jury board and defining its powers and procedure; providing for the appointment of a clerk to the jury board and fixing his maximum salary; providing for the custody of the jury wheel, and the filing and custody of jury lists; providing for the public drawing of jurors and the methods thereof; giving the trial judge the right to excuse jurors; prescribing the time of challenging jurors or the array, regulating the procedure if array is quashed; providing for the drawing of names of jurors from wheels heretofore filled; and repealing inconsistent

acts," by abolishing the jury board, and transferring its powers and duties to the jury commissioners.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 523, entitled:

An Act providing for the regulation of tourist cabins by the Department of Health; requiring an annual permit for operating and maintaining such cabins; fixing the fees therefor; and prescribing penalties.

Which was committed to the Committee on Public Health and Welfare.

Mr. YOSKO read in his place and presented to the Chair Senate Bill No. 524, entitled:

An Act providing for an accelerated course of training for student nurses in certain emergency areas; imposing duties on the Secretary of Welfare and making an appropriation.

Which was committed to the Committee on Education.

PERMISSION TO ADDRESS SENATE

Mr. McMENAMIN asked and obtained unanimous consent to address the Senate.

Mr. McMENAMIN. Mr. President and Members of the Senate, the bill I am about to introduce is addressed to a unique situation. The City of Scranton is a city of the Second Class A. At the present time it is the only city in that class. The minimum population presently required of a second class A city is 135,000. The 1950 census, which will soon be published, will probably fix Scranton's population at approximately 125,000 or roughly 10,000 below the minimum figure.

The present City Code in this Commonwealth is silent as to procedure when a city's population falls below the minimum required for the class it is in. This bill provides that a city shall regress in classification if its population is below the prescribed minimum for two consecutive United States decennial censuses.

It is the intent of this bill that a city shall not be required to be reduced in classification merely because its population in one instance falls below the minimum figure. Such a decrease in population might be a temporary situation which would later be corrected. To cause a city to change its form of government merely as a result of a temporary fluctuation in population would cause considerable undue hardship, confusion and expense. This bill intends to provide that such a change of classification would only come after a permanent decrease in population as would be reflected in two censuses over a period of ten years.

Behind the cold figures of the United States Census is an intensely human story. Up our way this has come to be known as the Scranton Story. Perhaps some of you may have heard of it. Last week I caused to be placed on the desk of each Senator a booklet published under the auspices of the Scranton Chamber of Commerce which told part of the story.

A generation ago, the City of Scranton was a thriving prosperous community, the anthracite capital of the world. Its economy was a single industry economy based solely on the mining of anthracite coal.

Coal mining in its very nature is a wasting asset industry. As the supply of coal in Lackawanna County gradually reached the point of exhaustion, coal mining was beset by many other problems. The coal industry came to be known as a sick industry and the anthracite counties became known as a distressed area.

There was little opportunity provided in the way of employment for young people in the coal regions. In the 1930's the percentage of unemployed persons was higher than in most other parts of the country and per capita expenditures for relief and public assistance were well above the average. Young people graduating from high school and college left the area in search of jobs. Families were broken up; civic spirit reached a low ebb; only the most optimistic saw any hope for the future.

The migration of people from Lackawanna County was accentuated in World War II. Literally thousands of residents of Scranton and Lackawanna County migrated to such industrial centers as Chester, Newark, Bridgeport and others. In 1943, there were five thousand vacant homes in the City of Scranton. Whole families whose roots had been firmly fixed in the City of Scranton and County of Lackawanna for generations found it necessary to tear themselves from their ancestral homes and their circle of friends and move elsewhere.

About this time a small group of men, public spirited citizens with an abiding faith in Scranton's future, decided to take matters into their own hands.

From meetings of a few persons, rapidly a plan and crusade evolved which enlisted the aid of the great bulk of the citizens of the community. Persons in all walks of life joined in a concentrated effort to rehabilitate Scranton by securing new industrial plants which would provide employment for thousands in diversified industries. Civic leaders, doctors, lawyers, union officials, clergymen, laborers, all classes and types of citizens, joined in this community effort.

Through a series of drives, enough funds were raised to publicize the many natural advantages the region has for industry. As the idea took hold, the campaign snowballed.

Since 1946, thirty-nine new factories have been built in Scranton and fifty-five smaller factories expanded their production facilities. Many former Scrantonians have returned to the city in the past few years.

The past decade has worked a miracle. Ten years ago, practically the only opportunity for male employment was in the coal mines. Today, industry in Scranton is so diversified that there are over fifty different types of industries in the area. Our industrial expansion is not complete but marvelous progress has been made and the pace of industrialization is accelerating every day.

In place of having five thousand vacant homes, the City of Scranton now has a housing shortage in spite of the fact that for the first time in years large scale housing projects are under construction in Scranton. Our population has increased from the depth it hit during the years of World War II.

However, at the time the 1950 census was taken, we had not yet returned to our previous peak. The question of what effect this will have on our city's status is uppermost in the minds of most citizens. The responsible citizens who have been most active in the rehabilitation program feel that a step backward in classification will be a serious

blow to the enthusiasm for progress. It is also true that the form of government in cities of the second class is more attractive to prospective new industries.

Our municipal government is presently geared to a second class city. We have a fully paid fire department under Civil Service. City taxes are based on County assessments, there being no independent Board of City Assessors. All taxes including city, school, county and school district, are furnished the taxpayer on a single statement due to the fact that a single tax office has been created in Scranton. A change to third class city status would mean a considerable upheaval in the present form and organization of our municipal government.

The inequities which are patently inherent in this situation are further accentuated when it is realized that Scranton's population has been increasing for the past five years and that its present rate will certainly by 1960 again exceed 135,000. If this is so, under present law it would then be necessary for Scranton to return to the status of a second class city. Two changes in the organization of municipal government within ten years will work an unwarranted hardship, create considerable confusion and make necessary needless expenditures.

Mr. President, Scranton will come back. The spirit of the citizens of Scranton cannot be denied. We are asking members of this body to help us in our efforts to help ourselves by freeing the classification of our city for the next ten years and with this in mind I read in place and present to the Chair the following bill.

BILLS INTRODUCED AND REFERRED

Mr. McMENAMIN read in his place and presented to the Chair Senate Bill No. 525, entitled:

An Act to further amend Section 2 of the act, approved the twenty-fifth day of June, one thousand eight hundred ninety-five (P. L. 275), entitled "An act dividing the cities of this State into three classes with respect to their population, and designating the mode of ascertaining and changing the classification thereof in accordance therewith," by providing for the regression in classification of cities upon their decrease in population.

Which was committed to the Committee on Local Government.

Mr. WAGNER read in his place and presented to the Chair Senate Bill No. 526, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employees prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" by further regulating the withdrawals of certain optional payment shares providing that accounts of less than a certain amount need not be credited with dividends further regulating the terms of mortgage contracts and the terms of bonds securing mortgages and the types of property upon which mortgages may be taken.

Which was committed to the Committee on Judiciary General.

Mr. STEVENSON read in his place and presented to the Chair Senate Bill No. 527, entitled:

An Act to amend clause (h) of section one hundred two clauses (c) and (f) of section two hundred two clause (c) of section two hundred five clauses (a) (b) (c) (d) (e) and (f) of section two hundred ten section three hundred six clause (c) of section five hundred two and to add to clause (g) of section two hundred five of the act approved the twenty-fifth day of June one thousand nine hundred and forty-one (P. L. 159) entitled "An act amending revising consolidating and changing the law relating to the borrowing of money by certain political subdivisions the authorization issuance and sale of general obligation bonds as herein defined of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes and to the funding of debt and the refunding of bonds regulating the keeping and use of sinking funds imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions imposing penalties and repealing existing laws" clarifying and correcting the provisions of said sections and setting forth provisions and requirements for contesting the validity of any election proceedings under section two hundred five.

Which was committed to the Committee on Local Government.

Messrs. LANE, HALUSKA, and NEFF read in place and presented to the Chair Senate Bill No. 528, entitled:

A Joint Resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania, providing for graduated inheritance taxes.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

PRESENTATION OF PUPILS OF RADNOR HIGH SCHOOL, DELAWARE COUNTY

Mr. WATKINS. Mr. President, we are honored today to have with us eighty members of the ninth grade of the Radnor High School from Delaware County, Pennsylvania, accompanied by Miss Mary Carter, their principal, and Mr. Paul D. Teel, a member of the faculty. Also accompanying this group is a very distinguished Delaware Countian, Mr. Albert Swing, Treasurer of Radnor Township. It gives me great pleasure, Mr. President, to introduce these fine young pupils from my county.

The PRESIDING OFFICER. The guests of Senator Watkins, from Delaware County, will please rise in place and take a bow.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WATSON, from the Committee on Executive nominations reported with a favorable recommendation the following nominations, made by His Excellency, the Governor of the Commonwealth:

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 10, 1951.
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Nelson C. B. Kriebel, Worcester, Montgomery County, for appointment as Justice of the Peace in and for the Township of Worcester, Montgomery County, to serve until the first Monday of January 1952, vice Frank Hudnut, deceased.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 10, 1951.
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate J. Walter Baer, R. D. No. 3, Feetwood, Berks County, for appointment as Justice of the Peace in and for the Township of Richmond, Berks County, to serve until the first Monday of January 1952, vice Lawson G. Dietrich, deceased.

JOHN S. FINE.

MEMBERS OF COUNTY BOARDS OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 10, 1951.
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of County Boards of Assistance:

DAUPHIN COUNTY

Mrs. Mary C. Stackpole (Republican), Clarks Valley, Dauphin R. D., to serve until December 31, 1952, and until her successor is duly appointed and qualified, vice Mrs. Bessie M. Poorman, Highspire, whose term expired.
E. R. Eckenrode (Democrat), 2929 North Second Street, Harrisburg, to serve until December 31, 1952, and until his successor is duly appointed and qualified, vice James H. Lane, Colonial Park, whose term expired.

Mrs. Rubye W. Kunkel (Republican), 27 North Front Street, Harrisburg, to serve until December 31, 1952, and until her successor is duly appointed and qualified, vice Mrs. Gabriella C. Gilbert, Harrisburg, deceased.

WYOMING COUNTY

Mrs. Esther Englemier (Republican), Osterhout, from January 1, 1950, until December 31, 1952, and until her successor is duly appointed and qualified.

Mrs. Mildred Forscht (Republican), Laceyville, from January 1, 1950, until December 31, 1952, and until her successor is duly appointed and qualified.

Forrest Slicker (Republican), 71 Maple Avenue, Tunkhannock, to serve until December 31, 1953, and until his successor is duly appointed and qualified, to fill a vacancy.

JOHN S. FINE.

MEMBERS OF COUNTY BOARDS OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 10, 1951.
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of County Boards of Assistance:

BUCKS COUNTY

Mrs. Minnie H. Oblinger (Republican), New Hope, from March 31, 1950, until December 31, 1952, and until her successor is duly appointed and qualified.

Frank F. Whittam (Republican), Newtown, from March 31, 1950, until December 31, 1951, and until his successor is duly appointed and qualified.

Mrs. Winifred M. Clymer (Republican), Southampton, from January 1, 1951, until December 31, 1952, and until her successor is duly appointed and qualified.

Charles F. Freeman (Republican), Doylestown, from January 1, 1951, until December 31, 1953, and until his successor is duly appointed and qualified.

LEBANON COUNTY

Mrs. Jane E. Erb (Republican), Palmyra, from December 7, 1950, until December 31, 1952, and until her successor is duly appointed and qualified.

Mrs. Kathryn G. Wilhelm (Republican), 22 South Railroad Street, Myerstown, Lebanon County, to serve until December 31, 1952, and until her successor is duly appointed and qualified, to fill a vacancy.

Harry M. Bowman (Republican), 104 College Avenue, Annville, Lebanon County, to serve until December 31, 1953, and until his successor is duly appointed and qualified, vice Earnest Williams, Annville, whose term expired.

MONTGOMERY COUNTY

Dennis Quigg (Republican), Danville, from December 13, 1950, until December 31, 1951, and until his successor is duly appointed and qualified.

Edward S. Kear (Republican), Danville, from January 1, 1951, until December 31, 1953, and until his successor is duly appointed and qualified.

Miss Annie Pritchard (Republican), 219 Water Street, Danville, Montgomery County, to serve until December 31, 1953, and until her successor is duly appointed and qualified, vice Mrs. Erma T. Deily, Danville, whose term expired.

UNION COUNTY

Mrs. Esther G. Sauvain (Republican), Lewisburg, from January 13, 1950, until December 31, 1952.

JOHN S. FINE.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. WATSON, asked and obtained unanimous consent for immediate consideration of the nominations ready by the Clerk.

EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. HARE, that the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. WATSON and Mr. HARE, that the Senate do advice and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,

Byrne,	Lane,
Chapman,	Leader,
Crowe,	Letzler,
Dent,	Mahany,
Diehm,	Mallery,
DiSilvestro,	McCreesh,
Fleming,	McGinnis,
Freed,	McMenamin,

Propert,
Robinson,
Rosenfeld,
Ruth,
Scarlett,
Silver,
Snowden,

Wagner,
Walker,
Watkins,
Watson,
Wolfe,
Yosko,
Wood,
Presiding Officer

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly

EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President, it seems to me that history is repeating itself. It was just two years ago on the sixth day of April that the Committee on Agriculture of the Senate of Pennsylvania overrode the will of the people and killed any margarine bill which would permit the sale of colored oleo within the confines of this Commonwealth. Today it is my understanding that the majority members of that Committee proceeded to use the ax again upon legislation which would permit the sale of colored oleo in Pennsylvania.

Mr. President, I sometimes wonder how long the people of this Commonwealth are going to put up with that type of legislation. It seems to me that the people should become aroused when one or two can govern the welfare of ten million people in this Commonwealth. It seems to me that the housewives in this Commonwealth are being deprived of something that is essentially their right to use, and I for one cannot understand why this Committee would take such arbitrary action. I know that two years ago they used Miles Horst in ther to lobby against colored oleo, and the butter trusts won again, and it seems today that that is the case. The butter trusts have won again in Pennsylvania.

Mr. President, I do not suppose it is any use for any member of the Minority or the Majority side to introduce a resolution to discharge a committee, because it seems to be the unwritten law that the Majority Membership will vote to uphold the actions of this Committee. We have been quite tolerant. I think the membership on both sides have been tolerant in regard to the passage of this legislation. Here it is the middle of April. We have not done a thing. We have sat back and waited, and waited and waited until the Committee met, because we were under the impression that some type of legislation would be reported from that Committee to permit the sale of colored oleo in Pennsylvania, but low and behold you, it seems that history is repeating itself because nothing is forthcoming, and I say to these members that participated today and voted to kill all that legislation, they are doing an injustice. They are doing an injustice because there is not any question as to the healthfulness of oleo, there is not any question as to the purity of oleo.

It just seems that the butter block does not want competition, and yet they color their butter but they would not permit the sale of colored oleo.

I am not going to take up much more time, but I want you to know, Mr. President, that I feel that this is highhanded, arbitrary action on the part of this Committee, and it is going to come home to haunt them.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 318, as follows:

An Act authorizing counties of the second and fourth classes to establish fire training schools for the paid and volunteer firemen of municipalities within the county

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The county commissioners of all counties of the second and fourth classes are hereby authorized and empowered to establish equip and maintain fire training schools or centers for the purpose of giving instruction and practical training in the prevention control and fighting of fire to the members of paid fire departments and volunteer fire companies in any city borough town or township within such county

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

Mr. WALKER. Mr. President, when this bill originally passed the Senate it was a permissive bill affecting only counties of the second-class, which under the classification is Allegheny County. Over in the House a distinguished Member of the House, who represents a fourth-class county, amended the bill by putting in fourth-class counties also. The bill is still permissive. It does not affect the original intent of those of us who were desirous of placing this matter at the disposal or for the use of the Commissioners of Allegheny County. Therefore, we have no objection to the amendments.

And the question recurring,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 318

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 318.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,

Crowe,
Dent,
Diehm,
DiSilvestro,
Fleming,
Freed,

Letzler,
Mahany,
Mallery,
McCreesh,
McGinnis,
McMenamin,

Rosenfeld,
Ruth,
Scarlett,
Silvert,
Snowden,

Watkins,
Watson,
Wolfe,
Yosko,
Wood,
Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

THIRD READING CALENDAR

BILL OVER IN ORDER

Mr. WAKLER. Mr. President, I ask unanimous consent that House Bill No. 99, on third reading, entitled:

An Act to improve and extend by reciprocal legislation the enforcement of duties of support and to make uniform the law with respect thereto.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 104, as follows:

An Act providing for the sentencing of persons convicted of certain crimes to an indeterminate sentence having a minimum of one day and a maximum of life in certain cases authorizing the criminal courts to impose such a sentence and certain temporary sentences in connection therewith requiring psychiatric examinations of such persons before the imposition of such a sentence conferring powers and imposing duties upon the Department of Welfare and the Pennsylvania Board of Parole and providing for the parole conditional parole or absolute discharge of persons so sentenced and the procedure relating thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 For the better administration of justice and the more efficient punishment treatment and rehabilitation of persons convicted of the crime of indecent assault incest assault and solicitation to commit sodomy sodomy assault with intent to ravish or rape If the court is of the opinion that any such person if at large constitutes a threat of bodily harm to members of the public or is an habitual offender and mentally ill the court in lieu of the sentence now provided by law for each such crime may sentence such person to a State institute for an indeterminate term having a minimum of one day and a maximum of his natural life.

Section 2 No person convicted of a crime punishable in the discretion of the court under the provisions of this act with imprisonment in a State institution for an indeterminate term having a minimum of one day and a maximum of his natural life shall be so sentenced until (1) a complete psychiatric examination shall have been made of him through the facilities of the Department of Welfare as hereinafter provided or by a psychiatrist designated by the court the results of whose examination shall be transmitted to and accepted by the Department of Welfare in lieu of an examination made through its own facilities and (2) a complete written report thereof shall have been submitted to the court Such report shall include all facts and findings necessary to assist the court in determining whether it shall impose sentence under

the provisions of this act upon the person convicted in lieu of the sentence otherwise provided by law

Section 3 (a) To enable the court to procure such a psychiatric examination and to afford the Department of Welfare time in which to make the same the court is hereby authorized and empowered to postpone sentence upon any person convicted of any one or more of the crimes enumerated in section one of this act and to order the person so convicted to temporary imprisonment in the prison or jail such person was confined prior to his trial or would have been confined if not free on bail. Such period of temporary confinement shall not exceed a period of thirty (30) days unless the court on the request of the psychiatric examiner extends the observation period for an additional time not exceeding thirty (30) days. It shall be the duty of the Department of Welfare to make psychiatric examination of the prisoner and report to the court thereon within the period allowed by the court.

(b) If for any reason such examination is not made and a report thereon given to the court within such period of temporary imprisonment the provisions of this act shall thereupon not be available to the court and it shall sentence the prisoner to such sentence as now provided by law and the period of temporary confinement herein provided for shall be considered as a part of the sentence so imposed whether it be for the purpose of determining the length of the sentence by the court or for the purpose of parole.

Section 4 Whenever a court shall desire the Department of Welfare to make a psychiatric examination of and a report on a person convicted of any one or more of the crimes enumerated in section one of this act it shall make an order to that effect and it shall be the duty of the clerk of court to promptly notify the Department of Welfare of such order. The Department of Welfare shall thereupon make such a psychiatric examination of the person so convicted at the place where such person is in temporary imprisonment or may request that he be brought to any clinic established by the Department of Welfare for such purposes. In the latter event if agreeable to the court it shall order the person so convicted to be taken in custody to such clinic.

Section 5 (a) Whenever a court after psychiatric examination of and report on a person convicted of any one or more of the crimes enumerated in section one of this act shall be of the opinion that it would be to the best interests of justice to sentence such person under the provisions of this act he shall cause such person to be arraigned before him and sentenced to such State institution as shall have been designated by the Department of Welfare in its report to the court. The cost of transporting such person to the State institution designated by the department and the cost of his maintenance therein shall be borne by the Commonwealth and the several counties to the extent and in the manner provided by law.

(b) The costs of maintenance of any person so convicted while in temporary imprisonment as hereinbefore provided shall be borne by the county and the cost of the psychiatric examination of and report on such person shall be borne by the Department of Welfare.

(c) The Department of Welfare in its report to the court is hereby authorized to designate a penitentiary, industrial school or any other State institution as the place of confinement of the person who is the subject of such report if the court elects to sentence such person under the provisions of this act.

Section 6 It shall be the duty of the Department of Welfare from funds appropriated to it to provide psychiatric and psychological services to the courts as provided in section four of this act and for the purpose of affording such services to the Pennsylvania Board of Parole in the further examination, diagnosis and treatment of persons sentenced under the provisions of this act during their confinement and after conditional parole as hereinafter provided for.

The department may in its discretion establish one or more psychiatric clinics for the examination, diagnosis and treatment of persons convicted of any one or more of the crimes enumerated in section one of this act when so ordered by a court or sentenced under the provisions hereof or may use existing clinics or services for such work provided that such clinics or services shall provide qualified personnel experienced in the field of psychiatry and psychology as it relates to crimes involving sexual perversion, maladjustment or aberration.

Section 7 Within three months after a person shall have been sentenced under the provisions of this act for an indeterminate term having a minimum of one day and a maximum of his natural life and at least every six months thereafter the Pennsylvania Board of Parole shall cause to be brought before it with respect to each such person all reports, records and information concerning such person for the purpose of determining whether such person shall be paroled or discharged as hereinafter provided and it shall be the duty of the Board thereupon to make a ruling with respect to each such person who shall be notified in writing of such ruling. Nothing in this section shall be construed to prohibit a person sentenced under the provisions of this act from making application for parole in the manner now provided by law.

Section 8 The Pennsylvania Board of Parole is hereby granted control over the parole or discharge of persons sentenced under the provisions of this act whether imprisoned in a penitentiary or other State institution. The Board is hereby authorized and empowered to grant a parole or absolute discharge to any person sentenced under the provisions of this act at such time and under such conditions as the interests of justice may dictate. In considering the parole or discharge or an application for parole of any person sentenced under the provisions of this act the Board shall give serious consideration to the original report and subsequent reports of the psychiatric and psychological examination of the person so sentenced and of the recommendations contained in such reports.

Section 9 Except as otherwise provided in this act the Pennsylvania Board of Parole shall have all the powers conferred and duties imposed upon it with respect to the parole of prisoners generally in the parole supervision and discharge from parole of persons sentenced under the provisions of this act.

Section 10 Any person sentenced under the provisions of this act may appeal from a refusal of the Pennsylvania Board of Parole to grant him a parole or to discharge him to the court by which he was sentenced in accordance with the provisions of the Administrative Agency Law approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) or any amendment or reenactment thereof.

Any such person may also without first applying to the board petition the court for his discharge. After considering the original report and subsequent reports of the psychiatric and psychological examination of the person sentenced and the recommendations contained in such reports and such other facts and reports of examinations as the court may direct to be brought before it the court may discharge the person sentenced.

Section 11 All acts and parts of acts here hereby repealed in so far as they are inconsistent with the provisions of this act.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Snowden,	Wood,
Freed,	McMenamin,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 120, as follows:

An Act to further amend the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 803) entitled as amended "An act providing for the creation maintenance and operation of a county employees' retirement system in counties of the fifth sixth seventh and eighth class imposing certain charges on counties and prescribing penalties" by further defining county employee substituting the chief clerk for the auditor as a member of and secretary to the board in certain cases and extending the period in which a certain option may be exercised

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The definition of "County Employee" in Section 1 and Sections 2 3 and 12 of the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 803) entitled as amended "An act providing for the creation maintenance and operation of a county employees' retirement system in counties of the fifth sixth seventh and eighth class imposing certain charges on counties and prescribing penalties" as last reenacted and amended by the act approved the second day of May one thousand nine hundred forty-nine (P. L. 881) are hereby further amended to read as follows

Section 1 The following words and phrases as used in this act unless a different meaning is plainly required by the context shall be construed to have the following meanings

"County Employee" any person whether elected or appointed who is employed by the county the county institution district in the county prison or in any other institution maintained by the county from county moneys or who is employed by any county or State official and paid by such official from moneys appropriated by the county for such purpose whose salary or compensation is paid in regular periodic installments or from fees collected by his office but shall not include any person paid on a per diem basis

In all cases of doubt the board shall determine whether a person is an employee within the meaning of this act and its decision shall be final

Section 2 County Retirement System and County Retirement Board Created A retirement system may be established for county employees by resolution of the county commissioners in any county of the fifth sixth seventh and eighth class which system when established shall be administered by a county retirement board which shall consist of the chairman of the board of county commissioners or his representative who shall be its chairman the county controller or his representative if any if not then [one of the county auditors to be designated by]

the chief clerk to the county commissioners and one county employee to be selected from time to time by the county employees for a term of two years Each member of the board shall take an oath of office that he will diligently and honestly administer the affairs of the board and that he will not knowingly violate or permit to be violated any of the provisions of this act Such oath shall be subscribed by the member taking it and shall be filed among the records of the board The members of the board shall not receive any compensation for their services but shall be reimbursed for all expenses necessarily incurred in the performance of their duty

Two members of the board shall constitute a quorum

The retirement system herein provided for shall be established on the first Monday of January of the year succeeding the one in which the resolution of the county commissioners was adopted

Section 3 Personal Administrative Expenses The board may appoint and fix the compensation of an actuary The controller or the [auditor] chief clerk to the county commissioners as the case may be shall be the secretary of the board and shall receive such compensation for his services as may be fixed by the salary board The secretary shall keep a record of all of the proceedings of the board which shall be open to inspection by the public The expense of the administration of this act exclusive of the payment of retirement allowances shall be paid by the county by appropriations made by the commissioners on the basis of estimates submitted by the board

Section 12 Options on Superannuation Retirement At the time of his superannuation retirement any beneficiary may elect to receive his retirement allowance payable throughout life or if such retirement allowance shall amount to less than ten dollars per month he may elect to receive the full amount of the accumulated deductions standing to his individual credit in the member's annuity reserve account or he may in any event elect to receive the actuarial equivalent of his member's and county annuity in a lesser retirement allowance payable throughout life with provisions that

Option One If he die before receiving in payments the present value of his member's annuity and county annuity as it was at the time of his retirement the balance shall be paid to his legal representatives or to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the board at the time of his retirement or at any time thereafter

Option Two Upon his death his member's annuity and county annuity shall be continued through the life of and paid to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the retirement board at the time of his retirement

Option Three Upon his death one-half of his member's and county annuity shall be continued through the life of and paid to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the board at the time of his retirement

And said bill havin been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,

Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Snowden,	Wood,
Freed.	McMenamin,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 121, as follows:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by authorizing the classification of real estate into buildings on land and land exclusive of the buildings for city assessment and tax-levying purposes at separate and different rates

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2504 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" as last amended by the act approved the tenth day of April one thousand nine hundred forty-five (P. L. 167) is hereby further amended to read as follows

Section 2504 Assessment of Property Duties of Assessors The assessor shall make or cause to be made during the year one thousand nine hundred forty-five and every third year thereafter a full just equal and impartial assessment of all property taxable according to the laws of this Commonwealth for county purposes and all matters and things within the city subject by law to taxation for city purposes and a just and perfect list of all property exempt by law from taxation with a just valuation of the same But nothing hereinbefore contained shall be construed as making taxable for city purposes the classes of personal property which by law are made taxable exclusively for county purposes at the rate of four mills With his assessment he shall return such dimension description or quality of each lot or parcel of land as will be sufficient to identify the same together with the number and kind of improvements At the next triennial assesment following the effective date of this amending act the assessor shall if council by ordinance so directs classify all real estate in such city in such manner and upon such testimony as may be adduced before him so as to distinguish between the buildings on land and the land exclusive of the buildings and he shall certify to the council the aggregate valuations of all real estate subject to taxation for city purposes within each such classification In all cases he shall value or cause to be valued the property at the actual value thereof If arriving at such value the price for which any property would separately bona fide sell or the price at which any property may bona fide actually have been sold shall be considered but shall not be controlling Instead such selling price estimated or actual shall be subject to revision by increase or decrease to accomplish equalization with other similar property within the taxing district It shall be the further duty of the assessor to return annually a list of all the inhabitants over twenty-one years of age

Section 2 Section 2551 of said act as amended by the act approved the third day of July one thousand nine hundred forty-seven (P. L. 1233) is hereby further amended by adding at the end thereof a new paragraph to read as follows

Section 2551 Tax Levies

The council of any city may by ordinance in any year levy separate and different rates of taxation for city purposes on all real estate classified as land exclusive of the buildings thereon and on all real estate classified as buildings on land When real estate tax rates are so levied they shall be uniform as to all real estate within each such classification and such rates shall be determined by the requirements of the city budget as approved by council

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

Mr. McGINNIS. Mr. President, this bill applies to all our third-class cities. We have forty-seven in this State, and it is merely a permissive bill. It does not require them to change anything, but it does give those cities the power, if they wish, to re-classify their lands and buildings and their appraisals when they make their millage. The cities of Erie, Allentown, Wilkes-Barre, Altoona, York, Williamsport, Easton and Harrisburg do that now. When they appraise their property and real estate for taxation, they do it separately. This bill would allow all the cities to go further than that if they wish, and put a different rate of millage on lands and buildings.

Mr. President, in 1913, we had a great Republican Mayor of the City of Pittsburgh, William A. McGee. He was known all over the United States as an expert on municipal government, and he came to this Legislature and secured the passage of a bill that goes much further than this, but it applies only to Pittsburgh and Scranton. There that bill provided that at each triennial assessment they could change the assessment ten per cent, take it off buildings and put it on land which they did. When the year 1925 came along, the tax in buldings, was half what it was on land, and it has been that way for a quarter of a century in Scranton and Pittsburgh. This same man in 1911 came to this Legislature, and he secured the passage of a bill that exempts machinery from taxation in the cities of Pittsburgh and Scranton, and that bill has been effective and on the statute books ever since.

Mr. President, you just heard Senator McMenamin tell us about the great improvements in Scranton, and I am very happy to announce here today that Pittsburgh is the most booming city in this world today. The United States Steel Corporation is moving its offices from New York City to Pittsburgh, and they have put a thirty story building up, shining steel inside and out. The Aluminum Company of America is moving its offices from New York City to Pittsburgh, and they are building, one block away, another solid aluminum building inside and out. The Equitable Life Assurance Company has come to Pittsburgh, and they are investing fifty-five million dollars in office buildings. The Pennsylvania Railroad has just completed a warehouse costing five million dollars. I talked to Mr. Lawrence, the Vice-President of the Jones and Laughlin Company yesterday, and he told me that the addition to their mill on the south side is costing them—and they are building it right now—one hundred and three million dollars.

So, Mr. President, this last year in the City of Pitts-

burgh the building permits have been over five hundred million dollars.

This folder here that Senator McMenamin just spoke about so eliquently shows you—it was on every Senator's desk I think last Wednesday—that thirty-nine new plants have been built, and fifty-five plants expanded in the last year or so in the City of Scranton. So, I say to you that it was a God send to Pittsburgh and Scranton that this legislation years ago was passed by this Legislature that allows the City of Scranton now to tell a manufacturer, come to our town and we will assess your buildings half what we will assess your land, and we will not tax your machinery a penny. We have done that in Pittsburgh through the same period, and I am sure after the stories you have heard here today about Scranton and Pittsburgh that you will not be afraid of this permissive bill that is before you now.

Mr. WALKER. Mr. President, may I suggest also to the distinguished gentleman from Allegheny that while he was extolling the virtues of Pittsburgh, he should have mentioned the fact that at this point the Pirates are in first place.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallory,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silver,	Yosko,
Fleming,	McGinnis,	Snowden,	Wood,
Freed,	McMenamin,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 176, on third reading, entitled:

A Supplement to the act approved the twelfth day of June one thousand nine hundred thirty-one (P. L. 575) entitled "An act providing for joint action by Pennsylvania and New Jersey in the development of the ports on the lower Delaware River and the improvement of the facilities for transportation across the river authorizing the Governor for these purposes to enter into an agreement with New Jersey creating The Delaware River Joint Commission and specifying the powers and duties thereof including the power to finance projects by the issuance of revenue bonds transferring to the new commission all the powers of the Delaware River Bridge Joint Commission and making an appropriation" authorizing the Governor on behalf of the Commonwealth of Pennsylvania to enter into a supplemental compact or agreement with the State of New Jersey amending Article I II IV XI and XII of and adding Article XIII to the compact and agreement between the Commonwealth of Pennsylvania and the State of New Jersey authorized and made pursuant

to the act herein supplemented by changing the name of The Delaware River Joint Commission to The Delaware River Port Authority and the method of appointment of commissioners removing the present Pennsylvania members of the commission extending the jurisdiction powers and duties of the Delaware River Port Authority and defining such additional jurisdiction powers and duties to take effect upon the enactment of substantially similar legislation by the State of New Jersey embodying the supplemental agreement between the two States in this act set forth and authorizing the Governor to apply on behalf of the Commonwealth to the Congress of the United States for its consent thereto.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 202, as follows:

An Act to further amend Section 2445 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by authorizing the issuance of non-debt revenue bonds for the alteration addition to or enlargement of existing sewers sewer systems and sewage treatment works and the pledging of revenue derived from the existing system in payment of such bonds and authorizing the issue and sale of non-debt revenue bonds at one time

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2445 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" as reenacted and amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1955) is hereby further amended to read as follows

Section 2445 Sewer Bonds For the purpose of financing the cost or expense or its share of the cost or expense of constructing or acquiring a sewer sewer system or sewage treatment works or for the purpose of financing the cost or expense or its share of the cost or expense of altering making additions to or enlarging an existing sewer sewer system or sewage treatment works either singly or jointly with other municipalities or townships or both any township may issue non-debt revenue bonds secured solely by a pledge in whole or in part of the annual rentals or charges for the use of such sewer sewer system or sewage treatment works including in the case of alterations or additions to or enlargement of existing sewers sewer systems or sewage treatment works annual rentals or charges derived from the use of the then existing sewers sewer systems or sewage treatment works Said bonds shall not pledge the credit nor create any debt nor be a charge against the general revenues nor be a lien against any property of the township but shall be a lien upon and payable solely from the annual rentals or charges for the use of said sewer sewer system or sewage treatment works

Whenever any township has enacted an ordinance or resolution imposing a sewer rental or charge upon properties to be served by such sewer system or sewage treatment works when the same is completed or in the case of alterations or additions to or enlargement of an existing sewer sewer system or sewage treatment works when the same is completed and has pledged sufficient of the revenues being derived or to be derived therefrom for the payment of the interest and sinking fund charges

on such non-debt revenue bonds it shall have power to authorize the issue and sale of such non-debt bonds at one time or from time to time as the work of construction proceeds and sufficient additional non-debt revenue bonds as may be necessary may be issued and sold to provide for the interest and sinking fund charges accruing thereon until said sewer system or sewage treatment works or the alteration or addition to or enlargement thereof has been completed and has been in operation for not exceeding one year in order to provide sufficient revenues until such time as sewer rentals or charges may be collected from the owners of properties being served

Nothing in this section shall be construed to abridge or restrict or in any way impair the right of any township to create indebtedness in accordance with existing laws

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally??

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silver,	Yosko,
Fleming,	McGinnis,	Snowden,	Wood,
Freed,	McMenamin,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 221, as follows:

An Act to reenact and amend the title of and the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1676) entitled "An act to provide revenue in school districts of the first class by imposing a temporary tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county assessing authority board of revision of taxes receiver of school taxes school treasurer board of public education in such districts and courts providing for compensation to certain officers and employes and imposing penalties" by continuing the provisions thereof for the year one thousand nine hundred fifty-two and succeeding years and deleting certain obsolete provisions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of and the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1676) entitled "An act to provide revenue in school districts of the first class by imposing a temporary tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county assessing authority board of revision of taxes receiver of school taxes school treasurer board of public education in such districts and courts providing

for compensation to certain officers and employes and imposing penalties" are hereby reenacted and amended to read as follows

An Act

To provide revenue in school districts of the first class by imposing a [temporary] tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county assessing authority board of revision of taxes receiver of school taxes school treasurer board of public education in such districts and courts providing for compensation to certain officers and employes and imposing penalties

Section 1 Definitions The following words terms and phrases when used in this act shall have the meanings ascribed to them in this section except where the context clearly indicates a different meaning

"Resident" A person copartnership or unincorporated association or company resident located or liable to taxation within a school district of the first class levying a tax under the provisions of this act or a joint-stock company or association limited partnership bank or corporation formed created or incorporated by under or in pursuance of any law of this Commonwealth or of the United States or of any other state or government and liable to taxation within a school district of the first class levying a tax under this act

"Board" The board of revision of taxes or other county assessing authorities of any county coextensive with a school district of the first class or in which a school district of the first class located

Section 2 Tax on Mortgages Judgements etc Imposition and Rate of Tax Exceptions All personal property of the classes hereinafter enumerated owned held or possessed by any resident whether such personal property be owned held or possessed by such resident in his her their or its own right or as active trustee agent attorney-in-fact or in any other capacity or by any resident as trustee agent or attorney-in-fact jointly with one or more trustees agents or attorneys-in-fact domiciled in another state or within this Commonwealth but outside the school district levying the tax where such personal property is held and managed in such school district of the first class except as executor or administrator of the estate of a non-resident decedent and except as trustee for a resident or non-resident religious charitable or educational organization no part of the net earnings of which inures to the benefit of any private stockholder or individuals for the use benefit or advantage of any other person copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation and the equitable interest in any such personal property of the classes hereinafter enumerated owned held or possessed by any resident where the legal title to such personal property is vested in a trustee agent or attorney-in-fact domiciled in another state or within this Commonwealth but outside the school district levying the tax or where the legal title to such personal property is vested in more than one trustee agent or attorney-in-fact one or more of whom are domiciled in another state or within this Commonwealth but outside the school district levying the tax and one or more of whom are domiciled within such school district such personal property is held and managed in another state or within this Commonwealth but outside the school district levying the tax and where such resident is entitled to receive all or part of the income therefrom is hereby made taxable annually for the year one thousand nine hundred fifty and annually thereafter for public school purposes in school districts of the first class and shall be levied upon annually by the board of public education in every such school district at the rate of not less than one (1) nor more than four (4) mills on each dollar of the value thereof and no failure to assess or return the same shall discharge such owner or holder thereof from liability therefor that is to say

All mortgages all moneys owing by solvent debtors

whether by promisory note or penal or single bill bond or judgment all articles of agreement and accounts bearing interest all public loans whatsoever except those issued by this Commonwealth or the United States and except the public loans and obligations of any county city borough town township school district and incorporated district of this Commonwealth and except the bonds and obligations of bodies corporate and politic of this Commonwealth known as municipal authorities all loans issued by any corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other state or government including car-trust securities and loans secured by bonds or any other form of certificate or evidence of indebtedness whether the interest be included in the principal of the obligation or payable by the terms thereof and all scrip bonds certificates and evidences of indebtedness issued and all scrip bonds certificates and evidences of indebtedness assumed or on which interest shall be paid by any and every private corporation incorporated or created under the laws of this Commonwealth or the laws of any other state or of the United States and doing business in any school district of the first class levying the tax except first class or nonprofit corporations all shares of stock in any bank corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other state or government except shares of stock in any bank bank and trust company national banking association savings institutions corporation or limited partnership liable to a tax on its shares or a gross premiums tax or liable to or relieved from the capital stock or franchise tax for State purposes under the laws of this Commonwealth and all moneys loaned or invested in other states territories the District of Columbia or foreign countries all other moneyed capital owing to individual citizens of the school district levying the tax Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company nor to loans shares of stock or other securities held by bankers or brokers solely for trading purposes nor to accounts or debit balances owing by customers of bankers or brokers in the usual courses of business nor to interest bearing accounts in any bank or banking institution savings institution employees thrift or savings association whether operated by employees or the employer or trust company nor to personal property held in the commercial department and owned in its own right by a banking institution savings institution or trust company in liquidation by a receiver trustee or other fiduciary nor to personal property formerly held by a banking institution in its own right but assigned by it to one or more trustees for liquidation and payment to the creditors and stockholders of such banking institutions nor shall this act apply to the proceeds of any life insurance policy held in whole or part by the insurer nor the principal value of annuities nor to any personal property held in any trust forming part of a stock bonus pension or profit sharing plan of an employer for the exclusive benefit of his employees or their beneficiaries which trust under the latest ruling of the Commissioner of Internal Revenue is exempted from Federal income tax And provided further That the provisions of this act shall not apply to building and loan associations or to shares of stock issued by building and loan associations or to savings institutions having no capital stock and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the tax herein provided for or any part thereof or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the tax on any of such securities bonds or other evidences of indebtedness as may be held owned by or owing to the said savings institution having no capital stock And provided further

That the provisions of this act shall not apply to fire companies firemen's relief associations life casualty or fire insurance corporations having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions And provided further That corporations limited partnerships and joint-stock associations liable to tax on their shares or the aforesaid capital stock or franchise tax for State purposes shall not be required to make any report or pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint-stock associations holding such securities as trustees executors administrators guardians or in any other manner except as executor or administrator of the estate of a nonresident decedent and except as trustee for a resident or nonresident religious charitable or educational organization no part of the net earnings of which inures to the benefit of any private stockholder or individual shall return and pay the tax imposed by this section upon all securities so held by them as in the case of individuals And provided further That the provisions of this section shall not apply to personal property of the classes hereinabove enumerated received or acquired with proceeds of money or property received from any person or persons copartnership or unincorporated association or company nonresident in or not located within such school district or from any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth by any person or persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any person or persons copartnership or unincorporated association or company nonresident in or not located within such school district or for the use benefit or advantage of any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth nor shall the provisions of this section apply to personal property held for the use benefit or advantage of any resident who shall have in each of the ten preceding calendar years given or contributed all of his net income to any corporation organized or operated exclusively for religious charitable scientific literary or educational purposes

The value of the equitable interest in any personal property made subject to tax by this section shall be measured by ascertaining the value of the personal property in which such resident has the sole equitable interest or in case of divided equitable interests in the same personal property then by ascertaining such part of the value of the whole of such personal property as represents the equitable interest of such resident therein

Section 3 Returns of Tax (a) For the purpose of ascertaining the amount of tax payable under this act it shall be the duty of every resident liable to pay such tax on or before the fifteenth day of February of each year to transmit to the board upon a form prescribed prepared and furnished by the board a return certified by him as full true and correct to the best of his knowledge and belief and setting forth

(1) The aggregate actual value of each part of the different classes of property made taxable by this act held owned or possessed by such resident as of the listing date fixed annually in the manner provided herein either in his own right or as trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any other person copartnership unincorporated association company limited partnership joint-stock association or corporation

(2) Such other relevant information as may be required by the board concerning each of the different classes of property enumerated in section two of this act owned held or in any manner possessed by such resident

The failure of any taxable resident to receive or procure a return form shall not excuse him from making a return

(b) The return so made shall be certified to by the person making the same if an individual and in the case of copartnerships unincorporated associations and joint-stock associations and companies by some member thereof and in the case of limited partnerships and corporations by the president chairman or treasurer thereof

(c) Whenever any personal property taxable under the provisions of this act was owned by a decedent at the time of his death and is held by his executor or administrator return of such personal property shall be made and the tax paid if such decedent was domiciled at the time of his death in a school district of the first class notwithstanding the residence or location of such executor or administrator or of any beneficiary or the place where such securities are kept

(d) Whenever any personal property taxable under the provisions of this act is held owned or possessed as trustee agent attorney-in-fact or in any other manner as hereinabove set forth by two or more persons copartnerships unincorporated associations companies limited partnership joint-stock associations or corporations all of which are residents of the Commonwealth but not all of which are domiciled in the same school district levying this tax return of such personal property shall be made in a school district of the first class where any of the same are domiciled and there shall be paid in each such school district that portion of the tax imposed upon such personal property so held owned or possessed as the number of such trustees agents or attorneys-in-fact domiciled therein bears to the total number thereof notwithstanding the residence of any beneficiary or the place where such personal property is kept

Section 4 Listing Date The board shall on or before the fifteenth day of January one thousand nine hundred fifty and annually thereafter fix a day as of which the property made taxable by this act shall be listed and returned The day so fixed shall be between the first and the fifteenth days of the month of January both inclusive and the day so fixed shall be printed or stamped on the forms for making returns of all such property If through inadvertence mistake or otherwise the board fails to designate or fix such date or if such date does not appear on the form for making return of such property the date as of which such property shall be listed and returned shall be the immediately preceding first day of January

Section 5 Payment of the Tax The tax imposed by this act shall be due and payable at the same time and subject to the same conditions as to discounts penalties and interest as in the case of personal property taxes due and payable to the county or city coextensive with the county in which the school district of the first class levying the tax is located

Section 6 Collection and Use of Tax Compensation of Collector All taxes penalties and fines imposed under the provisions of this act shall be paid to and collected by the receiver of school taxes or in school districts in which there is no receiver of school taxes by the school treasurer Such moneys shall be collected by such collecting officials in the same manner as the personal property taxes for county purposes or in cities coextensive with counties for city and county purposes are collected There shall be paid to the school treasurer for the services rendered by him in collecting the tax an amount to be mutually agreed upon between the school treasurer and the board of public education

Section 7 Assessment by the Board Notice (a) If any taxable resident shall fail to file a return or fail to include in any return all of his property made taxable by this act or shall file a return which is false incomplete incorrect or inaccurate the board shall make an assessment of tax against such resident of the amount of the

tax for which such resident is liable or for which he is believed by the board to be liable to which estimated return the board shall add twelve per cent (12%) and the aggregate amount so obtained shall be the basis for taxation

(b) The board shall notify by mail such resident of the estimated assessment If such resident is dissatisfied with the assessment so made he may on or before the day fixed for appeals from assessments present reasons supported by oath or affirmation for his failure to file a return to include all of his taxable property therein or for having made a return which was incomplete incorrect or inaccurate and the board may if satisfied with the excuse so presented permit the taxpayer to file his own return and substitute said return for the estimated return made by the board In all cases where a false return has been filed by the taxpayer the board may not relieve the taxpayer from the payment of the twelve per cent (12%) penalty but the estimated return shall be final except in those cases in which a true and correct return shall reveal a higher assessed value than that contained in the estimated return in which case the tax and penalty shall be based upon the true valuation

Section 8 Assessments Made at Any Time Within Five Years An assessment as herein provided may be made by the board at any time within five (5) years after any property owned held or possessed or alleged to have been so owned held or possessed by any resident should have been returned by him for taxation notwithstanding he shall have paid a tax assessed on the basis of returns previously made or filed and notwithstanding the board shall have made previous assessments against such resident In any such case no credit shall be given for any penalty formerly assessed and paid

Section 9 Petition for Reassessment Appeal (a) Any resident against whom an assessment is made may petition the board for a reassessment Notice of an intention to file such a petition or to appear and be heard shall be given to the board within thirty (30) days after notice of such assessment is given or sent by the board to the taxpayer as provided in this act The board shall hold such hearings as may be necessary to hear and determine petitions for reassessment at such places and at such times as may be determined by rules and regulations of the board and each petitioner who has duly notified the board of an intention to file a petition for reassessment or to appear and be heard shall be notified by the board of the time when and the place where such hearings shall be held All such petitions shall set forth specifically and in detail the grounds upon which it is claimed the assessment is erroneous or unlawful and shall be accompanied by an affidavit under oath or affirmation certifying to the corrections of the facts stated therein If no petition for reassessment is filed with the board the petitioner may in lieu thereof appear at the hearing and present his petition orally in which event all testimony or statements of facts shall be made under oath or affirmation

(b) If such petitioner is dissatisfied with the action of the board on his petition for reassessment he shall have the right to appeal to the court of common pleas of the county where he resides at any time within sixty (60) days after notice of such action is given to him by the board If any resident shall fail to give due notice of an intention to petition for reassessment and to file a petition for reassessment or to appear and be heard after due notice of his intention to do so or to appeal to the court of common pleas within the time and in the manner herein set forth the right to do so shall be forever barred and any such resident so failing shall not thereafter be permitted in a suit for the recovery of such tax to set up any ground of defense which might have been determined either by the board or the court of common pleas In all cases of petition for reassessment and appeals the burden of proof shall be on the petitioner or appellant as the case may be and every appeal to the court of common pleas under this section shall specify all the objections to the assessment and any objection not specified in the appeal shall not be considered by the court

Section 10 Information at Source Reports The executor of every will and the administrator of every estate at the time of filing with the register of wills or clerk of the orphans' court the inventory and appraisal of such estate shall file with such register of wills or clerk of the orphans' court a statement in duplicate under oath or affirmation setting for the items included in such inventory and appraisal which may be liable to the tax imposed by this act. The register or clerk with whom the same is filed shall forthwith send one copy thereof to the board. It shall be the duty of the board to proceed at once to assess the tax due from such decedent with interest as provided in this act. Such assessment shall include all property owned held or possessed by the decedent which should have been returned by him for taxation for any former year or years not exceeding five (5) years. In any case where a false incomplete incorrect or inaccurate return has been previously filed the board shall make an additional assessment for the five (5) years immediately preceding the year of assessment in the same manner as otherwise provided in this act. The school district levying the tax may proceed to collect the said tax by presenting a claim therefor to the orphans' court of the proper county or may proceed by action or suit at law in any court of competent jurisdiction or take any and all other appropriate steps or procedure for the collection of such taxes.

Section 11 Examination of Books and Witnesses Rules and Regulations (a) The board or any employee authorized in writing by it is hereby authorized to examine the books papers and records of any resident in order to verify the accuracy of any return made or if not return was made to ascertain and assess the tax imposed by this act. Every such resident is hereby directed and required to give to the board or its duly authorized employee the means facilities and opportunity for such examinations and investigations as are hereby provided and authorized. The board is hereby authorized to examine any person under oath concerning any property which was or should have been returned for taxation and to this end may compel the production of books papers and records and the attendance of all persons whether as parties or witnesses whom it believes have knowledge of such property. In the event of the refusal of any taxpayer to permit the examination of his books and records or upon his refusal to appear before the board or to testify or in the event of his refusal to produce books papers and records which the board has directed to be produced the board may have recourse to the court of common pleas of said county which court shall upon cause shown direct the attendance of witnesses and the production of such books papers and records.

(b) The board is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of the tax penalties and interest imposed by this act.

(c) The powers conferred by this act upon the board relating to the administration and enforcement of this act shall be in addition to but not exclusive of any other powers heretofore or hereafter conferred upon the said board by law.

Section 12 Compensation Employees (a) The members of the board and the receiver of school taxes and such of the assistants and employees thereof as the board and the receiver of school taxes shall respectively designate shall be paid by the school district for their services in the administration and enforcement of this act. Such compensation shall be in addition to any other salary or compensation each now or hereafter may be entitled to receive for any other duties performed or to be performed by him.

(b) Upon the respective recommendations of the board and the receiver of school taxes the board of public education shall appoint and fix the salaries which shall be paid by the school district of such other assistants and employees as the board and receiver of school taxes may respectively require to assist the board and the receiver

of school taxes in the administration and enforcement of this act.

Section 13 Certified State to Board of Public Education and Collecting Officers For the purpose of enabling the board of public education to levy the taxes imposed by this act for one thousand nine hundred fifty and for every year thereafter it shall be the duty of the board to furnish annually at the same time as it furnishes the valuation of real property to the boards of public education in school districts of the class and to the receiver of school taxes or in school districts in which there is no receiver of school taxes to the school treasurer an estimate of the total valuation of all personal property taxable for school purposes.

Section 14 Interest Tax Liens and Claims (a) The tax imposed by this act shall bear interest at the rate of six per cent per annum until paid.

(b) The school district levying the tax may at any time transmit to the prothonotary of the county in which the school district levying the tax is located a certified record of taxes imposed under this act and the penalties and interest thereon. The record so transmitted shall contain the name of the taxpayer his address if known amount of tax penalty and interest due and the year during which said tax was payable and it shall be the duty of the prothonotary to enter and docket the same of record in the prothonotary's office in a docket which shall be designated "Personal Property Tax Lien Docket" and such tax lien shall be indexed as judgments are now indexed and shall be combined with liens arising from county or in cities coextensive with counties city and county personal property taxes. In no even shall the prothonotary be entitled to duplicate fees. All taxes imposed under this act together with penalties and interest thereon shall be a lien on the real estate of the taxpayer within the county until paid. After the same shall have been entered and docketed of record by the prothonotary all such liens shall have priority to and be fully paid and satisfied out of the proceeds of any judicial sale of said real estate before any other obligation judgment claim lien or estate with which the said real estate may become charged or for which it may become liable save and except only the costs of the sale and of the writ upon which it is made and the real estate taxes imposed or assessed upon said property. The lien of said tax shall continue for a period of five years from the date of entry and may be revived and continued in the manner now or hereafter provided for revival of judgments and it shall be lawful for a writ of scire facias to issue and be prosecuted to judgment in the manner in which such writs are now ordinarily employed.

(c) Claims for taxes due under this act may be collected by action in assumpsit brought by the school district levying the tax against the taxpayer or may be presented at the audit of any estate in the orphans' court.

Section 15 Penalties (a) It shall be unlawful for any person or persons copartnership unincorporated association limited partnership joint-stock association or corporation whatsoever in loaning money at interest to any person or persons whether such loans be secured by bond and mortgages or otherwise to require the person or persons borrowing the same to pay the tax imposed thereon by this act and in all cases where such tax shall have been paid by the borrower or borrowers the same shall be deemed and considered usury and subject to the laws governing the same.

(b) Any person who shall wilfully and corruptly make a false and fraudulent return as aforesaid shall be guilty of a misdemeanor and upon [his or her] conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars (\$500) or to undergo [an] imprisonment not exceeding two (2) years or both.

(c) Any person who wilfully fails or refuses to file any report containing the information required by this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to a fine of not more than five hundred dollars (\$500) or to undergo an imprisonment for not more than six (6) months or both.

(d) As used in this section the term "person" as ap-

plied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof

[Section 16 Applicability and Related Matter (a) The provision of this act shall apply only to school districts of the first class having a population of 1,500,000 or more persons. If any act reclassifying school districts is passed by the General Assembly during the session of one thousand nine hundred forty-nine the provisions of this act and under such classification apply only to school districts of the first class and not to school districts of the first class A]

Section 17 Saving Clauses (a) Nothing contained in this act shall be construed to empower any school district of the first class to impose levy and collect the taxes hereby levied upon any personal property of any of the classes hereinbefore enumerated not within the power of the General Assembly under the Constitution of the United States

(b) If the tax or any portion of the tax imposed upon any of the personal property of any of the classes hereinbefore enumerated under the provisions of this act or if any exception of any personal property of any of the classes as hereinbefore enumerated from the imposition of the tax under the provisions of this act shall be held by any court of competent jurisdiction to be in violation of the Constitution of the United States or of the Commonwealth of Pennsylvania the decision shall not affect or impair the right to impose the taxes or the validity of the taxes so imposed upon the personal property of the other classes as hereinbefore enumerated or to impose the taxes on the personal property so excepted. It is the intent of the General Assembly that the taxes imposed or excepted so held to be unconstitutional were not to be imposed or excepted as the case may be but that the taxes imposed upon all other personal property made taxable under this act were to be imposed and that taxes on the personal property excepted were to be imposed thereon.

(c) It is the intent of the General Assembly that the power vested in it to levy taxes shall not be delegated by any of the provisions of this act to any school district of the first class in violation of the provisions of the Constitution of Pennsylvania. If a court of competent jurisdiction shall hold that such power has nevertheless been so unconstitutionally delegated the rate of the tax herein imposed shall be four (4) mills on each dollar of the value of the personal property made taxable which rate the General Assembly under such circumstances intends to be imposed.

Section 18 Repeal All acts and parts of acts inconsistent herewith are hereby repealed

[Section 19 The provisions of this act shall become effective immediately upon final enactment and shall continue in effect until and including the thirty-first day of December one thousand nine hundred fifty-one]

Section 2 The provisions of this reenacting and amending act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally??

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Yosko,

Fleming,
Freed,

McGinnis,
McMenamin,

Snowden,

Wood,
Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 222, as follows:

An Act to reenact and amend the title of and the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1669) entitled "An act to provide revenue for school districts of the first class by imposing a temporary tax on persons engaging in certain businesses professions occupations trades vocations and commercial activities therein providing for its levy and collection conferring and imposing powers and duties on the Board of Public Education receiver of school taxes and school treasurer in such districts and prescribing penalties" by continuing the provisions thereof for the year one thousand nine hundred fifty-two and succeeding years and deleting certain obsolete provisions. The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of and the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1669) entitled "An act to provide revenue for school districts of the first class by imposing a temporary tax on persons engaging in certain businesses professions occupations trades vocations and commercial activities therein providing for its levy and collection conferring and imposing powers and duties on the Board of Public Education receiver of school taxes and school treasurer in such districts and prescribing penalties" are hereby reenacted and amended to read as follows

An Act

To provide revenue for school districts of the first class by imposing a [temporary] tax on persons engaging in certain businesses professions occupations trades vocations and commercial activities therein providing for its levy and collection conferring and imposing powers and duties on the Board of Public Education receiver of school taxes and school treasurer in such districts and prescribing penalties

Section 1 Definitions The following words and phrases when used in this act shall have the meanings ascribed to them in this section except where the context clearly indicates a different meaning

(1) "Person" Any individual partnership limited partnership association or corporation Whenever used in any clause prescribing or imposing a penalty the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof

(2) "Business" Carrying on or exercising for gain or profit within a school district of the first class any trade business including financial business as hereinafter defined profession vocation or commercial activity or making sales to persons within such school district of the first class "Business" shall not include the following Any business conducted by a non-profit corporation or association organized for religious charitable or educational purposes the business of any political subdivision or of any authority created and organized under and pursuant to any act of Assembly the specific business conducted by any public utility operating under the laws rules and regulations administered by the Pennsylvania Public Utility Commission of furnishing or supplying service or services at the fixed rates specified in its tariffs the business of any insurance company association or exchange or any fraternal benefit

or beneficial society of any other state under the laws of which insurance companies associations or exchanges or fraternal benefit or beneficial societies of this Commonwealth doing business in such other state are subjected by reason of the tax imposed by this act to additional or further taxes fines penalties or license fees by such other state and any employment for a wage or salary

(3) "Financial Business" The services and transactions of private banks and bankers building and loan associations savings and loan associations credit unions savings banks banks bank and trust companies trust companies investment companies registered as such with the Federal Securities and Exchange Commission holding companies dealers and brokers in money credits commercial paper bonds notes securities and stocks monetary metals factors and commission merchants

(4) "Tax Year" The twelve month period corresponding to the fiscal year of the school district levying the tax

(5) "Receipts" Cash credits property of any kind or nature received in or allocable to a school district of the first class from any business or by reason of any sale made or services rendered or commercial or business transaction had within a school district of the first class without deduction therefrom on account of the cost of property sold materials used labor service or other cost interest or discount paid or any other expense "Receipts" shall exclude (a) the dollar volume of annual business covering the resale of goods wares or merchandise taken by a dealer as a trade-in or as part payment for other goods wares and merchandise in the usual and ordinary course of his business except to the extent that the resale price exceeds the trade-in allowance (b) in the case of a financial business the cost of securities and other property sold exchanged paid at maturity or redeemed and moneys or credits received in repayment of advances credits and loans but not to exceed the principal amount of such advances credits and loans and shall also exclude deposits (c) in the case of a broker any commissions paid by him to another broker on account of a purchase or sales contract initiated executed or cleared in conjunction with such other broker (d) the receipts or the portion thereof attributable to any sale involving the bona fide delivery of goods commodities wares or merchandise of the taxpayer's own manufacture growth or produce to a location regularly maintained by the other party to the transaction outside the limits of such school district and not for the purpose of evading or avoiding payment of the tax or any portion thereof imposed under this act For the purpose of determining receipts from the business of insurance such receipts shall mean those from premiums received from risks within the school district of the first class whether by mutual or stock companies domestic or foreign without any deductions therefrom for any costs or expense whatsoever The collector shall determine from such data as he shall require from insurance companies subject to this act the amount of such receipts and shall ascertain the amount of the tax in accordance with such determination

(6) "Collector" The receiver of school taxes or in a school district of the first class in which there is no such receiver of school taxes the school treasurer

Section 2 Authority to Levy and Collect Tax Use of Tax For the year one thousand nine hundred fifty and annually thereafter every school district of the first class shall levy and collect an annual tax in the manner and at the rate hereinafter set forth Such tax shall be in addition to any other tax every such school district is empowered to levy and collect under any existing law The taxes and penalties collected under the provisions of this act shall be used by every such school district for general public school purposes

Section 3 Imposition and Rate of Tax Every person engaging in any business in any school district of the first class shall pay an annual tax at the rate of one (1) mill on each dollar of the annual receipts thereof

Where a receipt in its entirety cannot be subjected to the tax imposed by this act by reason of the provisions of the Constitution of the United States or any other

provision of law the collector shall establish rules and regulations and methods of allocation and evaluation so that only that part of such receipt which is properly attributable and allocable to the doing of business in the school district levying the tax shall be taxed hereunder. The collector may make such allocation with due regard to the nature of the business concerned on the basis of mileage division of the receipt according to the number of jurisdictions in which it may be taxed the ratio of the value of the property or assets of the taxpayer owned and situated in the school district levying the tax to the total property or assets of the taxpayer wherever owned and situated and any other method or methods of allocation other than the foregoing calculated to effect a fair and proper allocation

Section 4 Computation of Annual Receipts (a) Every person subject to the payment of the tax hereby imposed who has commenced his business at least one (1) full year prior to the beginning of any tax year shall compute his annual receipts upon the actual receipts received by him during the preceding calendar year

(b) Every person subject to the payment of the tax hereby imposed who has commenced his business less than one (1) full year prior to the tax year one thousand nine hundred fifty for the tax year one thousand nine hundred fifty or who has commenced his business subsequent to the beginning of any tax year for such tax year and the succeeding tax year shall compute his annual receipts upon the actual receipts received by him during the first month of his engaging in such business multiplied by the number of months of the current tax year remaining or multiplied by twelve (12) for the first full tax year he engages in business as the case may be

(c) Every person subject to the payment of the tax hereby imposed who engages in a business temporary seasonal or itinerant by its nature shall compute his annual receipts upon the actual receipts received by him during such license year

Section 5 Returns (a) Every return shall be made upon a form furnished by the collector Every person making a return shall certify the correctness thereof

(b) Every person subject to the tax imposed by this act who has commenced his business at least one (1) full year prior to the beginning of any tax year shall on or before May fifteenth one thousand nine hundred fifty and annually thereafter file with the collector a return setting forth his name his business and business address and such other information as may be necessary in arriving at the actual receipts received by him during the preceding calendar year and the amount of the tax due

(c) Every person subject to the tax imposed by this act who has commenced his business less than one (1) full year prior to the beginning of the tax year one thousand nine hundred fifty shall on or before May fifteenth one thousand nine hundred fifty file with the collector a return setting forth his name his business business address and such other information as may be necessary in arriving at the actual receipts received by him during his first month of business and the amount of the tax due

(d) Every person subject to the tax imposed by this act who commences business subsequent to the beginning of any tax year shall within forty (40) days from the date of commencing such business and on or before May fifteenth of the succeeding tax year file a return with the collector setting forth his name his business and business address and such information as may be necessary in arriving at the actual receipts received by him during his first month of business and the amount of the tax due

(e) Every person subject to the payment of the tax imposed by this act who engages in a business temporary seasonal or itinerant by its nature shall within seven (7) days from the day he completes such business file a return with the collector setting forth his name his business and business address and such information as may be necessary in arriving at the actual receipts received by him during such period and the amount of the tax due

Section 6 Payment at the Time of Filing the Return

The person making the same shall pay the amount of tax shown as due thereon to the collector

Section 7 Powers and Duties of Collector (a) It shall be the duty of the collector to collect and receive the taxes fines and penalties imposed by this act for payment over to the school treasurer Where such school treasurer is not the collector as in the case of other school taxes collected it shall also be his duty to keep a record showing the amount received by him from each person paying the tax and the date of such receipt

(b) The collector is hereby charged with the enforcement of the provisions of this act and is hereby empowered to prescribe adopt promulgate and enforce rules and regulations relating to any matter pertaining to the administration and enforcement of this act including provisions for the re-examination and correction of returns and payments alleged or found to be incorrect or as to which an overpayment is claimed or found to have occurred Any person aggrieved by any decision of the collector shall have the right of appeal to the court of common pleas as in other cases

(c) The collector is hereby authorized to examine the books papers and records of any taxpayer or supposed taxpayer in order to verify the accuracy of any return made or if no return was made to ascertain the tax imposed Every such taxpayer or supposed taxpayer is hereby directed and required to give to the collector the means facilities and opportunity for such examinations and investigations as are hereby authorized The collector is hereby authorized to examine any person connected with any business concerning any receipts which were or should have been returned and to this end may compel the production of books papers and records and the attendance of all persons before him whether as parties or witnesses whom he believes to have knowledge of such receipts

(d) The powers conferred by this act upon the collector relating to the administration and enforcement of this act shall be in addition to but not exclusive of any other powers heretofore or hereafter conferred upon him

Section 8 Suit on Collection Penalty (a) It shall be the duty of the collector to sue for the recovery of all taxes due him not paid when due Such suits shall be begun within three (3) years after such taxes become due

(b) If for any reason the tax is not paid when due in each year interest at the rate of six per centum (6%) per annum on the amount of said tax and an additional penalty of one-half per centum ($\frac{1}{2}\%$) of the amount of the unpaid tax for each month or fraction thereof during which the tax remains unpaid shall be added and collected by the collector Where suit is brought for the recovery of any such tax the person shall be liable for and it shall be the duty of the collector to collect in addition to the tax assessed against such person the costs of such collection and the interest and penalties herein imposed

Section 9 Penalties (a) Whoever wilfully makes any false or untrue statement on his return shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than two thousand dollars (\$2000) or to undergo imprisonment for not more than two (2) years or both

(b) Whoever wilfully fails or refuses to appear before the collector in person with his books records or accounts for examination when required under the provisions of this act to do so or who wilfully refuses to permit inspection of the books records or accounts of any business in his custody or control when the right to make such inspection by the collector is requested shall be guilty of a misdemeanor and shall be sentenced to pay a fine of not more than five hundred dollars (\$500) or to undergo imprisonment for not more than six (6) months or both

(c) Whoever wilfully fails or refuses to file a return required by this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one thousand dollars (\$1000) or to undergo imprisonment for not more than one (1) year or both

Section 10 Employees Compensation Upon the recommendation of the collector the Board of Public Education shall appoint and fix the salaries of such assistance and employees as may be necessary to aid such collector in the proper administration of this act

[Section 11 Applicability and Related Matter (a) The provisions of this act shall apply only to school districts of the first class having a population of 1,500,000 or more persons If any act reclassifying school districts is passed by the General Assembly during the session of 1949 the provisions of this act shall apply only to school districts of the first class under such classification and not to school districts of the first class A]

Section 12 Saving Clauses (a) The validity of any ordinance of part of any ordinance providing for or relating to the imposition levy or collection of any tax passed by the council of a city coextensive with a school district of the first class and any amendments or supplements thereto shall not be affected or impaired by anything contained in this act

(b) Nothing contained in this act shall be construed to empower any school district of the first class to levy and collect the taxes hereby imposed not within the taxing power of this Commonwealth under the Constitution of the United States

(c) If the tax or any portion of the tax imposed upon any person or if any exception from the imposition of the tax or any portion of the tax imposed upon any person under the provisions of this act shall be held by any court of competent jurisdiction to be in violation of the Constitution of the United States or of the Commonwealth of Pennsylvania the decision of the court shall not affect or impair the right to impose the taxes or the validity of taxes so excepted from imposition It is the intent of the General Assembly that the taxes imposed or excepted so held to be unconstitutional were not to be imposed or excepted but that the remainder of said taxes imposed hereunder were to be imposed and collected and the taxes so excepted were to be imposed

Section 13 Repeal All acts or parts of acts inconsistent herewith are hereby repealed

[Section 14 Effective Date The provisions of this act shall become effective immediately upon final enactment and shall remain in effect until and including the thirty-first day of December one thousand nine hundred fifty-one]

Section 2 The provisions of this reenacting and amending act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally??

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Snowden,	Wood,
Freed,	McMenamin,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 365 as follows:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by permitting the Department of State to copy and destroy or return certain documents permitting directors to fill vacancies in the board of directors resulting from an increase in the number of directors deleting certain requirements as to the appointment compensation and duties of agents providing that meetings of shareholders at which directors are to be elected may be adjourned for periods of fifteen days each fixing the method of cumulative voting in cases where directors are elected separately by the holders of different classes of shares providing that courts having jurisdiction over trustees who are evenly divided as to how shares shall be voted may direct the voting of such shares deleting requirements as to the voting of shares of foreign corporations owned by other corporations providing that articles of incorporation may be amended to eliminate the preemptive rights of shareholders and providing for the purchase of and payment for shares of any shareholders who dissent therefrom specifying cases of merger or consolidation of which sixty days' notice to shareholders must be given providing that shareholders of a parent corporation shall have no right to dissent from a merger or consolidation of such parent and one or more wholly-owned subsidiaries thereof provided the state of incorporation and relative rights and preferences of the shareholders of the parent corporation are not changed thereby providing that foreign corporations which shall have done business in Pennsylvania without procuring a certificate of authority to do so shall be conclusively presumed to have appointed the Secretary of the Commonwealth their agent to accept service of process in cases arising out of acts or omissions of such corporations in the Commonwealth and specifying the duties of the Secretary upon receipt of such process

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section ten of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of

common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" is hereby amended to read as follows

Section 10 Powers of Department of State The Department of State shall have the power and authority reasonably necessary to enable it to administer this act efficiently and to perform the duties imposed upon it by this act All articles papers and other documents required by this act to be filed with the Department of State shall be made in such form as shall be prescribed by that department The Department of State may make a copy on microfilm or otherwise of any document filed with or by it pursuant to this act or any act hereby repealed and thereafter destroy such document or return it to the person who filed the same

Section 2 Paragraph A of Section two hundred six of said act as amended by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2828) is hereby further amended to read as follows

Section 206 Filing of Articles Certificate of Incorporation A The incorporators shall deliver or cause to be delivered to the Department of State the articles of incorporation and proof of the advertisement required by the preceding section If the Department of State finds that the articles conform to law it shall forthwith but not prior to the day specified in the advertisement required by the preceding section endorse its approval thereon and when all bonus fees and charges have been paid as required by law shall [file the articles and] issued to the incorporators or their representatives a certificate of incorporation to which shall be attached [a copy of] the approved articles and shall make and retain a copy thereof The articles upon being approved [and filed] by the Department of State shall constitute the charter of the corporation

Section 3 Paragraph (3) of Section three hundred twenty of said act as last amended by the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 636) is hereby further amended to read as follows

(3) A certificate of any amendment to articles of incorporation a certificate of change of registered office a certificate of dissolution a certificate of reduction of stated capital or a certificate of merger or consolidation executed as hereinafter provided and made by such corporation pursuant to the foregoing provisions together with a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law shall be delivered to the Department of State If the Department of State finds that the certificate of amendment change of registered office dissolution reduction of stated capital or of merger or consolidation conforms to law that notice of intention to file such certificate has been duly advertised in accordance with the provisions of this act and that the certificate evidencing payment of bonus or taxes or charges is in proper form it shall upon payment of the filing fee forthwith endorse its approval thereon and shall [file the certificate and] issue to the corporation a certificate of amendment dissolution reduction of stated capital merger or consolidation to which shall be attached [a copy of] the certificate [of incorporation] so delivered to it Upon the [filing] approval of such certificate by the Department of State the amendment dissolution reduction of stated capital merger or consolidation shall be effective Such certificate shall be made executed and acknowledged as may be directed by such decrees or orders by the trustee or trustees or receiver or receivers appointed in the bankruptcy proceedings (or a majority thereof) or if none be appointed and acting by officers of the corporation or by a master or other representative appointed by the court or judge or referee and shall certify that (a) provision for the making of such certificate agreement or instrument is contained in the plan of reorganization or arrangement or in a decree or order of the court or judge or referee relative thereto and (b) that the plan or arrangement has been confirmed as provided in the National Bankruptcy Act but no final decree has been entered in the bankruptcy proceeding

closing the case and discharging the trustee or trustees or receiver or receivers if any

Section 4 Subsection (3) of Section four hundred two of said act as amended by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1773) is hereby further amended to read as follows

Section 402 Number Qualifications and Election of Directors Subject to the provisions of this act the number qualifications terms of office manner of election time and place of meeting compensation and powers and duties of the directors may be prescribed from time to time by the by-laws Except as otherwise provided in the by-laws

* * * * *

(3) Vacancies in the board of directors including vacancies resulting from an increase in the number of directors shall be filled by a majority of the remaining members of the board though less than a quorum and each person so elected shall be a director until his successor is elected by the shareholders who may make such election at the next annual meeting of the shareholders or at any special meeting duly called for that purpose and held prior thereto

Section 5 Section four hundred six of said act as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1773) is hereby further amended to read as follows

Section 406 Officers [and Agents] Every business corporation shall have a president a secretary and a treasurer and may have such other officers and assistant officers [and agents] as it shall authorize from time to time The articles or by-laws may prescribe special qualifications for such officers The president and secretary shall be natural persons of full age the treasurer however may be a corporation but if a natural person shall be of full age Unless the articles or by-laws provide otherwise the board of directors shall elect [or appoint] and fix the compensation of such officers and assistant officers [and agents] Such officers and assistant officers [and agents] shall be elected [or appointed] at such time in such manner and for such terms as the by-laws shall prescribe It shall not be necessary for the officers to be directors If the by-laws so provide any two or more offices may be held by the same person except the offices of president and secretary The board of directors may secure the fidelity of any or all of such officers by bond or otherwise Unless otherwise provided in the by-laws the board of directors shall have power to fill any vacancies in any office occurring from whatever reason All officers [and agents] of the corporation as between themselves and the corporation shall respectively have such authority and perform such duties in the management of the property and affairs of the corporation as may be provided in the by-laws or in the absence of controlling provisions in the by-laws as may be determined by resolution of the board of directors

Section 6 Paragraph D of Section five hundred one of said act is hereby amended to read as follows

D Adjournment or adjournment of any annual or special meeting may be taken but any meeting at which directors are to be elected shall be adjourned only from day to day or for such longer periods not exceeding fifteen days each as the holders of a majority of the shares present in person or by proxy shall direct until such directors have been elected

Section 7 Section five hundred five of said act is hereby amended to read as follows

Section 505 Elections of Directors Cumulative Voting Unless otherwise provided in the by-laws elections for directors need not be by ballot except upon demand made by a shareholder at the election and before the voting begins In all elections for directors every shareholder entitled to vote shall have the right in person or by proxy to multiply the number of votes to which he may be entitled by the total number of directors of all classes to be elected by either the holders of the class or classes of shares of which his shares are a part or by the holders of any other class or classes of shares and he may cast the whole number of such votes for one candidate or he may distribute them among any two or more candidates The candidates receiving the highest number of votes from each class or group of classes entitled to elect directors separately up

to the number of directors to be elected by such class or group of classes shall be elected

Section 8 Section five hundred seven of said act is hereby amended to read as follows

Section 507 Voting by Joint Holders of Shares Where shares are held jointly or as tenants in common by two or more persons such shares shall be voted and any proxy shall be given by the person or persons designated for that purpose in the agreement under which such shares are held jointly or by tenancy in common If the agreement does not determine the question which person or persons shall vote such shares or give any proxy in regard thereto the will of the majority of such persons shall control the manner of voting or the giving of a proxy If only one or more of such persons is present in person or by proxy he or they shall have the right to vote all such shares and all of the shares standing in the names of such persons shall be deemed to be represented for the purpose of determining a quorum Where in any case such persons are equally divided upon the manner of voting the shares held by them the vote of such shares shall be divided equally among such persons Except as hereinafter provided the same shall be true in the case of trustees however appointed [by the court of common pleas] unless the instrument by which the trust was created or the decree of court appointing them otherwise directs Where in any case such trustees are equally divided upon the manner of voting the shares jointly held by them it shall be lawful for the court [of common pleas] having jurisdiction over the trustees upon petition filed by any of the trustees or by any beneficiary to direct the voting of such shares in the manner which in the opinion of the court will be for the best interests of the parties beneficially interested in the shares

Section 9 Section five hundred eight of said act as amended by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1773) is hereby further amended to read as follows

Section 508 Voting Shares Held By Corporation Any corporation owning shares in [another] a domestic business corporation may vote the same by any of its officers or by proxy appointed by any such officer unless some other person by resolution of its board of directors shall be appointed its general or special proxy in which case such person shall be entitled to vote the shares Shares of its own capital stock belonging to a domestic business corporation shall not be voted directly or indirectly at any meeting and shall not be counted in determining the total number of outstanding shares for voting purposes at any given time but shares of its own capital stock held by it in a fiduciary capacity may be voted and shall be counted in determining the total number of outstanding shares at any given time

Section 10 Paragraph C of Section six hundred two of said act is hereby amended to read as follows

C Prior to the issue of any shares of a series established by resolution adopted by the board of directors the corporation shall present to the Department of State a statement executed under the seal of the corporation signed and verified by two duly authorized officers thereof and setting forth

- (1) The name of the corporation
- (2) The resolution establishing and designating the series and fixing and determining the relative rights and preferences thereof
- (3) The date and the manner of the adoption of such resolution

If the Department of State finds that such statement conforms to law and the articles of the corporation and when all fees have been paid as required by law it shall endorse its approval thereon [shall file the statement] and shall issue to the corporation or its representative [a copy of] the approved statement and shall make and retain a copy thereof Upon the [filing] approval of such statement by the Department of State the resolution establishing and designating the series and fixing and determining the relative rights and preferences thereof shall become effective

Section 11 Paragraph C of Section seven hundred five of said act as last amended by the act approved the

twenty-third day of May one thousand nine hundred forty-nine (P. L. 1773) is hereby further amended to read as follows

C The statement shall be delivered to the Department of State either prior to or within thirty days after the date of such redemption and cancellation. If the Department of State finds that the statement conforms to law it shall upon payment of the filing fee endorse its approval thereon [shall file the statement and] shall issue to the corporation or its representative [a copy of] the approved statement and shall make and retain a copy thereof. The [filing] approval of such statement shall operate as an amendment to the article of the corporation and shall reduce the number of shares of the class so redeemed which the corporation is authorized to issue by the number of the shares so redeemed and cancelled. Nothing contained in this section shall be construed to prohibit a reduction of authorized capital stock or a reduction of stated capital in any other manner permitted by this act.

Section 12 Paragraph C of Section seven hundred six of said act as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1773) is hereby further amended to read as follows

C The statement shall be delivered to the Department of State. If the Department of State finds that such statement conforms to law it shall upon payment of the filing fee endorse its approval thereon [shall file the statement and] shall issue to the corporation or its representative [a copy of] the approved statement and shall make and retain a copy thereof. Upon the [filing] approval of such statement the reduction shall be effective.

Section 13 Paragraph C of Section seven hundred eight of said act as added by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1773) is hereby further amended to read as follows

C The statement shall be delivered to the Department of State within thirty days after the adoption of the resolution aforesaid. If the Department of State finds that the statement conforms to law it shall endorse its approval thereon [shall file the statement and] shall issue to the corporation or its representative [a copy of] the approved statement and shall make and retain a copy thereof. If the resolution aforesaid provided for a reduction in the number of shares which the corporation is authorized to issue the [filing] approval of such statement shall operate as an amendment to the articles of the corporation and shall reduce the number of shares of the class so cancelled which the corporation is authorized to issue by the number of shares so cancelled otherwise the shares so cancelled shall upon such [filing] approval have the status of authorized but unissued shares. Nothing contained in this section shall be construed to prohibit a reduction of authorized capital stock or a reduction of stated capital in any other manner permitted by this act.

Section 14 Section eight hundred eight of said act as last amended by the act approved the second day of May one thousand nine hundred forty-seven (P. L. 139) is hereby further amended to read as follows

Section 808 Filing of Articles of Amendment. The articles of amendment proof of the advertisement heretofore required in this article shall be delivered by the corporation or its representative to the Department of State. If the Department of State finds that such articles conform to law it shall upon payment of the filing fee forthwith but not prior to the day specified in the advertisement required by the preceding section endorse its approval thereon [and] shall [file the articles and] issue to the corporation or its representative a certificate of amendment to which shall be attached [a copy of] the approved articles and shall make and retain a copy thereof.

Section 15 Article eight of said act is hereby amended by adding at the end thereof a new section to read as follows

Section 810 Rights of Dissenting Shareholders. A If any amendment to the articles of a corporation shall limit or deny any preemptive right of any outstanding shares the holder of any outstanding shares affected adversely by such amendment who shall have filed with the corporation prior to or at the meeting of shareholders at which the proposed amendment was submitted to a vote written objection to

such proposed amendment and shall not have voted in favor thereof and who within twenty days after the effective date of the amendment shall also make written demand on the corporation for the payment of the fair value of his shares as of the day prior to the date on which the vote was taken approving the amendment without regard to any depreciation or appreciation thereof in consequence of the amendment shall be paid by the corporation the fair value of his shares upon surrender of the share certificate or certificates representing his shares. The demand of the shareholder shall state the number and class of the shares owned by him. Unless a shareholder files such written objection and also makes such demand within the twenty-day period he shall be conclusively presumed to have consented to the amendment and shall be bound by the terms thereof. If within thirty days after the date on which such amendment became effective the value of such shares shall be agreed upon between the dissenting shareholder and the corporation payment thereof shall be made in cash within ninety days after the date on which such amendment became effective upon the surrender of the share certificate or certificates representing his shares. Upon payment of the agreed value the dissenting shareholder shall cease to have any interest in such shares or in the corporation.

B If within such period of thirty days the shareholder and the corporation do not so agree then the dissenting shareholder may within sixty days after the expiration of the thirty-day period apply by petition to the court of common pleas in equity within the county in which the registered office of the corporation is situated for the appointment by the court of three disinterested persons to appraise the fair value of his shares without regard to any depreciation thereof in consequences of the amendment. The award of the appraisers or of a majority of them shall be submitted to the court for determination and the judgment of the court thereon shall be final and conclusive. The costs of such appraisal including a reasonable fee to the appraisers shall be fixed by the court and shall be borne by the corporation unless in the opinion of the court the action of any shareholder in refusing the offer of the corporation has been arbitrary vexatious or in bad faith in which case the costs shall be assessed in the discretion of the court. The award shall be payable only upon and simultaneously with the surrender to the corporation of the share certificate or certificates representing the shares of the dissenting shareholder. If the award shall not be paid by the corporation within thirty days after the order of the court thereon the amount of the award shall be a judgment against the corporation and may be collected as other judgments in such court are by law collectible. Upon the payment of the award or judgment the dissenting shareholder shall cease to have any interest in such shares or in the corporation. Such shares may be held and disposed of by the corporation as it may see fit. Unless the dissenting shareholder shall file a petition within the time herein limited such shareholder and all persons claiming under him shall be conclusively presumed to have approved and ratified the amendment and shall be bound by the terms thereof.

C The rights and remedies at law or in equity of any shareholder who desires to object to or to dissent from any such amendment shall be limited to those prescribed under this section and such rights and remedies under this section shall be exclusive.

D Whenever any such amendment is proposed a copy of this Section 810 shall be enclosed with the written notice mentioned in Section 803 of this act and said written notice shall state that Section 810 sets forth the exclusive rights and remedies of shareholders who would be affected adversely by the proposed amendment and who object thereto.

Section 16 Paragraph B of Section nine hundred two of said act as amended by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1773) is hereby further amended to read as follows

B The board of directors of each domestic corporation upon approving such plan of merger or plan of consolidation shall by resolution direct that the plan be submitted to a vote of the shareholders of such corporation entitled

to vote thereon at an annual or special meeting of the shareholders. Written notice shall not less than ten days before such annual or special meeting be given to each shareholder of record of such corporation whether or not entitled to vote on such plan unless the plan of merger or plan of consolidation contemplates [an increase in the aggregate of the authorized capital stock of the constituent corporations] that the aggregate par value or aggregate authorized number of shares of the surviving or new corporation shall be so increased over the aggregate par value or aggregate authorized number of shares of a domestic corporation party to such plan that the increase if effectuated by amendment to the articles of incorporation of such corporation would necessitate a meeting of shareholders called on sixty days' notice under Section 8 E of this act in which event sixty days' notice of such meeting shall be given to each shareholder of each such domestic corporation. The notice shall state the place day hour and purpose of the meeting and a copy or a summary of the plan of merger or plan of consolidation as the case may be shall be included in or enclosed with such notice.

Section 17 Section nine hundred five of said act as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1773) is hereby further amended to read as follows

Section 905 Filing of Articles of Merger or Consolidation The articles of merger or articles of consolidation as the case may be and proof of the advertisement required by the preceding section and a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law shall be delivered to the Department of State except that no such certificates shall be required of the surviving corporation in cases of merger. If the Department of State finds that such articles conform to law and that the certificate or certificates evidencing payment of bonus or taxes or charges delivered therewith is in proper form it shall upon payment of the filing fee forthwith but not prior to the day specified in the advertisement required by the preceding section endorse its approval thereon and [file the articles and] issue to the surviving or new corporation or its representative a certificate of merger or a certificate of consolidation as the case may be to which shall be attached [a copy of] the approved articles and shall make and retain a copy thereof.

Section 18 Section nine hundred eight of said act is hereby amended by adding at the end thereof a new paragraph to read as follows

E The provisions of subsections A and B of this Section 908 shall not apply to the merger or consolidation of two or more corporations one of which owns all of the outstanding shares of all the others immediately prior to the approval of the plan of merger or consolidation and at all times thereafter provided that neither the state of incorporation nor the preferences qualifications limitations restrictions or special or relative rights granted to or imposed upon the shares of any class of the parent corporation are altered by such plan. The shareholders of such parent corporation shall have no right to dissent from any such merger or consolidation.

Section 19 Paragraph A of Section nine hundred nine of said act as added by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1773) is hereby amended to read as follows

Section 909 Domestication of Foreign Corporations A Any foreign business corporation holding a certificate of authority to do business in this Commonwealth may become a domestic corporation of this Commonwealth by delivering or causing to be delivered to the Department of State articles of domestication. If the Department of State finds that the articles conform to law it shall forthwith endorse its approval thereon and when all bonus fees and charges have been paid as required by law shall [file the articles and] issue to the foreign corporation a certificate of domestication to which shall be attached [a copy of] the articles and shall make and retain a copy thereof. The articles upon being approved [and filed] by the Department of State shall constitute the charter of the domesticated foreign corporation and it shall thereafter have all the powers and privileges and be subject to all the duties

and limitations granted and imposed upon domestic corporations under the provisions of this act.

Section 20 Paragraph A of Section one thousand five of said act as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1773) is hereby further amended to read as follows

Section 1005 Issuance of Certificate of Authority A If the Department of State finds that the provisions of this article have been complied with and that the applicant corporation is entitled to a certificate of authority to do business in this Commonwealth it shall forthwith but not prior to the day specified in the advertisement heretofore required in this article endorse its approval upon the application for a certificate of authority and when all bonus fees and charges have been paid as required by law shall [file the application and the copy of the articles and shall] issue to the corporation a certificate of authority to do business in this Commonwealth to which the application shall be attached and shall make and retain a copy thereof. The certificate of authority shall set forth the name of the corporation the address of its registered office in this Commonwealth and the character and nature of the business it is authorized to transact in this Commonwealth or a summary thereof. Upon the approval of the application for a certificate of authority by the Department of State the corporation may do in this Commonwealth any or all of the kinds of the business referred to in the certificate of authority and no other subject however to the right of Commonwealth to cancel or revoke such right to transact business in this Commonwealth as provided in this act. The certificate of authority shall be delivered to the corporation or its representative.

Section 21 Paragraph C of Section one thousand seven of said act as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1773) is hereby further amended to read as follows

C If the Department of State finds that the provisions of this article have been complied with and that the applicant corporation is entitled to an amended certificate of authority it shall upon payment of the filing fee forthwith but not prior to the day specified in the advertisement heretofore required by this section endorse its approval upon the application [and file the application and] issue to the applicant corporation an amended certificate of authority setting forth the desired changes to which the application shall be attached and shall make and retain a copy thereof.

Section 22 Section one thousand eleven of said act as amended by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2828) is hereby further amended to read as follows

Section 1011 Service of Process Upon the Secretary of the Commonwealth Any foreign corporation which shall have done any business in this Commonwealth without procuring a certificate of authority to do so from the Department of State shall be conclusively presumed to have designated the Secretary of Commonwealth as its true and lawful attorney authorized to accept on its behalf service of process in any action arising out of acts or omissions of such corporation within this Commonwealth. Service of process against a foreign business corporation upon the Secretary of the Commonwealth shall be made by the sheriff of Dauphin County by leaving the fee the plaintiff is required by law to pay to the Secretary of the Commonwealth for this service and two copies of the process at the office of the Secretary of the Commonwealth. The sheriff shall make due return of his service of the process to the court magistrate or justice of the peace issuing the same. Such process may be issued by any court magistrate or justice of the peace having jurisdiction of the subject matter of the controversy in any county of the Commonwealth in which the corporation shall have its registered office or in the county in which the right of action arose. When legal process against any such corporation has been served upon the Secretary of the Commonwealth he shall immediately send by mail postage prepaid one copy of such process directed to the corporation at its registered office. If the corporation shall have no registered office the Secretary of the Commonwealth shall immediately send by mail postage prepaid one copy of such process

directed to the corporation in care of the Secretary of State or the corresponding official of the State or place under the statutes or common law of which it was formed or is existing if known to the Secretary. The fee paid by the plaintiff to the Secretary of the Commonwealth at the time of the service shall be taxed in the plaintiff's costs if he prevails in the suit necessitating the service of the process. The Secretary of the Commonwealth shall keep a record of the day and hour of the service of such process on him and a certified copy of such record shall be sufficient evidence thereof. The service of process on the Secretary of the Commonwealth under this section shall be of the same legal force and validity as if the process had been served on the corporation and the authority for such service of process shall continue in force as long as any liability remains outstanding against the corporation in the Commonwealth. Nothing herein contained shall limit or affect the right to serve any process notice or demand required or permitted by law to be served upon a foreign corporation in any other manner now or hereafter permitted by law.

Section 23 Section one thousand one hundred one of said act as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1773) is hereby further amended to read as follows

Section 1101 Voluntary Dissolution by Incorporators The incorporators of a business corporation which has not commenced business or which has not issued any shares may effect the dissolution of the corporation by filing articles of dissolution with the Department of State. The articles of dissolution shall be executed under the seal of the corporation signed and verified by a majority of the incorporators and shall set forth

- (1) The name of the corporation
- (2) The address including street and number if any of its registered office
- (3) The date of its incorporation
- (4) That the corporation has not commenced business and that none of its shares has been issued
- (5) That the amount if any actually paid in on subscriptions to its shares less any part thereof disbursed for necessary expenses has been returned to those entitled thereto
- (6) That no debt of the corporation remain unpaid
- (7) That all the incorporators elect that the corporation be dissolved

The articles of dissolution shall be delivered to the Department of State. If the Department of State finds that the articles conform to law it shall upon payment of the filing fee endorse its approval thereon [and shall file the articles] and issue a certificate of dissolution to the incorporators or their representative to which shall be attached [a copy of] the approved articles and shall make and retain a copy thereof. Upon the approval of the articles of dissolution the existence of the corporation shall cease.

Section 24 Section one thousand one hundred three of said act as amended by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2828) is hereby further amended to read as follows

Section 1103 Certificate of Election to Dissolve Upon the execution by all the shareholders of a written agreement for the voluntary dissolution of a corporation or upon the adoption at a meeting of the shareholders of a resolution for the voluntary dissolution of a corporation as the case may be a certificate of election to dissolve shall be executed under the seal of the corporation signed and verified by two duly authorized officers of the corporation which shall set forth

- (1) The name of the corporation
- (2) The address including street and number if any of the registered office of the corporation in this Commonwealth
- (3) The names and respective addresses including street and number if any of its officers
- (4) The names and respective addresses including street and number if any of its directors
- (5) If the election to dissolve was by written agreement of all shareholders a statement that the agreement was signed by all shareholders of record of the corporation or

signed in their names by their duly authorized attorneys

(6) If the election to dissolve was by resolution adopted at a meeting of the shareholders the number of shares outstanding the number of shares entitled to vote in respect of the dissolution of the corporation and the number of shares voted for and against the voluntary dissolution of the corporation respectively and if the shares of any class are entitled to vote as a class the number of shares of such class and the number of shares of all other classes voted for and against the voluntary dissolution of the corporation

The certificate of election to dissolve shall be delivered to the Department of State. If the Department of State finds that the certificate conforms to law it shall endorse its approval hereon and when all fees required by law have been paid [shall file the certificate and] shall issued to the corporation or its representative [a copy of] the approved certificate and shall make and retain a copy thereof. Upon the [filing] approval by the Department of State of a certificate of election to dissolve the corporation shall cease to carry on its business except in so far as may be necessary for the proper winding up thereof but its corporate existence shall continue until a certificate of dissolution has been issued by the Department of State or until a decree dissolving the corporation has been entered by a court of common pleas as elsewhere provided in this act.

Section 25 Paragraph B of Section one thousand one hundred four of said act is hereby amended to read as follows

B After the [filing] approval by the Department of State of a certificate of election to dissolve the board of directors shall immediately cause notice of the winding up proceedings to be mailed to each known creditor and claimant and to be published once a week for two successive weeks in two newspapers published in the English language one of which shall be a newspaper of general circulation and the others legal newspaper if any designated by the rules of court for the publication of legal notices otherwise in two newspapers of general circulation published in the county in which the registered office of the corporation is located. Where there is but one newspaper of general circulation published in any county advertisement in such newspaper shall be sufficient.

Section 26 Section one thousand one hundred five of said act as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1773) is hereby further amended to read as follows

Section 1105 Articles of Dissolution When all debts liabilities and obligations of the corporation have been paid and discharged or adequate provision shall have been made therefor and all of the remaining property and assets of the corporation shall have been distributed to its shareholders articles of dissolution shall be executed under the seal of the corporation and signed and verified by two duly authorized officers of the corporation which shall set forth

- (1) The name of the corporation
- (2) The address including street and number if any of the registered office of the corporation
- (3) A statement that the corporation has therefore delivered to the Department of State a certificate of election to dissolve and the date on which the certificate was filed by the Department of State
- (4) A statement that all debts obligations and liabilities of the corporation have been paid and discharged or that adequate provision has been made therefor
- (5) A statement that all the remaining property and assets of the corporation have been distributed among its shareholders in accordance with their respective rights and interests
- (6) A statement that there are no suits pending against the corporation in any court or that adequate provision has been made for the satisfaction of any judgment or decree which may be obtained against the corporation in each such pending suit

The articles of dissolution proof of the advertisement required by the preceding section and a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law shall be delivered to the Department of State. If the Department of State finds that such articles conform to law and that the certificate de-

livered therewith evidencing payment of bonus or taxes or charges is in proper form it shall upon payment of the filing fee endorse its approval thereon and shall file the articles and issue to the corporation or its representative a certificate of dissolution to which shall be attached [a copy of] the approved articles and shall make and retain a copy thereof Upon the approval of the articles of dissolution the existence of the corporation shall cease

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution;

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Bane,	Hare,	McPherson, Jr.	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Pechan,	Taylor,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Letzler,	Propert,	Wagner,
Chapman,	Mahanay,	Robinson,	Walker,
Crowe,	Mallery,	Rosenfeld,	Watkins,
Diehm,	McCreesh,	Ruth,	Watson,
DiSilvestro,	McGinnis,	Scarlett,	Wolfe,
Fleming,	McMenamin,	Silvert,	Wood,
Freed,		Snowden,	Presiding Officer

NAYS—8

Barr,	Haluska,	Leader,	Toole,
Dent,	Lane,	Neff,	Yosko,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 404, on third reading, entitled:

An Act to add Clause (15) to Section 14 of the act approved the twenty-fourth day of April one thousand nine hundred forty-seven (P. L. 89) entitled "An act relating to the form execution revocation operation and interpretation of wills to nuncupative wills to the appointment of testamentary guardians to elections to take under or against wills and the procedure in reference thereto" by providing for a rule of construction with respect to cemetery lots owned by a testor or in which he has a right of interment

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 459, on third reading, entitled:

An Act to further amend Section 1101 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by authorizing the payment of bounties for the destruction of rattlesnakes.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 480, on third reading, entitled:

An Act relating to the discharge of joint and several tortfeasors in certain cases

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 512, on third reading, entitled:

An Act to further amend subsection (b) of Section 4 of and to add Section 36.1 to the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by requiring taxing districts to pay the premiums on corporate bonds of the tax collector in townships of the first class and further regulating the fixing of the compensation of elected tax collectors

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 602, as follows:

An Act to reenact and amend the title and the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled as amended "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employees' Retirement System and for Pension Annuity Contracts and in certain other cases into the State Employees' Retirement Fund for certain purposes" by extending the benefits of the act to certain county police pension funds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled as amended "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employees' Retirement System and for Pension Annuity Contracts and in certain other cases into the State Employees' Retirement Fund for certain purposes" as last amended in part by the acts approved the sixth day of April one thousand nine hundred forty-five (P. L. 160) the fifth day of June one thousand nine hundred forty-seven (P. L. 433) the twentieth day of June one thousand nine hundred forty-seven (P. L. 720) the sixth day of April one thousand nine hundred forty-nine (P. L. 407) and the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1901) are hereby reenacted and further amended to read as follows

An Act

Providing for the payment by the State Treasurer [of one-half] of the amount of the tax on permiums paid by foreign casualty insurance companies to the treasurers

of the several cities boroughs towns [and] townships and certain counties and for the payment thereof into police pension funds and in certain cases into the Municipal Employees' Retirement System and for Pension Annuity Contracts and in certain other cases into the State Employees' Retirement Fund for certain purposes Section 1 As used in this act the term

(1) "Municipality" means a city borough town or township

(2) "County" means any county having a police force separate and distinct from the police forces of the municipalities situate within the county

(3) "Participating Municipality" means a municipality in which provision is made through a Municipal Employees' Retirement Fund a Police Pension or Retirement Fund or a Pension Annuity Contract for the payment of pension retirement or disability benefits to the policemen employed by such municipality or to the dependents of such policeman

(4) "Participating County" means a county in which provision is made through a Municipal Employees' Retirement Fund a Police Pension or Retirement Fund or a Pension Annuity Contract for the payment of pension retirement or disability benefits to the policemen employed by such county or to the dependents of such policeman

(5) "Municipal Employees' Retirement Fund" means any pension or retirement fund established by a municipality or county to provide pension retirement or disability benefits to the policemen employed by such municipality or county or to dependents of such policemen including components of the retirement system provided for by the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 886) and amendments thereto

(6) "Police Pension Fund" means any pension or retirement fund established in any municipality or county and duly approved and recognized as such by the council commissioners or supervisors as the case may be of the municipality or county to provide pension retirement or disability benefits to the policemen employed by such municipality or county or to the dependents of such policeman

(7) "Pension Annuity Contract" means any contract made by a municipality or county or any Municipal Employees' Retirement Fund or Police Pension Fund of a municipality or county with an insurance or other authorized company to provide pension retirement or disability benefits to the policemen employed by such municipality or county or to the dependents of such policeman

(8) "Number of policeman" whether of a participating municipality of a participating county or of the Pennsylvania State Police means the average number of policemen employed by any such municipality county or in the Pennsylvania State Police as the case may be during the year preceding the receipt of the tax by the Commonwealth

(9) "Policeman" means a full time paid policeman or policewoman

Section 2 (a) On and after the first day of January one thousand nine hundred and forty-nine and annually thereafter there shall be paid by the State Treasurer to the treasurers of the several municipalities and counties within the Commonwealth and to the State Employees' Retirement Fund for State police pension and retirement purposes the entire amount received from the two per centum tax paid upon premiums by foreign casualty insurance companies

(b) The amounts to be distributed shall be allocated in accordance with the following formulae

Formula 1 Divide the total amount of said tax available for distribution by the population of the Commonwealth as shown by the last preceding decennial census of the United States to determine a quotient Multiply this quotient by the population of each participating municipality to determine the amount payable to the treasurer of such municipality under Formula 1

Formula 1a To determine the amount payable to a treasurer of any participating county sum the amounts payable to the treasurers of all participating municipalities within the participating county divide said sum by the total number of policemen of the participating municipalities within the participating county to determine a quotient Multiply

this quotient by the number of policemen of the participating county

Formula 2 Add the amounts payable to the treasurers of the participating municipalities under Formula 1 and the amounts payable to the treasurers of the participating counties under Formula 1a and divide the total by the sum of the number of policemen in all the said municipalities and the number of policemen in all the said counties to determine a quotient Multiply this quotient by the number of Pennsylvania State Police to determine the amount payable to the State Employees' Retirement Fund under Formula 2

Formula 3 Divide the balance of the tax available for distribution not allocated under Formulae 1 1a and 2 by the total number of policemen of the participating municipalities participating counties and the Pennsylvania State Police to determine a quotient Multiply this quotient by the number of policemen of each participating municipality to determine the amount payable to the treasurer of such municipality under Formula 3 Multiply the same quotient by the number of policemen of each participating county to determine the amount payable to the treasurer of such county under Formula 3 Multiply this same quotient by the number of State Police to determine the amount payable to the State Employees' Retirement Fund under Formula 3

(c) The following formulae illustrate the application of the foregoing methods of calculation wherein

"a" shall mean the total amount of tax for allocation

"b" shall mean the population of the Commonwealth

"c" shall mean the population of any municipality

"d" shall mean an amount payable to any municipal treasurer under Formula 1

"dl" shall mean total of amounts payable to all municipal treasurers under Formula 1

"e" shall mean number of policemen in all participating municipalities

"f" shall mean number of State police

"g" shall mean an amount payable to the State Retirement Fund under Formula 2

"h" shall mean number of policemen in any participating municipality

"i" shall mean an amount payable to any municipal treasurer under Formula 3

"il" shall mean total of [accounts] amounts payable to all municipal treasurers under Formula 3

"k" shall mean an amount payable to the State Retirement Fund under Formula 3

"ci" shall mean the population of all participating municipalities within any participating county

"hi" shall mean the number of policemen of all participating municipalities within the participating county

"n" shall mean the number of policemen of any participating county

"nl" shall mean the number of policemen of all participating counties

"p" shall mean the amount payable to participating county under Formula 1a

"pl" shall mean total of amounts payable to all county treasurers under Formula 1a

"m" shall mean the amount payable to any county treasurer under Formula 3

"ml" shall mean total of amounts payable to all county treasurers under Formula 3

a

$$1 - Xc = d$$

b

$$a \times n \times ci$$

$$1a p = \frac{a \times n \times ci}{b \times hi}$$

$$b \times hi$$

dl

$$[2 - Xf = g$$

e

$$\begin{array}{l}
 a - (d1 + g) \\
 3 \text{ ————— } X b = i \\
 e + f \\
 a - (d1 + g) \\
 \text{————— } X f = k \\
 e + f \\
 \text{To prove } d1 + g + i1 + k = a \\
 d1 + p1 \\
 2 \text{ ————— } X f = g \\
 e + n1 \\
 a - (1 + p1 + g) \\
 3 \text{ ————— } X h = i \\
 e + f + n1 \\
 a - (d1 + p1 + g) \\
 \text{————— } X f = k \\
 e + f + n1 \\
 a - (d1 + p1 + g) \\
 \text{————— } X n = m \\
 e + f + n1 \\
 \text{To prove } d1 + p1 + g + i1 + k + m1 = a
 \end{array}$$

(d) All moneys paid to the treasurer of any municipality or county shall be forthwith paid or credited to the pension or retirement fund or the premium on the pension annuity contract as the case may be to provide pension retirement or disability benefits for the policemen of such municipality or county or the dependents of such policemen. All moneys paid into the State Employee's Retirement Fund shall be credited in equal proportion to the State annuity accounts of the members of the State Police who are contributing members to such fund.

[The first allocation made under the provisions of this act shall include all moneys accumulated from the said one-half of the tax paid in premiums by foreign casualty insurance companies since the passage of the act to which this is an amendment]

(e) Warrants for the above purposes shall be drawn by the Auditor General payable to the treasurers of the several participating municipalities participating counties and to the State Employees' Retirement Fund in accordance with this act.

Section [1.1] 3 Every municipality or county which makes application and certifies that it has a police force comprising at least one full-time paid policeman but which does not have a Municipal Employees' Retirement Fund as provided in section one of this act shall be paid in the manner provided in this act the amount that would be allocated had the municipality or county made provision through a Municipal Employees' Retirement Fund a Police Pension or Retirement Fund all of which sum so allocated shall be expended by the municipal or county authorities to secure Pension Annuity Contracts for their policemen. Warrants for this purpose shall be drawn by the Auditor General payable to the treasurers of the municipalities or counties and the municipal or county authorities are hereby directed to use the allocations to forthwith secure Pension Annuity Contracts until such time as they shall have made provisions therefor through a Municipal Employees' Retirement Fund a Police Pension or Retirement Fund.

Section 2 The provisions of this reenactment and amendment shall apply to all moneys received from the aforesaid tax in the year one thousand nine hundred fifty-one and thereafter.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Snowden,	Wood,
Freed,	McMenamin,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 701, as follows:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by changing requirements for contracts and purchases and imposing penalties.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1802 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" as reenacted revised and amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1955) is hereby further amended to read as follows

Section 1802 General Regulations Concerning Contracts (a) All contracts or purchases made by any township involving the expenditure of over [five hundred] seven hundred fifty dollars except those hereinafter mentioned shall be in writing and shall be made only after notice by the secretary published in one newspaper of general circulation published or circulating in the county in which the township is situated at least [three] two times at intervals of not less than three days while daily newspapers of general circulation are employed for such publication or in case weekly newspapers are employed then the notice shall be published once a week for two successive weeks. The first advertisement shall be published not less than ten days prior to the date fixed for the opening of bids. All plans and specifications shall be on file at least ten days in advance of opening bids. The amount of the contract shall in all cases whether of straight sale price conditional sale bailment lease or otherwise be the entire amount which the township pays to the successful bidder or his assigns in order to obtain the services or property or both and shall not be construed to mean only the amount which is paid to acquire title or to receive any other particular benefit or benefits of the whole bargain.

(b) In every instance in which any contract for any public work construction materials supplies or other matters or things for any township shall be awarded upon

competitive bids it shall be the duty of the authorities authorizing the same to award said contract to the lowest responsible bidder. Any published notice for bids shall contain full plans and specifications or refer to the places where copies thereof can be obtained and give the time and place of meeting of the township commissioners at which meeting bids shall be publicly opened and read. If through lack of a quorum or other reason no meeting shall be held at such time and place notice of the same kind shall be repeated once at least six days before the meeting of the subsequent time and place fixed and the foregoing provisions as to bids shall apply. The same course shall be pursued until a meeting shall actually be held for receiving and opening bids. Any contract made in violation of the provisions hereof shall be void. But nothing herein contained shall prevent the making of contracts for governmental services for a period exceeding one year but any contract so made shall be executory only for the amounts agreed to be paid for such services to be rendered in succeeding fiscal years. Provided That if prior to the letting of any contract taxpayers of the township whose valuation as assessed for taxable purposes within the township shall amount to sixty per centum or over of the total property valuation as assessed for taxable purposes within the township shall sign and file with the township secretary of the board a written protest against such contemplated contract then such contract shall not be let.

(c) The successful bidder when advertising is required shall be required to furnish bond with suitable reasonable requirements guaranteeing the performance of the contract with sufficient surety in the amount of fifty per centum of the amount of the liability under the contract within twenty days after the contract has been awarded unless the township commissioners shall prescribe a shorter period of not less than ten days. Upon failure to furnish such bond within such time the previous award shall be void. Deliveries accomplishment and guarantees may be required in all cases of expenditures including exceptions herein.

(d) The contracts or purchases made by the commissioners involving an expenditure of over [five hundred] seven hundred fifty dollars which shall not require advertising or bidding as hereinbefore provided are as follows:

(1) Those for maintenance repairs or replacements for water electric light or other public works of the township provided they do not constitute new additions extensions or enlargements of existing facilities and equipment but a bond may be required by the commissioners as in other cases of work done.

(2) Those made for improvements repairs and maintenance of any kind made or provided by any township through its own employees. Provided however That this shall not apply to construction materials used in a street improvement.

(3) Those where particular types models or pieces of new equipment articles apparatus appliances vehicles or parts thereof are desired by the commissioners which are patented and manufactured products.

(4) Those involving any policies of insurance or surety company bonds those made for public utility service under tariffs on file with the Pennsylvania Public Utility Commission those made with another political subdivision or a county the Commonwealth of Pennsylvania the Federal Government any agency of the Commonwealth or the Federal Government or an ymunicipal authority including the sale leasing or loan of any supplies or materials by the Commonwealth or Federal Government or their agencies. But the price thereof shall not be in excess of that fixed by the Commonwealth the Federal Government or their agencies.

(5) Those involving personal or professional services.

Section 2 Article XVIII of said act as reenacted revised and amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1955) is hereby further amended by adding thereto immediately following section 1802 a new section to read as follows:

Section 1802.1 Evasion of Advertising Requirements

No commissioner or commissioners shall evade the provisions of section one thousand eight hundred two as to advertising for bids by purchasing or contracting for services and personal properties piecemeal for the purpose of obtaining prices under seven hundred fifty dollars upon transactions which transactions should in the exercise of reasonable discretion and prudence be conducted as one transaction amounting to more than seven hundred fifty dollars. This provision is intended to make unlawful the evading of advertising requirements by making a series of purchases or contracts each for less than the advertising requirement price or by making several simultaneous purchases or contracts each below said price when in either case the transactions involved should have been made as one transaction for one price. Any commissioners who so vote in violation of this provision and who know that the transaction upon which they so vote is or ought to be a part of a larger transaction and that it is being divided in order to evade the requirements as to advertising for bids shall be jointly and severally subject to surcharge for ten per centum of the full amount of the contract or purchase. Whenever it shall appear that a commissioner may have voted in violation of this section but the purchase or contract on which he so voted was not approved by the board of commissioners this section shall be inapplicable.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Snowden,	Wood,
Freed,	McMenamin,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

SECOND READING CALENDAR

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 296, on second reading, entitled:

An Act to further amend the act approved the nineteenth day of June one thousand nine hundred thirty-one (P. L. 589) entitled as amended "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein regulating compensation for service rendered conferring certain powers and duties on the Department of Public

Instruction and providing penalties" by changing the provisions as to fees charged apprentices and students and as to the powers of municipalities and transferring the administration of several provisions of this act to the State Board of Barber Examiners

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 297, on second reading, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the organization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by creating the State Board of Barber Examiners as a departmental administrative board in the Department of Public Instruction

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 380, on second reading, entitled:

An Act to amend the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" by giving municipal claims equal priority with taxes in the distribution of certain moneys recovered under the provisions of said act

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 387, on second reading, entitled:

An Act to amend Section 404 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing for additional clerks of election in election districts having more than twelve hundred qualified electors

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 458, on second reading, entitled:

An Act to amend Section 5 and to add Section 5.1 to the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by requiring certain bonds issued for certain purposes to be offered for sale at open and competitive bidding in certain cases

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 479, entitled:

An Act to add subsection (e) to section 501 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by providing for an open season for hunting deer with bows and arrows requiring a special license therefor and fixing fees

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 538, on second reading, entitled:

go over in its order.

An Act to amend section one thousand one hundred fifty-four of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the payment of salaries of professional and temporary professional employees in cases of sickness or death

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 559, entitled:

An Act to further amend section sixteen of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institutions certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by authorizing supervisors of townships of the second class to add names to the tax assessment lists and tax duplicates

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

REPORTS FROM COMMITTEES

Mr. HALUSKA. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HALUSKA, from the Committee on Highways, reported as committed, Senate Bill No. 453, entitled:

An Act to further amend the act approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 594), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations, and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," by changing or deleting certain routes in Westmoreland County.

Mr. HOLLAND. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HOLLAND, from the Committee on State Government, reported as committed, Senate Bill No. 510, entitled:

An Act to amend Section 4 of the act, approved the tenth day of April, one thousand nine hundred thirty-one (P. L. 23), entitled, as amended, "An act providing for the acceptance by the Commonwealth of a gift of

lands from the American Petroleum Institute, located on the left bank of Oil Creek, in Oil Creek Township or Cherry Tree Township, or both, Venango County, to establish and maintain a public museum and park, as the Drake Well Memorial, under the control and supervision of the Pennsylvania Historical Commission, in co-operation with the Department of Forests and Waters, and an advisory board to be appointed by the American Petroleum Institute; prescribing the powers and duties of the Commission relative to said memorial; authorizing the employment of certain assistants and employees, and for the payment of their salaries; empowering the Department of Property and Supplies to acquire additional lands for such Memorial Park without cost to the Commonwealth; and making an appropriation," by further providing for the acceptance of gifts of money and securities by the Drake Well Memorial Advisory Board.

He also, from the Committee on State Government, reported, as amended, House Bill No. 231, entitled:

An Act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto

PERMISSION TO ADDRESS SENATE

Mr. YOSKO asked and obtained unanimous consent to address the Senate.

Mr. YOSKO. Mr. President, over the week-end there were numerous representatives of sportsmen's organizations that called me to complain about certain fishing streams not being stocked in Northampton County. They also told me that other streams were given a reduction in the number of fish stocked in the streams and, of course, before I criticized or became critical of the Fish Commission, I wanted to verify the information that was conveyed to me over the week-end. So, I got in touch with a representative of the Joint State Government Commission, which I understand, is the fact-finding body for the Legislature and for the Legislative Members, and I asked them to get some information for me so that I could compare it with the information that was conveyed to me. I asked them to find out how many fish wardens we had in Pennsylvania, I asked them to find out how many deputy fish wardens we had in Pennsylvania, I asked them to find out in which counties these fish wardens functioned, so that I could make some sort of a comparison with Northampton County, because it does not have a fish warden or a deputy fish warden. I wanted to find out how many streams that were heretofore stocked were not stocked this time in 1951, for the opening of the trout season on Sunday. I wanted to find out how many streams got a reduction in the number of fish that were stocked and how many streams got an increase. I wanted to find out the total number of fish stocked in all streams in Pennsylvania so that I could make some sort of an analysis with what Northampton County got to determine whether it got its just share. I wanted to find out how much money was collected from licenses from Northampton County and compare it with other counties, and the gentleman from the Joint State Government Commission took the information and, of course, I assumed that before the Session convened this afternoon that the information would be available to me so that I could determine whether the information conveyed to me over

the week-end was correct or false before I criticized any of the policies of the Fish Commission, and before I determined whether criticism was justified.

Mr. President, I called the Joint State Government Commission, and I was told that the information could not be compiled for me, that it had to go through some sort of standing committee. I do not know whether that is the procedure or not, but the distinguished Majority Leader at least led me to believe that if we wanted to compile any data, we could get it through the Joint State Government Commission. Now, I am only suggesting here that the members of the Joint State Government Commission get together and determine on some sort of policy. If we cannot get information from the Joint State Government Commission, then we ought to know about it and we will not bother them. If we can get it, then I think the members of the Joint State Government Commission staff ought to be so advised so that we will not have to go through a whole lot of red tape and get a lot of clearance from somebody—I do not know who is on the standing committee—so that they can go ahead and get the the information for us. During a Session of the Legislature, all the Members of the Legislature need information from some of the departments; information that is public, information that we need here for our personal information, such as I requested here in this case, and I think if there is some definite policy established, all of us will know where we stand. The staff of the Joint State Government Commission is on a salary basis, and I do not see why they could not compile this information for the Members of the Legislature.

Mr. President, in so far as Northampton County is concerned and the proper allocation of fish is concerned, I just want to say this, that if what I was told is true, they are going to transform Northampton County from a fisherman's paradise, which it has been known as, to a fisherman's graveyard, and I hope the facts after I get them do not indicate that to be true.

INTERROGATION

Mr. WALKER. Mr. President, I desire to interrogate the gentleman from Northampton, Senator Yosko.

The PRESIDING OFFICER. Will the gentleman from Northampton, Mr. Yosko, permit himself to be interrogated?

Mr. YOSKO. Yes, Mr. President.

Mr. WALKER. Mr. President, I desire to inquire from the gentleman from Northampton, Senator Yosko, when he presented the request for this information to the Joint State Government Commission?

Mr. YOSKO. Last evening, Mr. President.

PERMISSION TO ADDRESS SENATE

Mr. WALKER asked and obtained unanimous consent to address the Senate.

Mr. WALKER. Mr. President, I want to say I feel doubly sorry about this. I have never seen anybody in my twelve years in the Senate who seems to have more trouble getting information than the gentleman from Northampton. Every time he asks for something he runs into a stone wall, and the information that he has just

outlined to the Senate here, Mr. President, it certainly would require considerable time to gather that data together. Now, he inquired last evening and, of course, there was no particular hurry about getting the information; anytime before seven o'clock this morning would have been all right.

Mr. President, the gentleman from Northampton, Senator Yosko, is concerned about having Northampton County reduced to a fisherman's graveyard. Now, I would like to suggest to the gentleman that the information will be forthcoming as far as it is available in the files of the Joint State Government Commission.

Mr. President, I said on the floor of the Senate to the gentleman from Northampton, and I will repeat it so that if there are any ambiguities in my statement we can clarify them forthwith, that the Joint State Government Commission is a legislative fact-finding body, composed of twelve Members of the Senate and twelve Members of the House. Very distinguished gentlemen of the Senate from both sides of the aisle serve on that Joint State Government Commission. Any information that is in their files is available at any time to the two hundred fifty-eight members of the General Assembly. I am confident that anything they have they will turn over to the gentleman from Northampton just as soon as they can compile it. If the members of the Senate will just run back over their memories the list of the items that the gentleman from Northampton asked for, they will realize that that is information that must be gathered from a number of sources.

May I say to the gentleman from Northampton that those of us who happen to reside in Allegheny County are always interested in any fisherman's paradise because, Mr. President, we occupy a very unique position in the sporting world of Pennsylvania. There are more fishing licenses sold in Allegheny County than in any other two counties in the Commonwealth of Pennsylvania, and yet Allegheny County does not have one foot of fishing water, so that when the gentleman starts to lodge a complaint about the allocation of fish to Northampton County, I want him to bear in mind the true sportsman-like attitude of those of us who come from Allegheny County, who travel over three hundred miles in order to come to Northampton County and enjoy their fishermen's paradise, and we certainly will join with him to see that they get all the fish they can possibly put in their streams because we do not have any fish. They will not stock the streams in Allegheny County because of the water conditions there.

Now, Mr. President, if in the course of several days the gentleman does not get this information, if he will consult with either the Majority or the Minority Leader, we will be glad to assist him in seeing that anything the Joint State Government Commission has will be turned over to him.

PERMISSION TO ADDRESS SENATE

Mr. YOSKO asked and obtained unanimous consent to address the Senate.

Mr. YOSKO. Mr. President, frankly I do not appreciate the sarcasms of the Majority Leader. I think they are uncalled for. I have not up to this time run into

any stone walls, or whatever he indicates, neither have I complained about running into any stone walls so far as getting information is concerned. I think I made a just and fair suggestion to lay some policy with the members of the staff of the Joint State Government Commission. So far as the time element is concerned, I made no complaint here about how long it takes to get this information. I did not say one word about that. I said that I was called and the person in the Joint State Government Commission told me that he could not get the information for me unless it cleared through a standing committee. So, he misunderstood everything that I said.

Mr. President, I am not being critical of anybody, I have not criticized anybody. I just presented some facts here and his sarcasms are absolutely uncalled for. If the facts after I get them are true as they were presented to me, then I will make a criticism. If the distinguished gentleman from Allegheny, the Majority Floor Leader, wants to engage in debate about it, that is all right. We will talk about it and we will discuss it. I was elected by the people of Northampton County, and I am here to protect their interests. I am not complaining about what Allegheny County gets or does not get. He can stand up here from now until tonight and defend the rights of Allegheny County, what it should get and complain about what it does not yet, and he is not going to hear one word from me, not one word, because he will be fighting for his district and that is what I am going to do as long as I am here.

I am only presenting facts. I want to know where I stand with the Joint State Government Commission so that the other Members will know. If I can get the information, fine; if I cannot, fine, too. I will go and dig it up myself, but I do not like to miss committee meetings unless I have to, and I had three of them this morning and I was busy. If the gentleman—I do not believe we want to mention his name—would have called me and said, "I am sorry, we cannot have that information for you today. It takes a little time to compile it. I will have it for you Monday," I would have said "Fine. Everything is well and good." I did not complain about that, yet the Majority Leader talks about how long it takes to get it. I agree with you. I am not disputing it, but I resent your sarcasms.

PERMISSION TO ADDRESS SENATE

Mr. WALKER asked and obtained unanimous consent to address the Senate.

Mr. WALKER. Mr. President, I distinctly gathered from the gentleman's original statement that he was concerned about the fact that the information had not been given to him, and if my memory serves me rightly in his statement, his original statement on the floor of the Senate regarding this matter, he referred to the fact that I had referred him to the Joint State Government Commission which is entirely true. I did. Any statement of mine that was considered by the gentleman from Northampton as being sarcasm would be classified as gently chiding the gentleman from Northampton for his impatience. Of course, Mr. President, when you deal with a captious disciple's interpretation of pragmatism, you always get involved in the problem of a hiatus be-

tween the allegata and the probata. For that reason, Mr. President, I would suggest to the gentleman that he just exercise a little patience until we see whether or not the information can be delivered, and then we will take up the discussion from there.

INTERROGATION

Mr. HOLLAND. Mr. President, I desire to interrogate the gentleman from Allegheny, Senator Walker.

The PRESIDING OFFICER. Will the gentleman from Allegheny, Mr. Walker, permit himself to be interrogated?

Mr. WALKER. I will, Mr. President.

Mr. HOLLAND. Mr. President, for the information of the Senate, will the gentleman from Allegheny County give us the definition of pragmatism?

Mr. WALKER. Mr. President, the word was pragmatism.

Mr. HOLLAND. Mr. President, does that pertain to fish?

Mr. WALKER. Mr. President, the gentleman would not think so if he read the definition in Webster's Dictionary, to which I refer him.

PERMISSION TO ADDRESS SENATE

Mr. HOLLAND asked and obtained unanimous consent to address the Senate.

Mr. HOLLAND. Mr. President, I too have asked for information from the Joint State Government Commission. I understand that they have been running against some stone walls. I understand that a request which I made two weeks ago is still on the Governor's desk, and he would not approve of the Department giving me the information I wanted, and that information is, how much money was spent to travel in Pennsylvania and how much money was spent outside of Pennsylvania in traveling in the last two years. Four weeks ago I also asked for a list of the cars that are used up here on the Hill, and who are the people they are used by and how many State Police in civilian clothes are driving these cars. That was four weeks ago. I understand that is on the desk of the Secretary of Property and Supplies, and he will not let it go.

Now, Mr. President, I often wonder what power a State Senator has; if he is elected just to come down here and rubber stamp what the administration says is so, or shall we get the information that we are entitled to.

I might add one thing, too, about the fish. I have objection to the way the Fish Commission is handling fish. I understand that they stock these streams the day before the season starts and feed them so much liver they cannot swim uphill.

INTERROGATION

Mr. WALKER. Mr. President, I desire to interrogate the gentleman from Allegheny, Senator Holland.

The PRESIDING OFFICER. Will the gentleman from Allegheny, Mr. Holland, permit himself to be interrogated?

Mr. HOLLAND. I will, Mr. President.

Mr. WALKER. Mr. President, I would like to find out from the distinguished gentleman from Allegheny, Sen-

ator Holland, whether in that inquiry about automobiles he includes the use of the car which is used by various members of the Senate to ride from the hotel to the Capitol Building.

Mr. HOLLAND. Mr. President, I am just learning some information. I have walked for seventeen years from my hotel to the Capitol Building, and now I find there is a car that can be used. I would like to know who is using that car because I have not had a ride for seventeen years.

INTERROGATION

Mr. YOSKO. Mr. President, I desire to interrogate the gentleman from Allegheny, Senator Walker.

The PRESIDING OFFICER. Will the gentleman from Allegheny, Mr. Walker, permit himself to be interrogated?

Mr. WALKER. I will, Mr. President.

Mr. YOSKO. Mr. President, somebody made an inquiry about some word that the distinguished Majority Leader mention. Frankly, I did not get it. Every time I talk to somebody and they mention a word I do not get, I always say, "Spell it." So, I am going to ask the Majority Leader to spell it, please.

Mr. WALKER. Mr. President, will the gentleman guarantee he can write it down if I spell it?

Mr. YOSKO. Just spell it, please.

Mr. WALKER. Mr. President, the word is spelled p-r-a-g-m-a-t-i-sm.

Mr. YOSKO. Thank you, I will take a look and see what it is and we will talk about it a little bit later.

PRESENTATION OF PINE GROVE WOMEN'S CLUB

Mr. WAGNER. Mr. President, I am not much of a speller and at the moment I do not have a fishing license, but I would ask the indulgence of the Chair to suspend the fishing season for thirty seconds because one of our very able Capitol guides has just called my attention to the fact that we have in the Senate balcony this afternoon a portion of a large group of ladies who are with the Pine Grove Women's Club, visiting the Capitol this afternoon. Pine Grove is one of Pennsylvania's very finest communities, and the ladies of the Women's Club, like the ladies of all women's clubs in Schuylkill County, are very intelligent, comely and very much interested in the Commonwealth.

I would appreciate it if the Chair would recognize the ladies so that we could see them.

The PRESIDING OFFICE. The Chair would ask the ladies from Pine Grove to rise in place and present themselves to the Senate.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, I am glad that the ladies were introduced, and I want them to know that this is one of the lighter moments that the Senate enjoys, but we do take up more serious things and the entire Legislative Session is not taken up by discussions of fish, trout, and rattlesnakes and things of that kind, and that the spelling bee that we just had was impromptu. There

was no prior arrangement made for it, and I can assure you that all the members can write, even those on this side of the Senate, and I am rather positive that most of the members on the other side can spell. We do not often use words of more than two syllables because there is enough confusion in the Senate as it is.

BILLS ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 231, entitled:

An Act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 235, entitled:

An Act to further amend Section 814 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by allowing motor vehicles to be equipped with certain warning apparatus approved by the secretary.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 324, entitled:

An Act to further amend Section 102 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain ve-

hicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by defining "monotrailer," and extending to apply to monotrailers the provisions of said act applicable to trailers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 453, entitled:

An Act to further amend the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 594), entitled "An act establishing certain township roads at State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations, and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," by changing or deleting certain routes in Westmoreland County.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 464, entitled:

An Act to add Section 17.1 to the act approved the seventeenth day of July, one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status; authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected, and regulating such benefits and collections; providing for the organization and incorporation of such societies and for their supervision, regulation, and examination by the Insurance Commissioner, and for the admission of foreign societies; designating tables of mortality as a basis for rates of contribution; requiring all societies to make annual and other reports; and appointing the Insurance Commissioner as attorney for service of process; providing penalties for any violations of the act; exempting such societies from taxation and certain other societies from its provisions; and requiring beneficial associations, other than fraternal benefit societies, to report to and be supervised by the Insurance Commissioner; and repealing existing laws," by regulating the amendment of articles of incorporation and providing for fees.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 490, entitled:

An Act to further amend section two of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 216), entitled "An act relating to dentistry; defining and providing for the licensing and registration of dentists and dental hygienists, and for the revocation and suspension of such licenses and registrations, subject to appeal, and for their reinstatement; defining the powers and duties of the State Dental Council and Examining Board and the Department of Public Instruction; providing penalties; and repealing existing laws," by further defining the term "Practice of Dentistry."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 510, entitled:

An Act to amend Section 4 of the act, approved the tenth day of April, one thousand nine hundred thirty-one (P. L. 23), entitled, as amended, "An act providing for the acceptance by the Commonwealth of a gift of lands from the American Petroleum Institute, located on the left bank of Oil Creek, in Oil Creek Township or Cherry Tree Township, or both, Venango County, to establish and maintain a public museum and park, as the Drake Well Memorial, under the control and supervision of the Pennsylvania Historical Commission, in cooperation with the Department of Forests and Waters, and an advisory board to be appointed by the American Petroleum Institute; prescribing the powers and duties of the Commission relative to said memorial; authorizing the employment of certain assistants and employees, and for the payment of their salaries; empowering the Department of Property and Supplies to acquire additional lands for such Memorial Park without cost to the Commonwealth; and making an appropriation," by further providing for the acceptance of gifts of money and securities by the Drake Well Memorial Advisory Board.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 516, entitled:

An Act to further amend the act, approved the twenty-second day of June, one thousand nine hundred thirty-seven (P. L. 1987), entitled, as amended, "An act to preserve and improve the purity of the waters of the Commonwealth for the protection of public health, animal and aquatic life, and for industrial consumption, and recreation; empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution; providing protection of water supply; providing for the jurisdiction of courts in the enforcement thereof; requiring the approval of the Attorney General for prosecutions thereunder; providing additional remedies for abating pollution of waters; imposing certain penalties; and repealing certain acts; authorizing the acquisition by purchase or condemnation, or otherwise, of easements and right of ways; the acquisition or construction of pipes, conduits, drains or tunnels by the Sanitary Water Board; and providing for payment of the costs thereof by the Commonwealth; authorizing the Sanitary Water Board to establish standards of purity and to determine the time for compliance with certain provisions of the act in certain cases and making it unlawful to open, reopen or continue operation of any coal mine, or to change any approved drainage or disposal plan without prior approval by the Sanitary Water Board," by increasing maximum time after notice for discontinuance of dis-

charge or treatment of sewage or discharge of industrial waste.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 788, entitled:

An Act providing for the construction and equipping of the Pennsylvania Institution for Mental Defectives; providing for the acquisition of land; providing for the care, maintenance and control of inmates; imposing duties and conferring powers on the Department of Welfare and the Department of Property and Supplies.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 17, 1951.

Mr. McPHERSON. Mr. President, I second the motion.
The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 17, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the dates shown:

To compute from date of confirmation

ALLEGHENY COUNTY

Mrs. Estelle S. Gray, Pittsburgh, 7409 Tioga St.

ARMSTRONG COUNTY

Paul L. Hooks, Kittanning.

CLEARFIELD COUNTY

Mrs. Genevieve R. Mitchell, Clearfield.

GREENE COUNTY

Mrs. Vaetta V. Blaker, Cumberland Twp., Carmichaels.

LEBANON COUNTY

Mrs. Myrl I. Yeagley, Lebanon.

LUERNE COUNTY

Howard R. Wright, Wilkes-Barre.

NORTHAMPTON COUNTY

C. Russell Kressler, Pen Argyl.

NORTHUMBERLAND COUNTY

Miss Miriam E. Stitely, Milton.

PHILADELPHIA COUNTY

Miss Evelyn D. Brown, 1802 Finance Bldg.

Miss Clara Edwards, 600 Atlantic Bldg.

Miss Catherine L. McGuckin, Roth Buick Co., Pratt & Penn St.

Mrs. F. G. Redemann, 1330 Colwyn St.

Miss G. Patricia Shoemaker, 224 N. 13th St.

SCHUYLKILL COUNTY

Mrs. Mary Stieff, Frackville.

Charles F. Trommetter, Pottsville.

TIOGA COUNTY

Ornan H. Waltz, Mansfield.

WESTMORELAND COUNTY

Fred J. Schucha, Trafford.

YORK COUNTY

Miss Mildred G. Hunt, York.

To compute from the dates set opposite their names

LUERNE COUNTY

Stephen A. Teller, Wilkes-Barre, 4-26-51.

MONTGOMERY COUNTY

C. G. Sproule, Jr., Lower Merion Twp., Bala-Cynwyd, 5-5-51.

MONTGOMERY COUNTY

Raymond S. Elliott, Pottstown, 5-6-51.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 17, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the dates shown:

To compute from date of confirmation

ALLEGHENY COUNTY

N. B. Browne, McKeesport.

BUTLER COUNTY

Mrs. Marjorie D. Robb, Butler.

CUMBERLAND COUNTY

Melvin E. Spahr, Middlesex Twp. Carlisle.

JEFFERSON COUNTY

Jay M. Weaver Brookville.

LEHIGH COUNTY

Joseph V. Burns Catasauqua.

McKEAN COUNTY

Frederick P. Tascone Bradford.

MONTGOMERY COUNTY

Mrs. Gilda M. Romano Plymouth Twp. Norristown.

PHILADELPHIA COUNTY

Mrs. Helen H. Nickels 5300 Chew St.
Miss Gloria Jean Rice 421 S 15th St.
Miss Marie Schambers 2066 E. Allegheny Ave.
Marshall Smith 1703 W. York St.
T. J. Wright 312 Lafayette Bldg.

SCHUYLKILL COUNTY

Arthur A. Achenbach Pine Grove.

WAYNE COUNTY

Stanley C. Matthews Honesdale.

To compute from the dates set opposite their names

PHILADELPHIA COUNTY

Stanley L. Witmer 1607 S. 20th St. 4-19-51.

ERIE COUNTY

Mrs. Geraldine Warrington Millcreek Twp. Erie 4-21-51.

BLAIR COUNTY

Mitchell MacCartney Altoona 5-5-51.

JEFFERSON COUNTY

Miss C. M. O'Connor Punxsutawney 5-5-51.

PHILADELPHIA COUNTY

Luke M. Fisher 2628 Island Ave. 5-5-51.
Isador Schwartz 500 N. 52nd St. 5-6-51.

WARREN COUNTY

Miss Hazel M. Thurston, Warren, 5-6-51.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 17, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the dates shown:

To compute from date of confirmation

ALLEGHENY COUNTY

Edward H. Greenberg, Pittsburgh, 4315 Summit St.
Mrs. Edythe C. Heggen, Pittsburgh, 604 Wabash Bldg.
Mrs. Edna R. Kidder, Pittsburgh, 5929 Broad St.
Albert W. Ott, Jr., Pittsburgh, 746 Warrington Ave.
David O. Whitlinger, Etna.

DAUPHIN COUNTY

Mrs. Arlene R. Curran, Harrisburg.

FAYETTE COUNTY

Vernon A. Devan, Connellsville.
Mrs. Dorothy A. Fine, Uniontown.

FOREST COUNTY

Ralph W. McCanna, Jenks Twp., Marienville.

LAWRENCE COUNTY

Robert D. Abbaticchio, Ellwood City.
John M. Dunchak, Jr., Mahoning Twp., Hillsville.

LUZERNE COUNTY

Mrs. Sadie Cosgrove, Pittston.

Louis A. Schafer, White Haven.
Mrs. Monema L. Sipler, White Haven.

McKEAN COUNTY

H. G. Berkhouse, Kane.

NORTHAMPTON COUNTY

Charles Kitchel, Wilson.

PHILADELPHIA COUNTY

Miss Lena Bloom, 6076 Drexel Rd.
Robert M. Graham, 7805 Frankford Ave.
Hugh C. Mullin, 1423 Germantown Ave.
Mrs. Muriel K. Salvina, 1000 Chestnut St.
Nathaniel Snyder, 6705 York Rd.
Mrs. Fannie C. Targan, 5304 Lancaster Ave.
Miss R. M. Ullman, 1200 Chestnut St.

WASHINGTON COUNTY

Mrs. Martha B. McCleery, Donegal Twp., West Alexander

WESTMORELAND COUNTY

Mrs. Mary Jane Brown, New Kensington.
Frank H. Jacobs, Greensburg.
Emil Lenart, Rostraver Twp., Belle Vernon.

YORK COUNTY

Miss Reta M. Beck, York.

To compute from the dates set opposite their names

ALLEGHENY COUNTY

Mel H. Cummings, Pittsburgh, 4750 Baum Blvd., 4-21-51.
V. E. Griffin, Glassport, 4-22-51.

MONTGOMERY COUNTY

Mrs. Elizabeth K. Gutkunst, Norristown, 4-24-51.

ALLEGHENY COUNTY

David J. Ryan, Pittsburgh, Bureau of Police, 4-30-51.

INDIANA COUNTY

Mrs. Alma Johnson, Pine Twp., Strongstown, 4-30-51.

ALLEGHENY COUNTY

W. H. Leonard, Robinson Twp., Groveton, 5-3-51.

LACKAWANNA COUNTY

I. Edward Nasoni, Scranton, 5-4-51.

CAMBRIA COUNTY

Miss Freda B. Oswald, East Conemaugh, 5-5-51.

LEBANON COUNTY

Frederick J. Wilhelm, Bethel Twp., Fredericksburg, 5-5-51.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. McPHERSON,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stevenson.
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Snowden,	Wood,
Freed,	McMenamin,		Presiding Officer

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 17, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Anthony Savicky, Mounted Route No. 7, Ellwood City, Lawrence County, for appointment as Justice of the Peace in and for the Borough of Ellport, Lawrence County, until the first Monday of January 1952, to fill a vacancy.

JOHN S. FINE.

MEMBERS OF COUNTY BOARDS OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 17, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of County Boards of Assistance:

MERCER COUNTY

Myron M. Murstein (Republican), Sharon, from August 31, 1950, until December 31, 1952, and until his successor is duly appointed and qualified.

Roy Clayton Gregory (Republican), 307 West Market Street, Mercer, Mercer County, to serve until December 31, 1953, and until his successor is duly appointed and qualified, to fill a vacancy.

NORTHAMPTON COUNTY

Mrs. Emilie Walls (Democrat), Bethlehem, from January 27, 1950, until December 31, 1951, and until her successor is duly appointed and qualified.

Joshua Trachtenberg, (Independent), Easton, from January 27, 1950, until December 31, 1951, and until his successor is duly appointed and qualified.

Roy D. Hassler (Republican), Bethlehem, from January 27, 1950, until December 31, 1952.

Harry J. Seyfried (Republican), Nazareth, from January 27, 1950, until December 31, 1952.

Miss Catharine McGrath (Democrat), Easton, from January 27, 1950, until December 31, 1952, and until her successor is duly appointed and qualified.

JOHN S. FINE.

MEMBER OF THE BOARD OF TRUSTEES OF PHILADELPHIA STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 17, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Welling G. Schrack, Jr., Southampton, Bucks County, for appointment as a Member of the Board of Trustees of Philadelphia State Hospital, for the term of four years, and until his successor is qualified, vice William J. Meinel, Huntingdon Valley, resigned.

JOHN S. FINE.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 17, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

Robert B. Hodgkinson, 712 Third Avenue, New Brighton, Beaver County, for appointment as Justice of the Peace in and for the Borough of New Brighton, Beaver County, until the first Monday of January 1952, vice Fred K. Kennedy, resigned.

J. Frank Kauffman, R. D. No. 2, Duncansville, Blair County, for appointment as Justice of the Peace in and for the Township of Blair, Blair County, until the first Monday of January 1952, to fill a vacancy.

JOHN S. FINE.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 33, entitled:

An Act to amend the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by providing for filling the office of county superintendent when the only candidate for election becomes unavailable therefor within thirty days of the election date.

Which was committed to the Committee on Education.

House Bill No. 629, entitled:

An Act to establish a separate orphans' court in and for the county of Beaver.

Which was committed to the Committee on Judiciary General.

House Bill No. 811, entitled:

An Act to add section 1501.1 to the act approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law" by empowering township supervisors to compel connection with and use of sewer systems constructed by municipal authorities to impose penalties, to enforce regulations and orders, and to connect properties of owners failing or neglecting to make connection.

Which was committed to the Committee on Local Government.

House Bill No. 955, entitled:

An Act to amend section 10 of the act, approved the twenty-third day of May, one thousand nine hundred forty-five (P. L. 903), entitled, "An act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities," by removing the limitations on contributions by the city.

Which was committed to the Committee on Local Government.

House Bill No. 956, entitled:

An Act to add Section 1201.1 to the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled: "Vehicle Code," by providing for traffic courts in cities of the third class.

Which was committed to the Committee on Local Government.

HOUSE CONCURS IN SENATE BILL NO. 68

He also returned to the Senate, Senate Bill No. 68, entitled:

An Act to validate and confirm certain contracts hereto entered into by boards of school directors where there is no evidence of fraud or conspiracy, and to authorize, ratify, confirm and validate payments on such contracts by the school district.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, April 16, 1951.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday, April 23, 1951, at three o'clock P. M., Eastern Standard Time; and when the House of Representatives adjourns this week, it reconvene on Monday, April 23, 1951, at four thirty o'clock P. M., Eastern Standard Time.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

BILLS SIGNED

The President pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 68, entitled:

An Act to validate and confirm certain contracts hereto entered into by boards of school directors where there is no evidence of fraud or conspiracy, and to authorize, ratify, confirm and validate payments on such contracts by the school district.

House Bill No. 175, entitled:

An Act authorizing and directing the Joint State Government Commission to make a comprehensive study of the migratory habits of fish, particularly shad, and the stocking and tagging of shad below and above the Safe Harbor Dam, the Holtwood Dam and the Conowingo Dam, and to

cooperate with the Federal government in connection therewith; prescribing powers and duties and making an appropriation.

House Bill No. 187, entitled:

An Act to further amend Article XIV of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206) entitled "First Class Township Law," by authorizing the appointment of special school police and defining their powers and duties.

House Bill No. 188, entitled:

An Act relating to the admissibility in evidence, and the proof of official records, documents and proceedings, both domestic and foreign, and of copies thereof, and extracts therefrom, and certificates in reference thereto.

House Bill No. 247, entitled:

An Act to amend the title and the act, approved the sixth day of April, one thousand nine hundred forty-five (P. L. 164), entitled "An act authorizing and empowering minors seventeen years of age, or older, to contract for and to make loans in accordance with the provisions of the act of Congress, known as the "Servicemen's Readjustment Act of 1944," or any agency of the Commonwealth hereafter created, and saving and relieving the parents, guardians, and trustees of such minors from any liability therefor, unless joining therein," by extending the provisions thereof to include certain, adults and empowering the minor spouses of such persons to join in the execution of certain contracts; and validating the actions of minor spouses of such adults in heretofore joining in the execution of any such contracts under certain conditions.

Senate Bill No. 318, entitled:

An Act authorizing counties of the second class and fourth class to establish fire training schools for the paid and volunteer firemen of municipalities within the county.

Senate Bill No. 366, entitled:

An Act to further amend subsection A of Section 221 and to amend Section 241 of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by extending non-resident fishing privileges to Canadians and redefining resident.

House Bill No. 484, entitled:

An Act to further amend subsection (a) of section 704 of the act approved the third day of June, one thousand nine hundred thirty-seven (Pamphlet Laws 1225), entitled "The Game Law," by permitting the use of semi-automatic shotguns for the hunting and killing of small game, predators and unprotected birds.

Whereupon,

The President pro tempore (M. Harvey Taylor) in the presence of the Senate signed the same.

ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Wednesday, April 18, 1951, at 11:00 o'clock, a. m., Eastern Standard Time.

Mr. SNOWDEN. Mr. President, I second the motion. The motion was agreed to.

The Senate adjourned at 3:08 o'clock, p. m., Eastern Standard Time, until Wednesday, April 18, 1951, at 11:00 o'clock, a. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, April 17, 1951

The House met at 1:00 p. m.

The SPEAKER (Herbert P. Sorg) in the Chair.

PRAYER

The Chaplain, Reverend William Hugh Fryer, offered the following prayer:

O God give us strength to live from day to day. Let us not turn coward before its difficulties or prove recreant to its duties. Let us not lose faith in our fellow men. Keep us sound of heart, in spite of ingratitude, treachery, or meanness. Preserve us from minding little stings or giving them. Help us to keep our hearts clean and to live so honestly and fearlessly that no outward failure can dishearten us or take away the joy of conscious integrity. Open wide the eyes of our souls that we may see good in all things. Grant us this day some new vision of Thy truth, inspire us with Thy spirit of joy and gladness and make us the cup of strength to suffering souls in the name of the strong Deliverer, our only Lord and Saviour, Jesus Christ. Amen.

JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Monday, April 15, 1951? If not, and without objection, the Journal is approved.

BILLS INTRODUCED AND REFERRED

By Messrs. LOVETT and BOWER.

HOUSE BILL No. 1015.

An Act to further amend section four of the act approved the second day of June one thousand nine hundred thirty-seven (P. L. 1198) entitled "An act relating to employes and organizations thereof defining labor disputes prescribing the procedure by which and the conditions under which injunctions may be granted in such disputes and the scope thereof declaring certain undertakings and promises between employers and employes contrary to public policy and void prescribing the nature of proof necessary in actions arising out of labor disputes against persons or associations prescribing the terms and conditions for bonds to be furnished prior to the issuance of injunctions prescribing the procedure in case of appeal from granting injunctions limiting the duration of temporary and permanent injunctions in case of labor disputes and providing for the payment of costs and repealing all acts or parts of acts inconsistent herewith" removing certain exceptions to the application of the act.

Referred to the Committee on Labor Relations.

By Messrs. LOUIS LEONARD and McNALLY.

HOUSE BILL No. 1016.

An Act to amend Section 1406.1 to the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," so as to give any candidate whose name is written, stamped

or affixed upon a ballot to petition the court for the cumulation of such votes.

Referred to the Committee on Elections and Apportionment.

By Mr. DUNN.

HOUSE BILL No. 1017.

An Act to amend Section 530 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by requiring that the Flag of the United States be displayed at polling places on election days.

Referred to the Committee on Elections and Apportionment.

By Mr. BOLTON.

HOUSE BILL No. 1018.

An Act to amend subsection (a) of Section 1176 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by extending the right of school employes to military leaves of absence.

Referred to the Committee on Education.

By Mr. JOHNSON.

HOUSE BILL No. 1019.

An Act to further amend part of Section 1 of the act, approved the fifth day of April, one thousand nine hundred twenty-nine (P. L. 170), entitled "An act to regulate and establish the fees to be charged by justices of the peace and aldermen in this Commonwealth, and imposing liability for costs upon the county in certain cases," by eliminating certain costs heretofore included within the fee for summary convictions relating to the use and operation of motor vehicles.

Referred to the Committee on Judiciary.

By Mr. WOOD.

HOUSE BILL No. 1020.

An Act transferring money from the Manufacturing Fund to the General Fund.

Referred to the Committee on Appropriations.

By Mr. JOHNSON.

HOUSE BILL No. 1021.

An Act providing that private forest lands or reserves posted against trespassing or public hunting and fishing shall not be entitled to public forest fire protection.

Referred to the Committee on Game and Forestry.

By Messrs. BOORSE, WHEELER, WOOD, FLACK and SWOPE.

HOUSE BILL No. 1022.

An Act to amend section 1 and 7 of the act, approved the twenty-ninth day of May, one thousand nine hundred thirty-five (P. L. 244), entitled "An act creating a Local Government Commission to study and report on functions of local government; their allocation and elimination; the cost of local government and means of reducing it; and the consolidation of local government; and making an appropriation," by providing for the expenditure of any biennial appropriation made to the local Government Commission.

Referred to the Committee on Appropriations.

By Messrs. BOORSE, WHEELER, WOOD, FLACK
and SWOPE. HOUSE BILL No. 1023.

An Act making an appropriation to the Local Government Commission to continue its work.

Referred to the Committee on Appropriations.

By Messrs. GAFFNEY and GOOD (By Request).
HOUSE BILL No. 1024.

An Act to add Sections 141.1 and 220.1 to the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by authorizing the appointment of solicitors by the county treasurer, prothonotary, clerks of courts and clerk of the orphans' court.

Referred to the Committee on Counties.

By Messrs. GAFFNEY and GOOD (By Request).
HOUSE BILL No. 1025.

An Act to further amend Section 233.1 of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending consolidating the laws relating thereto," by authorizing appointment of a solicitor by the Register of Wills.

Referred to the Committee on Counties.

By Mr. DENNISON. HOUSE BILL No. 1026.

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937) P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by reducing eligibility requirements for benefits and increasing benefits.

Referred to the Committee on Workmen's Compensation.

By Mr. READINGER. HOUSE BILL No. 1027.

An Act to amend subsection (b) of Section 4 of the act, approved the twenty-third day of May, one thousand nine hundred forty-five (P. L. 903), entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities," limiting rights to involuntary retirement.

Referred to the Committee on Cities—Third Class.

By Mr. JOHN C. MILLER. HOUSE BILL No. 1028.

An Act to amend Section 19 of the act approved the twenty-third day of May one thousand nine hundred seven (P. L. 206) entitled "An act to regulate and improve the civil service of the cities of the second class in the Commonwealth of Pennsylvania making violations

of its provisions to be misdemeanors and providing penalties for violations thereof."

Referred to the Committee on Cities and County—Second Class.

By Mr. JOHN C. MILLER. HOUSE BILL No. 1029.

An Act to further amend Section three hundred two and to add Section three hundred two point one to the Act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the election of school directors in school districts of the first class A.

Referred to the Committee on Education.

By Mr. DOWLING (By Request).
HOUSE BILL No. 1030.

An Act to further amend Section 643 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by prohibiting minors from delivering liquor or malt and brewed beverages.

Referred to the Committee on Liquor Control.

By Messrs. SCOTT and HELM. HOUSE BILL No. 1031.

An Act relating to school districts; providing for their reorganization; providing for State and local surveys of school facilities; creating a State Commission on School Districts and defining its powers and duties; creating county survey committees and defining their powers and duties; conferring powers and imposing duties upon the Department of Public Instruction, county superintendents of public schools, county boards of school directors, county commissioners, and all school district officers; providing for referendums; and making an appropriation.

Referred to the Committee on Education.

By Messrs. SCOTT and HELM. HOUSE BILL No. 1032.

An Act to add Section 1825.1 to the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing for tax levies by county vocational school districts.

Referred to the Committee on Education.

By Messrs. OLSEN, LOUIS LEONARD and LUTTY.
HOUSE BILL No. 1033.

An Act to further amend Section 222 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain de-

partments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards, and commissions shall be determined," by providing for cumulative annual leave of absence and sick leave for certain State employes.

Referred to the Committee on State Government.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. McMILLEN.

(Concurrent) RESOLUTION No. 33.

In the House of Representatives, April 16, 1951.

The people of Pennsylvania through their General Assembly, each biennium appropriate a part of their funds to the aid of their number who have suffered poor fortune.

The people of Pennsylvania depend upon their General Assembly and those in the executive branch of government charged with the distribution of those funds, to secure the maximum benefit of every dollar and assure judicious administration in providing all necessary benefits in every meritorious case, with the least expense.

The concern of the General Assembly for the responsibility and trust it enjoys, has resulted in an investigation of the administration of the Public Assistance laws, by the Joint State Government Commission.

That investigation has caused grave doubt that the generosity of the people of Pennsylvania has always been well used; therefore be it

Resolved, (if the Senate concur) That six members of the General Assembly be named as a joint legislative committee to investigate, in cooperation with the Department of Justice and the Department of Public Assistance, the administration of the Public Assistance laws, with particular regard to the total amount expended for public assistance, the amounts paid in individual cases and the merit of individual cases, and giving particular attention to the investigation and report of the Joint State Government Commission and be it further

Resolved, That three members from the Senate be named by the President Pro Tempore, two from the majority party and one from the minority party, three members from the House of Representatives be named by the Speaker, two from the majority party and one from the minority party; and be it further

Resolved, That the committee report its findings and recommendations to the General Assembly before the end of the present session, in order that the General Assembly may take such action as is found to be necessary; and be it further

Resolved, That the committee shall have power to meet, hold meetings, to issue subpoenas under the hand and seal of its chairman requesting or commanding any proper person to appear before it and to answer such questions touching matters with respect to such inquiry for and on behalf of the General Assembly and to procure such books, papers, records and documents as the committee may deem necessary. Such subpoenas may be served upon any proper person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. Each member of the committee shall have the power to administer oaths and affirmations to witnesses appearing before it.

Referred to the Committee on Rules.

By Messrs MADIGAN, WOOD, BOWER and TOOMEY.

(Concurrent) RESOLUTION No. 34.

In the House of Representatives, April 16, 1951.

Whereas, There are now on Pennsylvania farms dairy animals, poultry and general livestock worth in the aggregate more than \$412,000,000, producing approximately 75 per cent of the total annual income of Pennsylvania agriculture or in monetary terms about \$575,000,000, a year; and

Whereas, The greatest economic losses to the dairy, poultry and general livestock industry are occasioned by the inroads of animal diseases and parasites; and

Whereas, Existing facilities for training persons qualified for the practice of veterinary medicine within the Commonwealth of Pennsylvania are inadequate to meet the existing and still growing need for doctors of veterinary medicine; and

Whereas, The Pennsylvania State College by virtue of its scientific personnel; its resources for research; its close working relationship with dairy, poultry and general livestock raisers throughout the State and its physical location is the appropriate institution to develop the needed facilities; therefore be it

Resolved, (if the Senate concur) That the members of the General Assembly hereby request the Board of Trustees of the Pennsylvania State College to authorize the establishment of a school of Veterinary Medicine at the Pennsylvania State College and at the earliest possible time to erect such buildings; employ such personnel and establish such programs of research and instruction as in their judgment are requisite to the proper maintenance and operation of such a school of veterinary medicine; and be it further

Resolved, That the members of the General Assembly hereby pledge their support in obtaining the funds required to construct and to equip essential research, instructional, clinical, and administrative buildings for a School of Veterinary Medicine at the Pennsylvania State College, and for the operation and maintenance of the proposed School of Veterinary Medicine; it being understood, however, that funds cannot be appropriated for such buildings and their maintenance at the 1951 Session of the General Assembly; and be it further

Resolved, That it is the understanding and intention of the members of the General Assembly that funds ultimately appropriated for the construction and equipment of such buildings, and for the operation and maintenance of such a School of Veterinary Medicine shall be in addition to the amount appropriated at that time for the general operation and maintenance of the Pennsylvania State College as then constituted; and be it further

Resolved, That the trustees of the Pennsylvania State College be requested to prepare and to present to the members of the 1953 Session of the General Assembly specific and detailed information concerning the nature and estimated cost of requisite buildings and equipment, and also an estimate of the animal expense involved in the operation and maintenance of a School of Veterinary Medicine at the Pennsylvania State College under conditions which, in the judgment of the said trustees, would best meet the reasonable needs of the Commonwealth and its citizens for such veterinary medical service; and be it further

Resolved, That the Chief Clerk of this House send a copy of this resolution to the Board of Trustees of the Pennsylvania State College.

Referred to the Committee on Rules.

WARWICK TOWNSHIP HIGH SCHOOL WELCOMED

The SPEAKER. The Chair takes pleasure in welcoming to the House the Junior Class of the Warwick Township High School, Lancaster County, under the supervision of their teacher, Miss Grace B. Miller. They are the guests of the gentleman from Lancaster, Mr. Bomberger.

SENATE MESSAGES

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 16, 1951.

Resolved, (if the House of Representatives concur),

That when the Senate adjourns this week, it reconvene on Monday, April 23, 1951, at three o'clock p. m., Eastern Standard Time; and when the House of Representatives adjourns this week, it reconvene on Monday, April 23, 1951, at four thirty o'clock p. m., Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 188.

An Act relating to the admissibility in evidence and the proof of official records documents and proceedings both domestic and foreign and of copies thereof and extracts therefrom and certificates in reference thereto

HOUSE BILL No. 247.

An Act to amend the title and the act, approved the sixth day of April, one thousand nine hundred forty-five (P. L. 164), entitled "An act authorizing and empowering minors seventeen years of age, or older, to contract for and to make loans in accordance with the provisions of the act of Congress, known as the "Servicemen's Readjustment Act of 1944," or any agency of the Commonwealth hereafter created, and saving and relieving the parents, guardians, and trustees of such minors from any liability therefor, unless joining therein," by extending the provisions thereof to include certain, adults and empowering the minor spouses of such persons to join in the execution of certain contracts; and validating the actions of minor spouses of such adults in heretofore joining in the execution of any such contract under certain conditions.

HOUSE BILL No. 484.

An Act to further amend subsection (a) of section 704 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by permitting the use of semi-automatic shotguns for the hunting and killing of small predators and unprotected birds

With information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 175.

An Act authorizing and directing the Pennsylvania Fish Commission to make a comprehensive study of the migratory habits of fish particularly shad and the stocking and tagging of shad below and above the Safe Harbor Dam the Holtwood Dam and the Conowingo Dam and to co-operate with the federal government and The Joint State Government Commission in connection therewith and prescribing powers and duties

HOUSE BILL No. 187.

An Act to further amend Article XIV of the act ap-

proved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by authorizing the appointment of special school police and defining their powers and duties

HOUSE BILL No. 188.

An Act relating to the admissibility in evidence and the proof of official records documents and proceedings both domestic and foreign and of copies thereof and extracts therefrom and certificates in reference thereto

HOUSE BILL No. 247.

An Act to amend the title and the act approved the sixth day of April one thousand nine hundred forty-five (P. L. 164) entitled "An act authorizing and empowering minors seventeen years of age or older to contract for and to make loans in accordance with the provisions of the act of Congress known as the "Servicemen's Readjustment Act of 1944" or any agency of the Commonwealth hereafter created and saving and relieving the parents guardians and trustees of such minors from any liability therefor unless joining therein" by extending the provisions thereof to include certain adults and empowering the minor spouses of such persons to join in the execution of certain contracts and validating the actions of minor spouses of such adults in heretofore joining in the execution of any such contracts under certain conditions

HOUSE BILL No. 484.

An Act to further amend subsection (a) section 704 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by permitting the use of semi-automatic shotguns for the hunting and killing of small game predators and unprotected birds

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 119, 126, 172, 306, 329, 425, 426 and 461.

REPORTS FROM COMMITTEES

Mr. SNIDER from the Committee on Game and Forestry, reported as amended, House Bill No. 535, entitled:

An Act to further amend section 701 of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by eliminating certain restrictions on the possession of game and other birds and animals.

Mr. ROBINSON from the Committee on Judiciary, reported as committed, House Bill No. 624, entitled:

An Act to amend subsections (b) and (c) of section one thousand two hundred three of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof,

including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," and to add thereto new subsections (d) and (e) so as to except therefrom the transfer of stock not subject to the transfer inheritance tax owned by deceased residents of an area listed by the Department of Revenue as entitled by law to such exemption and stock formerly owned by the entireties by resident spouses, one of whom shall have died, and to require the Department of Revenue to list such areas.

Mr. ROBINSON from the Committee on Judiciary, reported as committed, House Bill No. 631, entitled:

An Act to repeal an obsolete act relating to transfer of stock standing in the name of a decedent, or in the joint names of a decedent and one or more other persons, or in trust for a decedent.

Mr. TOMPKINS from the Committee on Judiciary, reported as committed, House Bill No. 705, entitled:

An Act to amend the act, approved the nineteenth day of June, one thousand nine hundred thirteen (P. L. 534), entitled "An act relating to appointment of deputy constables," by defining the jurisdiction of deputy constables.

Mr. REAGEN from the Committee on Townships, reported as amended, House Bill No. 731, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by providing for the appointment of boards of health and health officers, prescribing their powers and duties; providing for the enforcement of the administration of health laws by such board and officers; providing for a president and secretary of such boards; imposing duties on the Secretary of Health and providing for payment of expenses by townships.

Mr. HARRY W. PRICE from the Committee on Boroughs reported as committed, House Bill No. 767, entitled:

An Act to amend the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by authorizing the issuance of nondebt revenue bonds for improvement of a boroughs electric light plant.

Mr. WILT from the Committee on Judiciary, reported as committed, House Bill No. 909, entitled:

An Act to further amend section 889 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by prohibiting the unauthorized wearing of the insignia, badge, shield or button of the Air Force Association.

Mr. C. E. MOORE from the Committee on Game and Forestry, reported as committed, House Bill No. 931, entitled:

An Act to further amend Section 719 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by changing the dog training period.

Mr. CORR from the Committee on Judiciary, reported as committed, Senate Bill No. 168, entitled:

An Act to amend the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" by further regulating the sales made upon order of court and extending the time limit when certain properties must be sold.

Mr. HARNEY from the Committee on Game and Forestry, reported as committed, Senate Bill No. 394, entitled:

An Act to further amend section eight hundred six of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by eliminating the provisions making it unlawful to carry unloaded rifles and shotguns in or on any vehicle or conveyance unless said rifles and shotguns are in cases or securely wrapped, and also eliminating the provisions making it unlawful to possess cartridges or shells for hunting in vehicles or conveyances unless they are in unbroken original cartons, or securely wrapped.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 683, entitled:

An Act to further amend subsection (c) of section nine hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of cer-

tain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by removing certain equipment requirements pertaining to motor buses

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 900, entitled:

An Act to further amend section one thousand and twenty-seven of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the requirements that certain vehicles stop at railway grade crossings

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 169, entitled:

An Act to amend Section 602 and subsections (a) and (g) of Section 607 of the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property

providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" by further regulating the giving of notice of sale the effect of failing to give notice as required by the act and the bureau's return of sale to court for confirmation

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 173, entitled:

An Act relating to the serving in public eating places of imported trout regulating the serving thereof and prescribing penalties

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMENDED

Mr. READINGER. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary, for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 239, entitled:

An Act to further amend Section 412 of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by providing for audits of accounts of expenditures of organizations of the National Guard by controllers or auditors of counties.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 240, entitled:

An Act to further amend clause 35 of Section 2403 of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by providing for audit of accounts of expenditures of organization of the National Guard by controllers of cities of the third class.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second read and consideration of Senate Bill No. 241, entitled:

An Act to amend Section 2 of the act, approved the tenth day of March, one thousand nine hundred thirty-seven (P. L. 39), entitled "An act authorizing cities of the first class, second class, and second class A to make appropriations for the support, maintenance, discipline, and training of units of the National Guard; providing for the paying over expenditure and accounting for of such appropriations; and repealing existing laws," by providing for audit of accounts of expenditures of organizations of the National Guard by controllers of cities of the first class second class and second class A.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 304, entitled:

An Act authorizing, in certain cases, the renewal of motor vehicle operators' licenses for persons honorably discharged from the armed forces of the United States or from any women's organization officially connected therewith, without a learner's permit, examination or additional fee; and while in such service the operation of motor vehicles without renewal of operator's license; and the temporary suspension of existing laws requiring the same.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection

Senate Bill No. 362, Printer's No. 114
was passed over at the request of the SPEAKER.

RECONSIDERATION OF VOTE ON HOUSE BILL No. 726

Mr. GIBSON. Mr. Speaker, I move that the vote by which House Bill No. 726, Printer's No. 163, entitled:

"An Act to amend the title and further amend Subsections A and C of Section 1 of the act approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 1145) entitled 'An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" by including townships of the second class within the classes of political subdivisions authorized to impose taxes under the provisions thereof."

was defeated on final passage, Tuesday, April 10, 1951, be reconsidered.

Mr. DuBOIS. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Warren, Mr. Gibson vote on the final passage of this bill?

Mr. GIBSON. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Clearfield, Mr. DuBois vote on the final passage of this bill?

Mr. DuBOIS. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

Mr. ANDREWS. Mr. Speaker, we do not oppose a reconsideration.

The motion was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. WEIDNER. Mr. Speaker, I move that this bill be placed upon the final passage postponed calendar.

The motion was agreed to.

BILLS ON FINAL PASSAGE

BILL PASSED OVER

There being no objection

House Bill No. 486, Printer's No. 220
was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 811, as follows:

An Act to add section 1501.1 to the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by empowering township supervisors to compel connection with and use of sewer systems constructed by municipal authorities to impose penalties to enforce regulations and orders and to connect properties of owners failing or neglecting to make connection.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article XV of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) is hereby amended by adding after section 1501 a new section to read as follows

Section 1501.1 Sewer System Established or Constructed by Municipality Authorities Connection and Use by Owners Enforcement When a sewer system is or shall have been established or constructed by a municipality authority within a township of the second class the township supervisors shall be empowered by ordinance to compel all owners of property accessible to and whose principal building is within one hundred fifty feet from such sewer system to make connection therewith and use such sewer system in such manner as they may order The township supervisors may by ordinance impose penalties to enforce any regulation or order they may ordain with reference to any sewer connections In case any owner of property accessible to and whose principal building is within one hundred fifty feet from a sewer system established or constructed by a municipality authority shall neglect or refuse to connect with said sewer system for a period of sixty days after notice to do so has been served upon him by the township supervisors either by personal service or by registered mail the township supervisors or their agents may enter upon such property and construct such connection In such case the township supervisors shall forthwith upon completion of the work send an itemized bill of the cost of the construction of such connection to the owner of the property to which connection has been so made which bill shall be payable forthwith In case of neglect or refusal by the owner of such prop-

erty to pay said bill it shall be the duty of the township supervisors to file municipal liens for said construction within six months of the date of the completion of the construction of said connection the same to be subject in all respects to the general law provided for the filing and recovery of municipal liens

Section 2 The provisions of this act shall become effective immediately upon its final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—165

Andrews,	Gleason,	Markley,	Sarraf,
Banker,	Good,	Maxwell,	Schuster,
Barkdoll,	Goodling,	Mazza,	Scott,
Baumunk,	Graybill,	McConnell,	Seyler,
Bear,	Greenwood,	McCullough,	Shoemaker,
Beaver,	Greer,	McDermitt,	Shotwell,
Beech,	Gutendorf,	McInroy,	Smith,
Berkstromer,	Guthrie,	McKinney,	Snider,
Blair,	Hall,	McMillen,	Sollenberger,
Bloom,	Hamilton, R. E.,	McNally,	Spencer,
Boles,	Harney,	Metz,	Stank,
Bolton,	Haudenshield,	Mihm,	Stimmel,
Bomberger,	Headlee,	Miller, H. G.,	Stoner,
Boorse,	Helm,	Miller, J. C.,	Swartz,
Bower,	Hewitt,	Mills,	Swope,
Brelach,	Hocker,	Moore, C. E.,	Thompson, R. L.,
Breth,	Hunter,	Moore, H. A.,	Tompkins,
Brown,	Jenkins,	Moran,	Toomey,
Bucchin,	Johnson,	Munley,	VanSant,
Clapper,	Jones, J. M.,	Murray,	Varnier,
Clendenning,	Jones, P. F.,	Musto,	Verona,
Cochran,	Jones, T. H. W.,	Najaka,	Wachhaus,
Cooper,	Jump,	Naugle,	Wargo,
Oorr,	Kamyk,	Needham,	Waterhouse,
Dalrymple,	Keller,	Olsen,	Watkins,
Davis,	Kent,	Petrosky,	Weldner,
Dennison,	Kline,	Pitzer,	Westcott,
Dowling,	Kohl,	Polaski,	Westrick,
DuBois,	Kornick,	Polen,	Whalley,
Dunn,	Krats,	Price, H. W. Jr.,	Wheeler,
Erb,	Kubacki,	Price, R. A.,	White,
Ewing,	Lafore,	Readinger,	Williams,
Fenrich,	Leisey,	Reagan,	Wilt,
Ferster,	Leonard, L.,	Reese,	Wood,
Fillip,	Leonard, W. C.,	Reidenbach,	Yeakel,
Filo,	Light,	Reilly, J. M.,	Yester,
Firmstone,	Lopresti,	Rigby,	Yetzer,
Flack,	Lovett,	Riley, R. L.,	Young,
Frost,	Lutty,	Robertson,	Ziegler,
Gaffney,	Lyons,	Rovansek,	Sorg,
Geer,	Madden,	Royer,	Speaker
Gibson,	Madigan,		

NAYS—0

NOT VOTING—42

Amarando,	Hersch,	Mintess,	Rubin,
Byrne,	Hoggard,	Monroe,	Sax,
Cella,	Jones, G. E.,	Muldowney,	Scanlon,
Conway,	Kolankiewics,	Penglass,	Schmidt,
Oosta,	Lederer,	Peta,	Tahl,
Coyls,	Leven,	Pettigrew,	Taylor,
Dougherty,	Limper,	Pfaff,	Thompson, E. F.,
Duffy,	Loftus,	Pichney,	Toil,
Guarnieri,	McCormack,	Rose,	Varallo,
Hagerty,	McGee,	Rosen,	Welsh,
Hamilton, W. H.,	Mikula,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RADNOR TOWNSHIP HIGH SCHOOL WELCOMED

The SPEAKER. The Chair is pleased to welcome to the

House the ninth grade pupils of the Radnor Township High School, accompanied by Albert H. Swing, Tax Collector, and under the supervision of Miss Mary Carter, Principal and Mr. Paul Teel, a member of the faculty. They are here as the guests of the gentlemen from Delaware, Messrs. Bloom, Clendenning, Robertson and William C. Leonard.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 33, as follows:

An Act to amend the act approved the tenth day of March

One thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for filling the office of county superintendent when the only candidate for election becomes unavailable thereto within thirty days of the election date

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand twenty-two of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 1022 Time and by Whom Elected Term of Office The school directors of all of the school districts that do not have a district superintendent of each county in which a county superintendent is to be elected shall meet in convention at the county seat of their county in the courthouse or some other suitable place to be furnished by the county commissioners at the expense of the county on the second Tuesday of April one thousand nine hundred fifty (1950) and on the same day of every fourth year thereafter and by a majority vote of those present elect as herein provided one duly qualified person as county superintendent to serve for four years from the first Monday of July next following and fix his annual salary When there is only one candidate for the office of county superintendent and such candidate within thirty days of the date fixed for holding the convention for the election of the county superintendent dies withdraws or proves ineligible to be elected the convention shall be postponed or adjourned to the second Tuesday of June of the same year If no candidate is elected at such postponed or adjourned convention the office shall be filled in the manner provided by this act for the filling of vacancies in the office

Section 2 Section one thousand twenty-six of said act as amended by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 983) is hereby further amended to read as follows

Section 1026 Candidates' Proof of Eligibility No votes for a candidate for county superintendent at any such convention or postponed or adjourned convention shall be counted unless said candidate has at least thirty (30) days before such election filed with the secretary of the county board of school directors notice of his intention to be a candidate for election to the office of county superintendent and has also filed a county district or assistant county or district superintendent's commission which has been issued within the previous six years by the Superintendent of Public Instruction or such other evidence of eligibility as is required by this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—165

Andrews,	Gleason,	Madigan,	Sarra,
Banker,	Good,	Markley,	Schuster,
Barkdoll,	Goodling,	Maxwell,	Scott,
Baumunk,	Graybill,	Mazza,	Seyler,
Bear,	Greenwood,	McConnell,	Shoemaker,
Beaver,	Greer,	McCullough,	Shotwell,
Beech,	Gutendorf,	McDermitt,	Smith,
Berkstresser,	Guthrie,	McInroy,	Snider,
Blair,	Hall,	McKinney,	Sollenberger,
Bloom,	Hamilton, R. K.,	McMillen,	Spencer,
Boles,	Harney,	McNally,	Stank,
Bolton,	Haudenschild,	Metz,	Stimmel,
Bomberger,	Headlee,	Mihm,	Stoner,
Boorse,	Helm,	Miller, H. G.,	Swartz,
Bower,	Hewitt,	Miller, J. C.,	Swope,
Breisch,	Hocker,	Mills,	Thompson, R. L.,
Breth,	Hunter,	Moore, C. E.,	Tompkins,
Brown,	Jenkins,	Moore, H. A.,	Toomey,
Bucchin,	Johnson,	Moran,	VanSant,
Clapper,	Jones, J. M.,	Munley,	Varnier,
Clendenning,	Jones, P. F.,	Murray,	Verona,
Cochran,	Jones, T. H. W.,	Musto,	Wachhaus,
Cooper,	Jump,	Najaka,	Wargo,
Corr,	Kamyk,	Naugle,	Waterhouse,
Dalrymple,	Keller,	Needham,	Watkins,
Davis,	Kent,	Olsen,	Weidner,
Dennison,	Kline,	Petrosky,	Wescott,
Dowling,	Kohl,	Pitzer,	Westrick,
DuBois,	Kornick,	Polaski,	Whalley,
Dunn,	Kratz,	Polen,	Wheeler,
Erb,	Kubacki,	Price, H. W. Jr.,	White,
Ewing,	Lafore,	Price, R. A.,	Williams,
Fenrich,	Lelsey,	Readinger,	Wilt,
Ferster,	Leonard, L.,	Reagan,	Wood,
Filip,	Leonard, W. C.,	Reese,	Yeakel,
Filo,	Light,	Reidenbach,	Yester,
Firmstone,	Lopresti,	Reilly, J. M.,	Yetzer,
Flack,	Lovett,	Rigby,	Young,
Frost,	Lutty,	Riley, R. L.,	Ziegler,
Gaffney,	Lyons,	Robertson,	Sorg,
Geer,	Madden,	Rovansek,	
Gibson,		Royer,	Speaker

NAYS—0

NOT VOTING—42

Amarando,	Hersch,	Mintess,	Rubin,
Byrne,	Hoggard,	Monroe,	Sax,
Cella,	Jones, G. E.,	Muldowney,	Scanlon,
Conway,	Kolankiewicz,	Pengase,	Schmidt,
Costa,	Lederer,	Peta,	Tahl,
Coyle,	Leven,	Petugrew,	Taylor,
Dougherty,	Limper,	Pfaff,	Thompson, E. F.,
Duffy,	Loftus,	Pichney,	Toil,
Guarnieri,	McCormack,	Rose,	Varallo,
Hagerty,	McGee,	Rosen,	Welsh,
Hamilton, W. H.,	Mikula,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,

House Bill No. 277, Printer's No. 185, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 629, as follows:

An Act to establish a separate orphans' court in and for the county of Beaver

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In the thirty-sixth judicial district of the Commonwealth composed of the county of Beaver a separate orphans' court is hereby established the name

and style of which shall be the Orphans' Court of Beaver County which court shall be a court of record and shall consist of one judged learned in the law

Section 2 Said judge shall hold office in the manner as the judges of the court of common pleas of the county The annual salary of the said judge shall be the same as is paid to the judges of the court of common pleas of the said county and shall be paid in the same manner as the salaries of said judges of the court of common pleas are now or may be hereafter made by law payable

Section 3 The terms of court of the said orphans' court shall be the same as the terms of the court of common pleas of the said county and may also be held at such other times and as often as the judge thereof shall deem necessary and proper

Section 4 The said court shall have and exercise all the jurisdiction and powers now vested in or which may hereafter be conferred upon the orphans' court of the Commonwealth under and by the virtue of the laws thereof

Section 5 The commissioners of the said county shall provide proper and suitable apartments in which the said orphans' court shall be held and its business transacted and in which the records thereof shall be safely and securely kept

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—165

Andrews,	Gleason,	Markley,	Sarra,
Banker,	Good,	Maxwell,	Schuster,
Barkdoll,	Goodling,	Mazza,	Scott,
Baumunk,	Graybill,	McConnell,	Seyler,
Bear,	Greenwood,	McCullough,	Shoemaker,
Beaver,	Greer,	McDermitt,	Shotwell,
Beech,	Gutendorf,	McInroy,	Smith,
Berkstresser,	Guthrie,	McKinney,	Snider,
Blair,	Hall,	McMillen,	Sollenberger,
Bloom,	Hamilton, R. K.,	McNally,	Spencer,
Boles,	Harney,	Metz,	Stank,
Bolton,	Haudenschild,	Mihm,	Stimmel,
Bomberger,	Headlee,	Miller, H. G.,	Stoner,
Boorse,	Helm,	Miller, J. C.,	Swartz,
Bower,	Hewitt,	Mills,	Swope,
Breisch,	Hocker,	Moore, C. E.,	Thompson, R. L.,
Breth,	Hunter,	Moore, H. A.,	Tompkins,
Brown,	Jenkins,	Moran,	Toomey,
Bucchin,	Johnson,	Munley,	VanSant,
Clapper,	Jones, J. M.,	Murray,	Varnier,
Clendenning,	Jones, P. F.,	Musto,	Verona,
Cochran,	Jones, T. H. W.,	Najaka,	Wachhaus,
Cooper,	Jump,	Naugle,	Wargo,
Corr,	Kamyk,	Needham,	Waterhouse,
Dalrymple,	Keller,	Olsen,	Watkins,
Davis,	Kent,	Petrosky,	Weidner,
Dennison,	Kline,	Pitzer,	Wescott,
Dowling,	Kohl,	Polaski,	Westrick,
DuBois,	Kornick,	Polen,	Whalley,
Dunn,	Kratz,	Price, H. W. Jr.,	Wheeler,
Erb,	Kubacki,	Price, R. A.,	White,
Ewing,	Lafore,	Readinger,	Williams,
Fenrich,	Lelsey,	Reagan,	Wilt,
Ferster,	Leonard, L.,	Reese,	Wood,
Filip,	Leonard, W. C.,	Reidenbach,	Yeakel,
Filo,	Light,	Reilly, J. M.,	Yester,
Firmstone,	Lopresti,	Rigby,	Yetzer,
Flack,	Lovett,	Riley, R. L.,	Young,
Frost,	Lutty,	Robertson,	Ziegler,
Gaffney,	Lyons,	Rovansek,	Sorg,
Geer,	Madden,	Royer,	Speaker
Gibson,	Madigan,		

NAYS—0

NOT VOTING—42

Amarando,	Hersch,	Mintess,	Rubin,
Byrne,	Hoggard,	Monroe,	Sax,

Cella, Conway, Costa, Coyle, Dougherty, Duffy, Guarnieri, Hagerty, Hamilton, W. H.,	Jones, G. E., Kolankiewicz, Lederer, Leven, Limper, Loftus, McCormack, McGee, Mikula,	Muldowney, Pengase, Peta, Pettigrew, Pfaff, Pichney, Rose, Rosen,	Scanlon, Schmidt, Tahl, Taylor, Thompson, E. F., Toll, Varallo, Welsh,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 955, as follows:

An Act to amend section 10 of the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 903) entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employees independently of any pension system or systems existing in such cities" by removing the limitations on contributions by the city

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 10 of the act approved the twenty-first day of May one thousand nine hundred forty-five (P. L. 903) entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employees independently of any pension system or systems existing in such cities" is hereby amended to read as follows

Section 10 The councils of the cities shall annually set aside apportion and appropriate out of all taxes and income of such city unto the board a sum sufficient to maintain the compensation due under this act [not however to exceed in any one year an amount in excess of the proceeds of three-tenths of one mill on the assessed valuation of the city for city purposes]

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—165

Andrews, Banker, Barkdoll, Baumunk, Bear, Beaver, Beech, Berkstresser, Blair, Bloom, Boles, Bolton, Bomberger, Boorse, Bower, Brelsch, Breth, Brown, Bucchin, Clapper, Clendening, Cochran, Cooper, Corr, Dalrymple, Davis, Dennison, Dowling,	Gleason, Good, Goodling, Graybill, Greenwood, Greer, Gutendorf, Guthrie, Hall, Hamilton, R. K., Harney, Haudenschild, Headlee, Helm, Hewitt, Hocker, Hunter, Jenkins, Johnson, Jones, J. M., Jones, P. F., Jones, T. H. W., Jump, Kamyk, Keller, Kent, Kline, Kohl,	Markley, Maxwell, Mazza, McConnell, McCullough, McDermitt, McInroy, McKinney, McMillen, McNally, Metz, Mihm, Miller, H. G., Miller, J. C., Mills, Moore, C. E., Moore, H. A., Moran, Munley, Murray, Musto, Najaka, Naugle, Needham, Olsen, Petrosky, Pitzer, Polaski,	Sarra, Schuster, Scott, Seyler, Shoemaker, Shotwell, Smith, Snider, Sollenberger, Spencer, Stank, Stimmel, Stoner, Swartz, Swope, Thompson, R. L., Tompkins, Toomey, VanSant, Varnier, Verona, Wachhaus, Wargo, Waterhouse, Watkins, Weldner, Wescott, Westrick,
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DuBois, Dunn, Erb, Ewing, Fenrich, Fenster, Filip, Filo, Firmstone, Flack, Frost, Gaffney, Geer, Gibson,	Kornick, Kratz, Kubacki, Lafore, Laisey, Leonard, L., Leonard, W. C., Light, Lopresti, Lovett, Lutty, Lyons, Madden, Madigan,	Polen, Price, H. W. Jr., Price, R. A., Readinger, Reagan, Reese, Reidenbach, Reilly, J. M., Rigby, Riley, R. L., Robertson, Rovansek, Royer,	Whalley, Wheeler, White, Williams, Wilt, Wood, Yeakel, Yester, Yetzer, Young, Ziegler, Sorg, Speaker
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NAYS—0

NOT VOTING—42

Amarando, Byrne, Cella, Conway, Costa, Coyle, Dougherty, Duffy, Guarnieri, Hagerty, Hamilton, W. H.,	Mikula, Hersch, Hoggard, Jones, G. E., Kolankiewicz, Lederer, Leven, Limper, Loftus, McCormack, McGee, Mikula,	Mintess, Monroe, Muldowney, Pengase, Peta, Pettigrew, Pfaff, Pichney, Rose, Rosen,	Rubin, Sax, Scanlon, Schmidt, Tahl, Taylor, Thompson, E. F., Toll, Varallo, Welsh,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 956, as follows:

An Act to add Section 1201.1 to the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing for traffic courts in cities of the third class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article XII of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties

upon the Department of Revenue the Department Highway peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" is hereby amended by adding immediately following Section 1201 thereof a new section to read as follows

Section 1201.1 Traffic Court in Cities of Third Class

(a) Any city of the third class may establish a traffic court which shall have jurisdiction over all traffic violations arising within any such city under the provisions of this act or of any ordinances regulating traffic not inconsistent with this act

(b) Every such traffic court shall be in charge of a chief magistrate having all the powers of a magistrate under the provisions of this act and such number of assistant magistrates with similar powers as may be necessary to carry out the duties of the court such magistrates to be designated by the mayor of the city

(c) When any such traffic court is closed proceedings under this act shall be brought as other provided

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—165

Andrews,	Gleason,	Madigan,	Royer.
Banker,	Good,	Markley,	Sarra,
Barkdoll,	Goodling,	Maxwell,	Schuster,
Baumunk,	Graybill,	Mazza,	Scott,
Bear,	Greenwood,	McConnell,	Seyler,
Beaver,	Greer,	McCullough,	Shoemaker,
Beech,	Gutendorf,	McDermitt,	Shotwell,
Berkstresser,	Guthrie,	McInroy,	Smith,
Blair,	Hall,	McKinney,	Snider,
Bloom,	Hamilton, R. K.,	McMillen,	Sollenberger,
Boles,	Harney,	McNally,	Spencer,
Bolton,	Haudenschild,	Metz,	Stank,
Bomberger,	Headlee,	Mihm,	Stimmel,
Boorse,	Helm,	Miller, H. G.,	Stoner,
Bower,	Hewitt,	Miller, J. C.,	Swartz,
Breisch,	Hocker,	Mills,	Swope,
Breth,	Hunter,	Moore, C. E.,	Thompson, R. L.,
Brown,	Jenkins,	Moore, H. A.,	Tompkins,
Bucchin,	Johnson,	Moran,	Toomey,
Clapper,	Jones, J. M.,	Munley,	Vansant,
Clendening,	Jones, P. F.,	Murray,	Varnier,
Cochran,	Jones, T. H. W.,	Musto,	Verona,
Cooper,	Jump,	Najaka,	Wachaus,
Corr,	Kamyk,	Naugle,	Wargo,
Dalrymple,	Keller,	Needham,	Waterhouse,
Davis,	Kent,	Olsen,	Watkins,
Dennison,	Kline,	Petrosky,	Weidner,
Dowling,	Kohl,	Pitzer,	Wescott,
DuBois,	Kornick,	Polaski,	Westrick,
Dunn,	Kratz,	Polen,	Whalley,
Erb,	Kubacki,	Price, H. W. Jr.,	Wheeler,
Ewing,	Lafore,	Price, R. A.,	White,
Fenrich,	Lelsey,	Readinger,	Williams,
Ferster,	Leonard, L.,	Reagan,	Wilt,
Filip,	Leonard, W. C.,	Reese,	Wood,
Filo,	Light,	Reidenbach,	Yeakel,
Firmstone,	Lopresti,	Reilly, J. M.,	Yester,
Flack,	Lovett,	Rigby,	Yetzer,
Frost,	Lutty,	Riley, R. L.,	Young,
Gaffney,	Lyons,	Robertson,	Ziegler,
Geer,	Madden,	Rovansek,	Sorg.
Gibson,			Speaker

NAYS—0

NOT VOTING—42

Amarando,	Hersch,	Mintess,	Rubin,
Byrne,	Hoggard,	Monroe,	Sax,
Cella,	Jones, G. E.,	Muldorney,	Scanlon,
Conway,	Kolankiewicz,	Penglase,	Schmidt,
Costa,	Lederer,	Peta,	Tahl,
Coyle,	Leven,	Pettigrew,	Taylor,
Dougherty,	Limper,	Pfaff,	Thompson, E. F.,
Duffy,	Loftus,	Pichney,	Toll,
Guarnieri,	McCormack,	Rose,	Varallo,
Hagerty,	McGee,	Rosen,	Welsh,
Hamilton, W. H.,	Mikula,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 68, as follows:

An Act to validate and confirm certain contracts heretofore entered into by boards of school directors where there is no evidence of fraud or conspiracy and to authorize ratify confirm and validate payments on such contracts by the school district

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever any board of school directors of any school district shall have heretofore contracted for labor materials and supplies for the school district the purchase of which by contract is authorized under the provisions of the school law of the Commonwealth and such board of school directors has actually received such labor materials and supplies and the same are being used by the school district if the said contract does not evidence any fraud or conspiracy to violate the provisions of the school laws of the Commonwealth and the school district has not suffered any pecuniary loss as the result of such contract then such contract shall be valid and binding on the school district and payment for such labor materials and supplies by the school district is hereby authorized ratified confirmed and validated notwithstanding the fact that such contract was legally null and void by reason of the failure to advertise for bids or by reason of defect in the advertising or by reason of any other defect in compliance with or in the failure or omission to comply with the school laws of this Commonwealth regulating the award of contracts for such labor materials and supplies No board of school directors nor any members thereof shall be subject to surcharge for payments made by any board of school directors on any such contract

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—165

Andrews,	Gleason,	Markley,	Sarra,
Banker,	Good,	Maxwell,	Schuster,
Barkdoll,	Goodling,	Mazza,	Scott,
Baumunk,	Graybill,	McConnell,	Seyler,
Bear,	Greenwood,	McCullough,	Shoemaker,
Beaver,	Greer,	McDermitt,	Shotwell,
Beech,	Gutendorf,	McInroy,	Smith,
Berkstresser,	Guthrie,	McKinney,	Snider,
Blair,	Hall,	McMillen,	Sollenberger,
Bloom,	Hamilton, R. K.,	McNally,	Spencer,
Boles,	Harney,	Metz,	Stank,
Bolton,	Haudenschild,	Mihm,	Stimmel,
Bomberger,	Headlee,	Miller, H. G.,	Stoner,
Boorse,	Helm,	Miller, J. C.,	Swartz,
Bower,	Hewitt,	Mills,	Swope,

Breisch,	Hocker,	Moore, C. E.,	Thompson, R. L.,
Breth,	Hunter,	Moore, H. A.,	Tompkins,
Brown,	Jenkins,	Moran,	Toomey,
Bucchin,	Johnson,	Munley,	VanSant,
Clapper,	Jones, J. M.,	Murray,	Varner,
Clendenning,	Jones, P. F.,	Musto,	Verona,
Cochran,	Jones, T. H. W.,	Najaka,	Wachhaus,
Cooper,	Jump,	Naugle,	Wargo,
Corr,	Kamyk,	Needham,	Waterhouse,
Dalrymple,	Keller,	Olsen,	Watkins,
Davis,	Kent,	Petrosky,	Weidner,
Dennison,	Kline,	Pitzer,	Wescott,
Dowling,	Kohl,	Polaski,	Westrick,
DuBois,	Kornick,	Polen,	Whalley,
Dunn,	Kratz,	Price, H. W. Jr.,	Wheeler,
Erb,	Kubacki,	Price, R. A.,	White,
Ewing,	Lafore,	Readinger,	Williams,
Fenrich,	Leisey,	Reagan,	Willt,
Ferster,	Leonard, L.,	Reese,	Wood,
Filip,	Leonard, W. C.,	Reidenbach,	Yeakel,
Filo,	Light,	Reilly, J. M.,	Yester,
Firmstone,	Lopresti,	Rigby,	Yetzer,
Flack,	Lovett,	Riley, R. L.,	Young,
Frost,	Lutty,	Robertson,	Ziegler,
Gaffney,	Lyons,	Rovansek,	Sorg,
Geer,	Madden,	Royer,	Speaker
Gibson,	Madigan,		

NAYS—0

NOT VOTING—42

Amarando,	Hersch,	Mintess,	Rubin,
Byrne,	Hoggard,	Monroe,	Sax,
Cella,	Jones, G. E.,	Muldowney,	Scanlon,
Conway,	Kolankiewicz,	Penglase,	Schmidt,
Costa,	Lederer,	Peta,	Tahl,
Coyle,	Leven,	Pettigrew,	Taylor,
Dougherty,	Limper,	Pfaff,	Thompson, E. F.,
Duffy,	Loftus,	Pichney,	Toll,
Guarnieri,	McCormack,	Rose,	Varallo,
Hagerty,	McGee,	Rosen,	Welsh,
Hamilton, W. H.,	Mikula,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

RESOLUTIONS

Mr. DALRYMPLE offered a resolution which was filed with the Clerk.

PERMISSION TO ADDRESS HOUSE

Mr. PETROSKY asked and obtained unanimous consent to address the House.

Mr. Speaker, I rise at this particular time to bring to the attention of the House a matter which is of widespread importance to millions of people throughout the Commonwealth of Pennsylvania.

There have been certain actions taken by the Senate upon this matter, namely, the ban on oleo sales in the state of Pennsylvania. The membership no doubt knows that there is a great popular demand by the citizens of the Commonwealth for legislation which would be regulatory upon oleo sales and yet not restrictive and prohibitive.

I understand that at the present time there is some consideration being given in the House Committee on Agriculture and Dairy Industries relating to this problem. The few remarks that I want to make to the Members of the House relate to the importance of this legislation for the uses of the product in the state of Pennsylvania today, and recognizing the consideration that the

Committee is giving this legislation. However, I want to say that the proponents of this legislation, and myself in particular, will not let the same thing happen without a recorded vote on the floor of this House the same as happened in the Senate.

I point out to you that 38 States now have shaken off the restrictive and prohibitive measures against oleo sales. The great dairy state of Michigan repealed the ban on oleo sales of a restrictive and prohibitive nature by a referendum. Mind you, this in a great dairy State, and a referendum in lifting the ban on oleo sales won out by a two to one margin. The same thing, of course, has happened in the great dairy state of Ohio.

I am not going to comment much more on this nuisance law as it exists on the statute books of the Commonwealth of Pennsylvania, but I do want to point out to the membership of the House that only 15 percent of the butter that is used in the state of Pennsylvania is produced by farmers in Pennsylvania. So, therefore, lifting restrictions on oleo will not hinder the industry at all. That is really a false piece of propaganda made use of by the opposition to lifting the ban on oleo sales. Eighty-five percent of the butter used in Pennsylvania is imported from surrounding States, so therefore it seems to me that the activity against the lifting of the oleo ban is without question a foreign one coming from surrounding States, and inasmuch as those States have no oleo sales ban. I believe we can do a great service to the housewives of Pennsylvania by acting forthwith upon the lifting of the oleo ban and therefore give them that which they request.

In closing may I say we are not dropping the issue. We will continue to press for some measure of relief on the banning of oleo sales in Pennsylvania, and you can rest assured that there will be on the floor of this House a recorded vote on the issue in event that the Committee does not bring in a bill for consideration before this body.

PERMISSION TO ADDRESS HOUSE

Mr. McNALLY asked and obtained unanimous consent to address the House.

Mr. Speaker, I arise today seeking an answer to a question of grave importance to thousands of citizens of this Commonwealth. I refer to the status of the bills regulating the sale of oleomargarine.

My constituents and the leading newspapers want to know what is being done about this important piece of legislation. Many of the Members of the majority and minority parties promised the citizens that some favorable legislation would be enacted in this term of the Legislature. To this date these bills have been tied up in the Committee on Agriculture and Dairy Industries.

I want to know if the favorable legislation in regard to oleomargarine is going to die in committee?

PERMISSION TO ADDRESS HOUSE

Mr. MAXWELL asked and obtained unanimous consent to address the House.

Mr. Speaker, I understand that there has been at least one resolution introduced and possibly more that would censure President Truman concerning the action he took toward General MacArthur. Before the Republican side of the House reports one of these resolutions out to con-

fuse the people of Pennsylvania, I would like to read an article that was published in the paper in my home town, the Monessen Daily Independent.

The editor of this editorial is an old line Republican, I would say a staunch Republican, who believes wholeheartedly in the Republican party. I would like to have the gentlemen on the other side of the House hear what this man says. I am very thankful that this gentleman places Americanism before his party.

I will read his article:

TRUMAN AND MACARTHUR

President Truman's action in relieving General MacArthur has produced one of those situations in which the prudent citizen will make a special effort to remain calm, cool and collected. Such situations are tailor-made for hotheads and self-serving politicians, who would be the only ones who might profit from any public hysteria.

There is no question that the President had the authority to relieve General MacArthur. Nor is there any question in our mind but that he was justified in doing so and on precisely the grounds which he stated, that "military commanders must be governed by the policies and directives issued to them in the manner provided by our laws and Constitution."

* * *

Our criticism of President Truman in this situation would be that he did not long ago either reconcile the views of General MacArthur with those of the administration and enlist the General's full cooperation in the national policy or relieve him forthwith. We doubt that American history affords a worse example of administrative weakness than this marathon harangue between Washington and Tokyo.

As to the wisdom of Mr. Truman's policies in the Far East, that is another matter entirely. For those he is accountable only to the people. And it is possible to disagree with the President thoroughly yet recognize that he is entitled to—indeed, must have—the full cooperation of the military forces.

So we hope the leaders of the Republican party will not be so foolish as to raise a great partisan hullaballo around the martyred figure of General MacArthur. If they do, they may succeed in winning some temporary political advantage by embarrassing the President. But they will be doing a disservice to the nation by further confusing our international relations, and we do not think the people in the long run will look with favor upon a political party which does that.

This country can come through this crisis, even with a leadership which is clearly inadequate, provided our people keep their heads, avoid excessive partisanship and keep the nation's good always foremost.

* * *

As for General MacArthur, it is too bad that he allowed this dispute with the administration to go on as long as it did. Surely he must have understood that the President someday would have to do something about it or else relinquish his authority completely.

It would not have been necessary for the General to suppress his convictions if he could not honestly do that. It would have been perfectly in order for

him to resign his commands, come home to an honorable retirement, take off his uniform and then, if he still felt the urge, give his views to the nation. He would have been assured a good hearing. He did not need to precipitate this spectacle.

And now, if he lends himself to the uses of the partisan politicians and makes himself the center of a public turmoil, he risks tarnishing a great military career. Unquestionably a great general, it remains yet to be seen whether MacArthur is really also a great man.

But be all that as it will, our people should not now allow themselves to be distracted from the great issues and the great dangers of our time. In due season we shall be able to pass upon the policies of the Truman administration and say whether we approve them or not. But now Mr. Truman is our President and on the issue of his authority over the military forces there can be no question as to where our support belongs.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, I regret that the gentleman from Westmoreland has seen fit to interject this particular issue at this time.

It was not my thought to in any way attempt to anticipate the action of the Rules Committee before which various resolutions may be pending.

It has been my opinion over the years, frequently expressed upon this floor, that we held no mandate to issue our decree or our opinion to the world regarding matters that did not appertain to the welfare of this Commonwealth as it could be served through legislation.

I have always been quite content to meet the partisan issue in Harrisburg on this floor, but I have never been personally in favor of those movements that attempted to interpose the partisan issue in Washington upon this floor. I hold to the theory that if the American Congress will keep off of our toes I am perfectly willing to keep off of the toes of the American Congress.

So I say, I regret that there has been any attempt to anticipate the action of the Rules Committee which in its wisdom may or may not report out resolutions now pending before it.

COMMITTEE MEETINGS

Public Health and Sanitation, Mr. Frost, Chairman, Room 329, Wednesday, April 18, at 10:00 a. m.

Republican Caucus, Wednesday, April 18, at 11:00 a. m. in the new House Caucus Room.

ADJOURNMENT

Mr. BERKSTRESSER. Mr. Speaker, I move that this House do now adjourn until Wednesday, April 18, 1951, at 1:00 o'clock p. m.

The motion was agreed to, and (at 2:20 p. m.) the House adjourned.

Legislative Journal.

Session 1951.

139th of the General Assembly.

Vol. 32.

HARRISBURG, PA., WEDNESDAY, APRIL 18, 1951.

No. 39.

SENATE

WEDNESDAY, April 18, 1951.

The Senate met at 11:00 o'clock, a. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

PRAYER

The Chaplain, Rev. THOMAS D. GARNER, Pastor of St. John's Evangelical and Reformed Church, Bedford, Pennsylvania, offered the following prayer:

Eternal Father, our Maker and our Friend, we humbly bow before Thee in recognition of Thy supremacy over us. We know that without Thee we are nothing. It is only from Thy hand of love that we have the power and the strength to live this life. As we become more and more aware of Thy presence with us, may we strive harder and harder to make Thy will our will.

Bless the Members of this Senate and all others in authority. Give them strength and guidance to carry the burden of responsibility which is theirs.

In the name of our Lord, we pray. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. MALLERY, further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

MEMBERS OF COUNTY BOARDS OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 18, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of County Boards of Assistance:

ADAMS COUNTY

Murray B. Frazee (Republican), Gettysburg, from February 20, 1950, until December 31, 1952, and until his successor is duly appointed and qualified.

Elmer N. Gruver (Republican), East Berlin, from June 8, 1950, until December 31, 1952, and until his successor is duly appointed and qualified.

BERKS COUNTY

Francis J. Kaczmarek (Republican), Reading, from August 16, 1949, until December 31, 1951, and until his successor is duly appointed and qualified.

COLUMBIA COUNTY

Ross Pennington (Republican), Benton, from March 30, 1950, until December 31, 1951, and until his successor is duly appointed and qualified.

Mrs. Atta M. Young (Republican), Catawissa, from March 30, 1950, until December 31, 1951, and until her successor is duly appointed and qualified.

Robert W. Coffman (Republican), 258A Iron Street, Bloomsburg, Columbia County, to serve until December 31, 1953, and until his successor is duly appointed and qualified, to fill a vacancy.

DELAWARE COUNTY

Mrs. Anna F. Rigler (Republican), Upper Darby, from January 31, 1950, until December 31, 1952, and until her successor is duly appointed and qualified.

John H. Foster (Republican), Wayne, from January 1, 1951, until December 31, 1953, and until his successor is duly appointed and qualified.

Dr. Larney E. Hardy (Republican), 1404 W. Third Street, Chester, Delaware County, to serve until December 31, 1952, and until his successor is duly appointed and qualified, vice Dr. Percy O. Batipps, Jr., Media, resigned.

FAYETTE COUNTY

Jack M. Collins (Republican), South Connellsville, Fayette County, to serve until December 31, 1952, and until his successor is duly appointed and qualified, vice Stewart M. DeHuff, Connellsville, deceased.

Thomas H. Wright (Republican), 201 N. Main Street, Masontown, Fayette County, to serve until December 31, 1953, and until his successor is duly appointed and qualified, vice J. Alfred Baer, Masontown, deceased.

HUNTINGDON COUNTY

Mrs. Dorothy K. Mainzer (Republican), Huntingdon, from January 6, 1950, until December 31, 1952, and until her successor is duly appointed and qualified.

INDIANA COUNTY

Mrs. Franceska M. Kirk (Republican), Indiana, from January 1, 1950, until December 31, 1952, and until her successor is duly appointed and qualified.

Charles E. Gabrielson (Republican), Saltsburg, from January 1, 1950, until December 31, 1952, and until his successor is duly appointed and qualified.

Cecil Bergman (Republican), Blairsville, Indiana County, to serve until December 31, 1953, and until his successor is duly appointed and qualified, vice James M. Torrance, Blairsville, whose term expired.

Mrs. Martha Wilmoth (Republican), Glen Campbell, Indiana County, to serve until December 31, 1953, and until her successor is duly appointed and qualified, vice Dr. J. J. Connolly, Lndiana, whose term expired.

SULLIVAN COUNTY

Frank J. Bendinsky (Republican), Mildred, from April 12, 1950, until December 31, 1951, and until his successor is duly appointed and qualified.

Harry Haywood (Republican), Eagles Mere, from April 12, 1950, until December 31, 1952, and until his successor is duly appointed and qualified.

Miss Anne Yarosh (Republican), Lopez, from April 12, 1950, until December 31, 1952, and until her successor is duly appointed and qualified.

Mrs. Susan Morgan (Republican), Shunk, from April 12, 1950, until December 31, 1951, and until her successor is duly appointed and qualified.

Mrs. Sue A. Dailey (Democrat), Dushore, from April 12, 1950, until December 31, 1951, and until her successor is duly appointed and qualified.

Mrs. Marie Kanally (Republican), Hillsgrove, Sullivan County, to serve until December 31, 1953, and until her successor is duly appointed and qualified. (Reappointment)

Vell C. Holcombe (Republican), Dushore, Sullivan County, to serve until December 31, 1953, and until his successor is duly appointed and qualified. (Reappointment)

JOHN S. FINE.

REPORT FROM COMMITTEE

Mr. CROWE, from the Committee on Mines and Mining reported as committed, Senate Bill No. 456, entitled:

An Act to further amend the act, approved the thirty-first day of May, one thousand nine hundred forty-seven (P. L. 368), entitled "An act to protect consumers in the purchase for fuel purposes of the hard coal known as anthracite; providing for and regulating the sale, offering for sale, resale, delivery and shipment of anthracite according to a standard provided for in this act; requiring producers and dealers and persons engaged in the sale and resale of anthracite, from storage yards or otherwise to consumers, to keep certain records; conferring powers on the Anthracite Committee and its agents, and providing penalties," by defining "Retail Dealer," "Wholesale Dealer," "Municipal Weighmasters," and "Municipality," requiring producers, wholesale dealers and municipal weighmasters to issue certain statements and keep certain records; imposing and changing penalties; providing for the payment of fines for violations to the Commonwealth; and providing for injunctions to restrain violations.

BILL INTRODUCED AND REFERRED

Mr. LETZLER read in his place and presented to the Chair Senate Bill No. 529, entitled:

An Act making an appropriation to the State Public School Building Authority for purposes of establishing a special Construction Fund, and providing for the repayment thereof to the Commonwealth.

Which was committed to the Committee on Appropriations.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 201, on concurrence in House amendments, entitled:

An Act to amend Section 1705 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by authorizing investment of sinking fund moneys in deposits insured by the Federal Deposit Insurance Corporation and in shares of building and loan or Federal savings and loan associations insured by the Federal Savings and Loan Insurance Corporation.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

THIRD READING CALENDAR

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 99, on third reading, entitled:

An Act to improve and extend by reciprocal legislation the enforcement of duties of support and to make uniform the law with respect thereto

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 176, on third reading, entitled:

A Supplement to the act approved the twelfth day of June one thousand nine hundred thirty-one (P. L. 575) entitled "An act providing for joint action by Pennsylvania and New Jersey in the development of the ports on the lower Delaware River and the improvement of the facilities for transportation across the river authorizing the Governor for these purposes to enter into an agreement with New Jersey creating The Delaware River Joint Commission and specifying the powers and duties thereof including the power to finance projects by the issuance of revenue bonds transferring to the new commission all the powers of the Delaware River Bridge Joint Commission and making an appropriation" authorizing the Governor on behalf of the Commonwealth of Pennsylvania to enter into a supplemental compact or agreement with the State of New Jersey amending Article I II IV XI and XII of and adding Article XIII to the compact and agreement between the Commonwealth of Pennsylvania and the State of New Jersey authorized and made pursuant to the act herein supplemented by changing the name of The Delaware River Joint Commission to The Delaware River Port Authority and the method of appointment of commissioners removing the present Pennsylvania members of the commission extending the jurisdiction powers and duties of the Delaware River Port Authority and defining such additional jurisdiction powers and duties to take effect upon the enactment of substantially similar legislation by the State of New Jersey embodying the supplemental agreement between the two States in this act set forth and authorizing the Governor to apply on behalf of the Commonwealth to the Congress of the United States for its consent thereto

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 404, on third reading, entitled:

An Act to add Clause (15) to Section 14 of the act approved the twenty-fourth day of April one thousand nine hundred forty-seven (P. L. 89) entitled "An act relating to the form execution revocation operation and interpretation of wills to nuncupative wills to the appointment of testamentary guardians to elections to take under or

against wills and the procedure in reference thereto" by providing for a rule of construction with respect to cemetery lots owned by a testator or in which he has a right of interment

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 459, on third reading, entitled:

An Act to further amend Section 1101 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by authorizing the payment of bounties for the destruction of rattlesnakes

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 479, on third reading, entitled:

An Act to add subsection (e) to section 501 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by providing for an open season for hunting deer with bows and arrows requiring a special license therefor and fixing fees

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 480, on third reading, entitled:

An Act relating to the discharge of joint and several tortfeasors in certain cases

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 512, on third reading, entitled:

An Act to further amend subsection (b) of Section 4 of and add Section 36.1 to the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by requiring taxing districts to pay the premiums on corporate bonds of the tax collector in townships of the first class and further regulating the fixing of the compensation of elected tax collectors

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 559, as follows:

An Act to further amend section sixteen of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relat-

ing to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by authorizing taxing authorities to add names to the tax assessment lists and tax duplicates

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section sixteen of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" as amended by the act approved the twentieth day of April one thousand nine hundred forty-nine (P. L. 649) is hereby further amended to read as follows

Section 16 Adding Names to Duplicates In case the tax collector or a deputy tax collector shall at any time find within the taxing district any resident or inhabitant above the age of twenty-one years whose name does not appear upon the duplicate of such taxing district he shall report the name of such person forthwith to the assessor who made the assessment used by the taxing district

The assessor shall thereupon promptly certify the said name to the taxing district which made the assessment which shall then promptly certify such name to the tax collector reporting such name If the board of school directors of any school district] taxing authorities of any taxing district shall at any time find within the [school] district any resident or inhabitant above the age of twenty-one years whose name does not appear upon the duplicate of the taxing district it may by resolution determine that the name of such person belongs on the tax assessment list and on the tax duplicate and certify the same to the tax collector with direction to collect the proper taxes from such person for the current year and for the preceding year or the two preceding years if he was liable for such taxes under existing law The [school board] taxing authorities shall at the same time certify such name to the [assessor who made] county board for the assessment and revision of taxes or other authority charged with the duty of making the assessment used by the [school district] taxing district

Upon receiving any name as aforesaid the tax collector shall add the name and assessment of such person to the duplicate of the proper taxing district and proceed to collect the tax or taxes assessed against such person as herein provided

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silver,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

SECOND READING CALENDAR

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 231, on second reading, entitled:

An Act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 235, entitled:

An Act to further amend Section 814 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicle and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by allowing motor vehicles to be equipped with certain warning apparatus approved by the secretary.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 296, on second reading, entitled:

An Act to further amend the act approved the nineteenth day of June one thousand nine hundred thirty-one (P. L. 589) entitled as amended "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein regulating compensation for service rendered conferring cer-

tain powers and duties on the Department of Public Instruction and providing penalties" by changing the provisions as to fees charged apprentices and students and as to the powers of municipalities and transferring the administration of several provisions of this act to the State Board of Barber Examiners.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 297, on second reading, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the organization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by creating the State Board of Barber Examiners as a departmental administrative board in the Department of Public Instruction.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 324, entitled:

An Act to further amend Section 102 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by defining "monotrailer" and extending to apply to monotrailers the provisions of said act applicable to trailers.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 380, on second reading, entitled:

An Act to amend the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" by giving municipal claims equal priority with taxes in the distribution of certain moneys recovered under the provisions of said act.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 387, on second reading, entitled:

An Act to amend Section 404 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing for additional clerks of election in election districts having more than twelve hundred qualified electors.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 453, entitled:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-

one (P. L. 594) entitled "An act establishing certain townships roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation carry out the provisions of said act" by changing or deleting certain routes in Westmoreland County

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 458, on second reading, entitled:

An Act to amend Section 5 and to add Section 5.1 to the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by requiring certain bonds issued for certain purposes to be offered for sale at open and competitive bidding in certain cases

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 464, entitled:

An Act to add Section 17.1 to the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" by regulating the amendment of articles of incorporation and providing for fees

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 490, on second reading, entitled:

An Act to further amend section two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 216) entitled "An act relating to dentistry defining and providing for the licensing and registration of dentists and dental hygienists and for the revocation and suspension of such licenses and registrations subject to appeal and for their reinstatement defining the powers and duties of the State Dental Council and Examining Board and the Department of Public Instruction providing penalties and repealing existing laws" by further defining the term "Practice of Dentistry"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 510, entitled:

An Act to amend Section 4 of the act approved the tenth day of April one thousand nine hundred thirty-one (P. L. 23) entitled as amended "An act providing for the acceptance by the Commonwealth of a gift of lands from the American Petroleum Institute located on the left bank of Oil Creek in Oil Creek Township or Cherry Tree Township or both Venango County to establish and maintain a public museum and park as the Drake Well Memorial under the control and supervision of the Pennsylvania Historical Commission in cooperation with the Department of Forests and Waters and an advisory board to be appointed by the American Petroleum Institute prescribing the powers and duties of the Commission relative to said memorial authorizing the employment of certain assistants and employes and for the payment of their salaries empowering the Department of Property and Supplies to acquire additional lands for such Memorial Park without cost to the Commonwealth and making an appropriation" by further providing for the acceptance of gifts of money and securities by the Drake Well Memorial Advisory Board

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 516, entitled:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-seven (P. L. 1987) entitled as amended "An act to preserve and improve the purity of the waters of the Commonwealth for the protection of public health animal and aquatic life and for industrial consumption and recreation empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution providing protection of water supply providing for the jurisdiction of courts in the enforcement thereof requiring the approval of the Attorney General for prosecutions thereunder providing additional remedies for abating pollution of waters imposing certain penalties and repealing certain acts authorizing the acquisition by purchase or condemnation or otherwise of easements and rights of ways

the acquisition or construction of pipes conduits drains or tunnels by the Sanitary Water Board and providing for payment of the costs thereof by the Commonwealth authorizing the Sanitary Board to establish standards of purity and to determine the time for compliance with certain provisions of the act in certain cases and making it unlawful to open reopen or continue operation of any coal mine or to change any approved drainage or disposal plan without prior approval by the Sanitary Water Board" by increasing maximum time after notice for discontinuance of discharge or treatment of sewage or discharge of industrial waste

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 538, on second reading, entitled:

An Act to amend section one thousand one hundred fifty-four of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the payment of salaries of professional and temporary professional employes in cases of sickness or death

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 788, entitled:

An Act providing for the construction and equipping of the Pennsylvania Institution for Mental Defectives providing for the acquisition of land providing for the care maintenance and control of inmates imposing duties and conferring powers on the Department of Welfare and the Department of Property and Supplies

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

SENATE BILL No. 357 CALLED UP FROM POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up from the Second Reading Postponed Calendar Senate Bill No. 357 for consideration at this time.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 357, entitled:

An Act to reenact, revise and amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto."

The first, second, third, fourth, fifth, sixth, seventh, eighth and ninth sections were read and agreed to.

The tenth section was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendments:

Amend Sec. 10.1 (Sec. 1016), page 79, line 10, by inserting a bracket before the word "elected"; amend Sec. 10.1 (Sec. 1016), page 79, line 11, by inserting after the word "made" the following: "[taking office at least six months after the passage of the ordinance providing for such change"; amend Sec. 10.4 (Sec. 1057), page 91, line 17, by inserting a bracket before the word "for" where it appears the second time in said line; amend Sec. 10.4 (Sec. 1057), page 91, line 18, by inserting after the word "passage" the following: "[before thirty days after it has been filed with the Public Utility Commission."

They were agreed to.

The section was agreed to as amended.

The eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth and seventeenth sections were read and agreed to

The eighteenth section was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendment:

Amend Sec. 18 (Sec. 1809), page 137, line 3, by inserting after the word "thereof" the following: "which shall be not later than the thirty-first day of December of such year."

They were agreed to.

The section was agreed to as amended.

The nineteenth section was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendments:

Amend Sec. 19 (Sec. 1901), page 146, line 20, by striking out the bracket before the word "three" and after the word times"; amend Sec. 19 (Sec. 1901), page 146, line 20, by striking out the word "twice"; amend Sec. 19 (Sec. 1902), page 150, lines 18, 19 and 20, by striking out all of said lines; amend Sec. 19 (Sec. 1902), page 151, lines 1 to 19, inclusive, by striking out all of said lines; amend Sec. 19 (Sec. 1902), page 152, lines 1 to 8, inclusive, by striking out all of said lines, and inserting in lieu thereof:

Section 1902. Evasion of Advertising Requirements.—No member or members of council shall evade the provisions of the preceding section as to advertising for bids by purchasing, or contracting for services and personal properties piecemeal for the purpose of obtaining prices under seven hundred and fifty dollars upon transactions, which should, in the exercise of reasonable discretion and prudence, be conducted as one transaction amounting to more than seven hundred and fifty dollars. This provision is intended to make unlawful the practice of evading advertising requirements by making a series of purchases or contracts, each for less than the advertising requirement price, or by making several simultaneous purchases or contracts, each below said price, when, in either case, the transactions involved should have been made as one transaction for one price. Any members of council who so vote in violation of this provisions, and who know that the transaction upon which they so vote is or ought to be a part of a larger transaction, and that it is being divided in order to evade the requirements as to advertising for bids, shall be jointly and severally subject to surcharge for ten per centum of the full amount

of the contract or purchase. Wherever it shall appear that a member of council may have voted in violation of this section, but the purchase or contract on which he so voted was not approved by council, this section shall be inapplicable.

Amend Sec. 19.1 (Sec. 1903), page 152, lines 15, 16 and 17, by striking out the words "for not less" in line 15, all of line 16 and the word "dollars" in line 17, and inserting in lieu thereof: "other than the kinds mentioned in clauses (1) to (5) inclusive of section one thousand nine hundred one of this act, from twenty-five dollars to seven hundred and fifty dollars inclusive: amend Sec. 19.1 (Sec. 1904), page 153, lines 13 to 19, inclusive, by striking out all of said lines; amend Sec. 19.1 (Sec. 1904), page 154, lines 1 to 8, inclusive, by striking out all of said lines, and inserting in lieu thereof:

Section 1904. Reference of Expenditures for Approval by Council.—Any expenditures or transactions, exclusive of compensation paid to city employees, in any department, office or bureau of the city which may reasonably seem likely to exceed the sum of five hundred dollars over a period of sixty days, shall not be undertaken or proceeded upon except after reference thereof to council, and approval by council by ordinance or resolution. Council may approve, revise, or refuse to approve, any such referred expenditure or transaction. No official agent or employee of the city shall knowingly violate the provisions of this section, and any person so violating shall forfeit and pay to the use of the city a penalty of one hundred dollars for each offense.

Amend Sec. 19.2 (Sec. 1909), page 158, line 19, by inserting after the word "Work" the following: "Elevators and Moving Stairs"; amend Sec. 19.2 (Sec. 1909), page 159, lines 3, 4 and 5, by striking out the word "separate" in line 3, all of line 4, and the words "in addition to the specifications which he draws" in line 5, and inserting in lieu thereof the following: "only the following separate specifications: [for the] (1) plumbing, (2) heating, (3) ventilating, [and] (4) electrical work, (5) elevators and moving stairs and (6) one complete set of specifications";

Amend Sec. 19.2 (Sec. 1909), page 159, lines 12 to 15, by striking out all of lines 12, 13, 14 and the words "rather than as several branches" in line 15, and inserting in lieu thereof: "and electrical work and elevators and moving stairs. Where it is desired to install an air conditioning unit, the heating and ventilating so involved may be regarded as one branch of work, having only one set of specifications."

They were agreed to.

The section was agreed to as amended.

The twentieth section was read and agreed to.

The twenty-first section was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendments:

Amend Sec. 21 (Sec. 2104), page 177, lines 17 and 18, by striking out the word "have all the investigative powers conferred upon the mayor and alderman of the city" and inserting in lieu thereof: "request the mayor or any alderman of the city to investigate"; amend Sec. 21 (Sec. 2104), page 178, line 1, by striking out the words "sections one and two" and inserting in lieu thereof: "the origin of any fire he deems suspicious."

They were agreed to.

The section was agreed to as amended.

The twenty-second and twenty-third sections were read and agreed to.

The twenty-fourth section was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendment:

Amend Sec. 24.1 (Sec. 2403), page 214, line 10, by striking out "[Gaming Prosecution]" and inserting in lieu thereof: "Gaming, Prosecution] Gaming, Prostitution."

They were agreed to.

The section was agreed to as amended.

The twenty-fifth section was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendments:

Amend Sec. 25 (Sec. 2504), page 233, line 2, by inserting after the word "improvements" the following:

At the triennial assessment, the assessor shall, if council so directs by ordinance, classify all real estate in the city in such manner and upon such testimony as may be adduced before him so as to distinguish between the buildings on land and the land exclusive of the buildings and he shall certify to the council the aggregate valuation of all real estate, subject to taxation for city purposes within each such classification.

Amend Section. 25.1 (Sec. 2531), page 245, by inserting between lines 14 and 15, the following:

4. The council of any city, may by ordinance in any year, levy separate and different rates of taxation, for city purposes on all real estate classified as land, exclusive of the buildings thereon, and on all real estate classified as buildings on land. When real estate tax rates are so levied, they shall be uniform as to all real estate within each such classification, and such rates shall be determined by the requirements of the city budget as approved by council.

They were agreed to.

The section was agreed to as amended.

The twenty-sixth section was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendments:

Amend Sec. 26 (Sec. 2601), page 259, line 12, by striking out the bracket before the word "not" and after the word "each"; amend Sec. 26 (Sec. 2601), page 259, line 14, by striking out the word "loan companies"; amend Sec. 26 (Sec. 2601), page 259, line 20, by striking out the words "and devices"; amend Sec. 26 (Sec. 2601), page 259, line 20, by inserting a bracket before the word "drays"; amend Sec. 26 (Sec. 2601), page 260, line 2, by inserting after the word "pay" the following: "] and devices; all motor buses and motor omnibuses trackless trolley omnibuses and street railway cars transporting passengers for pay or hire within the limits of the city, or from such city only to points within a radius of ten miles of the city's boundaries"; amend Sec. 26 (Sec. 2601), page 260, line 9, by inserting after the word "agencies" the following: "and all persons operating vehicles upon the streets of the city as carriers for hire or compensation, which persons regularly pick up or deliver, or otherwise transport, wholly within or to or from the city property, at an annual rate not in excess of ten dollars per vehicle so used, but not to exceed one hundred dollars per annum for any person so operating: Provided, however, That in lieu thereof the city may levy an annual license tax not in excess of one hundred dollars upon any such person having a place of business located within the city; amend Sec. 26 (Sec. 2602), page 261, line 5, by inserting

a bracket before the word "Licensing"; amend Sec. 26 (Sec. 2602), page 261, line 5, by inserting after the word "Licensing" the following: "] Regulation."

They were agreed to.

The section was agreed to as amended.

The twenty-seventh, twenty-eighth, twenty-ninth, thirtieth, thirty-first, thirty-second, thirty-third, thirty-fourth, thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, fortieth and forty-first sections were read and agreed to.

The forty-second section was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendment:

Amend Sec. 42 (Sec. 4203), page 444, lines 14 and 15 by striking out the words "with the consent of the Pennsylvania Aeronautics Commission."

They were agreed to.

The section was agreed to as amended.

The forty-third section was read and agreed to.

The forty-fourth section was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendments:

Amend Sec. 44 (Sec. 4401), page 462, line 7, by striking out "or electrical department" and inserting in lieu thereof "department or electrical department, except as otherwise provided by law"; amend Sec. 44 (Sec. 4401), page 462, line 8 by inserting a bracket before the word "or"; amend Sec. 44 (Sec. 4401), page 462, line 9, by inserting a bracket after the word "departments"; amend Sec. 44 (Sec. 4402), page 462, line 17 by inserting after the word "applicants" the following: "for appointment ["; amend Sec. 44 (Sec. 4402) page 462, lines 18 by inserting after the word "or" the following: "] as"; amend Sec. 44, (Sec. 4402), page 463, line 3, by inserting after the word "departments" the following: "except as otherwise provided for by law"; amend Sec. 44 (Sec. 4405) page 465, line 8, by inserting after the word "examinations" the following: "When the examination"; amend Sec. 4405), page 465, line 11, by striking out the word "points" and inserting in lieu thereof: "per centum"; amend Sec. 44 (Sec. 4408), page 469, line 9, by inserting a bracket before the word "by" and after the word "Policemen"; amend Sec. 44 (Sec. 4408), page 470, line 9, by inserting a bracket before the word "policeman"; amend sec. 44 (Sec. 4408), page 470, line 9, by inserting after the word "policeman" the following: "] civil service employe"; amend Sec. 44 (Sec. 4408), page 470, line 14, by inserting a bracket before the word "the" where it appears the second time in said line; amend Sec. 44 (Sec. 4408), page 470, line 14, by inserting after the word "policeman" the following: "] him"; amend Sec. 44 (Sec. 4408), page 470, line 17, by inserting a bracket before the word "policeman"; amend Sec. 44, (Sec. 4408), page 470, line 17, by inserting after the word "policeman" the following: "] such employe"; amend Sec. 44 (Sec. 4408), page 470, line 18, by inserting a bracket before the word "the" amend Sec. 44 (Sec. 4408), page 470, line 18, by inserting after the word "policeman" the following: "] he."

They were agreed to.

The section was agreed to as amended.

The forty-fifth and forty-sixth sections were read and agreed to.

The forty-seventh section was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendments:

Amend Sec. 47.1 (Sec. 4701), page 479, by inserting between lines 15 and 16, the following:

Section seven hundred twenty-three of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and the miscellaneous receipts; making an appropriation and providing for refunds," in so far as inconsistent with the provisions of this act.

Amend Sec. 47.1 (Sec. 4701), page 482, line 17, by inserting after the word "approved" the following: "the thirty-first day of May, one thousand nine hundred thirty-three (P. L. 1108); or any of the provisions of the act approved"; amend Sec. 47.1 (Sec. 4701), page 483, line 1, by inserting after the figures "2803" the following: "or any of the provisions of the act, approved the twenty-third day of May, one thousand nine hundred forty-five (P. L. 903)."

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. STEVENSON. Mr. President, I ask unanimous consent that Senate Bill No. 357, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

REPORT FROM COMMITTEE

Mr. PROPERT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PROPERT, from the Committee on Local Government, reported as committed, Senate Bill No. 379, entitled:

An Act to add section 4.1 to the act, approved the twentieth day of July, one thousand nine hundred seventeen (P. L. 1143) entitled "An act relating to free, public,

nonsectarian libraries and branch libraries within this Commonwealth; providing for their establishment, maintenance, and regulation, and for the maintenance and regulation of such free, public, nonsectarian libraries as may have been already established by the several counties, cities, boroughs, towns, and townships; and providing that all library property, and all gifts, devises, grants, or endowments for library purposes, shall be exempt from taxation; and providing that the several counties, cities, boroughs, towns, and townships may levy taxes, condemn private property, and borrow money for library purposes; and imposing penalties for injuring library property and for violations of library regulations; and repealing existing laws in relation to the above subjects," by further regulating county libraries, permitting cities, boroughs, towns and townships to withdraw from county library districts and payment of county library tax.

BILLS INTRODUCED AND REFERRED

Mr. STEVENSON. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STEVENSON, read in place and presented to the Chair Senate Bill No. 530, entitled:

An Act to establish as a State Highway a section of public road in the county of Clinton.

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair Senate Bill No. 531, entitled:

An Act to amend the last paragraph of subsection E of section 1 of the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 1145), entitled "An act empowering cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, townships of the first class, school districts of the second class, school districts of the third class and school districts of the fourth class to levy, assess, and collect or to provide for the levying, assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court," by providing an effective date for tax levies on persons, subjects, businesses, transactions or privileges, within two or more political subdivisions, when another such political subdivisions, has previously levied such tax.

Which was committed to the Committee on Local Government.

BILLS ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. PROPERT. Mr. President, I second the motion. The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 379, entitled:

An Act to add Section 4.1 to the act, approved the twentieth day of July, one thousand nine hundred seventeen (P. L. 1143) entitled "An act relating to free, public, nonsectarian libraries and branch libraries within this Commonwealth; providing for their establishment, maintenance, and regulation, and for the maintenance and regu-

lation of such free, public, nonsectarian libraries as may have been already established by the several counties, cities, boroughs, towns, and townships; and providing that all library property, and all gifts, devises, grants, or endowments for library purposes, shall be exempt from taxation; and providing that the several counties, cities, boroughs, towns, and townships may levy taxes, condemn private property, and borrow money for library purposes; and imposing penalties for injuring library property and for violations of library regulations; and repealing existing laws in relation to the above subject," by further towns and townships to withdraw from county library districts and payment of county library tax.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 456, entitled:

An Act to further amend the act, approved the thirty-first day of May, one thousand nine hundred forty-seven (P. L. 368), entitled "An act to protect consumers in the purchase for fuel purposes of the hard coal known as anthracite; providing for and regulating the sale, offering for sale, resale, delivery and shipment of anthracite according to a standard provided for in this act; requiring producers and dealers and persons engaged in the sale and resale of anthracite, from storage yards or otherwise to consumers, to keep certain records; conferring powers on the Anthracite Committee and its agents, and providing penalties," by defining "Retail Dealer," "Wholesale Dealer," "Municipal Weighmaster," and "Municipality," requiring producers, wholesale dealers and municipal weighmasters to issue certain statements and keep certain records; imposing and changing penalties; providing for the payment of fine for violations to the Commonwealth; and providing for injunctions to restrain violations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

STATEMENT BY MAJORITY FLOOR LEADER

Mr. WALKER. Mr. President, I am advised by the ranking Minority Member of the Appropriations Committee that the meeting tonight will deal with the appropriation for the Department of Public Assistance. That is the meeting of the Committee that is scheduled for eight o'clock tonight.

Mr. President, at the expense of incurring the wrath of the Chairman of the Committee on Judiciary General, may I suggest that we change the meeting of the Judiciary General Committee from 11:00 a. m. to 10:00 a. m. on Tuesday, because we are desirous of having the Tuesday Session start at eleven o'clock in the morning in order to give the thespians attached to the Correspondents Association the opportunity of discharging their professional responsibilities and being available for the dinner. We would like to start at eleven o'clock on Tuesday, and that is why I am suggesting J. G. on Tuesday at ten instead of eleven.

INTERROGATION

Mr. HALUSKA. Mr. President, I would like to interrogate the gentleman from Allegheny, Senator Walker.

The PRESIDENT. Will the gentleman from Allegheny, Mr. Walker, permit himself to be interrogated?

Mr. WALKER. I will, Mr. President.

Mr. HALUSKA. Mr. President, will the gentleman tell us why the Appropriations Committee must meet tonight at eight o'clock since we spent the entire day waiting for the Session and practically every bill has gone over in order? We have not done a thing this morning, and now if we wish to attend that meeting, we must stay here until eight o'clock tonight. I would like to know why we must wait that long for that Committee Meeting.

Mr. WALKER. Mr. President, I want to say to the gentleman from Cambria that the first I knew about it was when I heard it read from the desk, and I was just advised by the gentleman from Philadelphia, Doctor Stiefel, as to the purport of the meeting this evening. Might I yield to the gentleman from Philadelphia, Doctor Stiefel?? Perhaps he can answer the interrogatory of the Senator.

Mr. HALUSKA. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Stiefel.

Thre PRESIDENT. Will the gentleman from Philadelphia, Mr. Stiefel, permit himself to be interrogated?

Mr. STIEFEL. I will, Mr. President.

Mr. HALUSKA. Doctor Stiefel, I would like to ask you, since you have been appointed the spokesman in this case, as to why the meeting is going to be held of the Appropriations Committee at eight o'clock this evening? Why it could not be held this morning, or afternoon or during the day?

Mr. STIEFEL. Mr. President, at the time the schedule was prepared, the assumption was that the Session would last until Thursday, including Thursday, and this is the reason why. The list has been prepared weeks ago, and the hearing was assigned for a time when there would be ample opportunity to delve into the various aspects of the problem, and we did not know the Session would adjourn today.

Mr. HALUSKA. Mr. President, is it not possible to change that meeting to this afternoon?

Mr. STIEFEL. Mr. President, I am only a Minority Member. It is not up to me to change it. The schedule was prepared weeks ago, and it is a very crowded schedule.

Mr. HALUSKA. Senator Stiefel, I am under the impression by the remarks made by the gentleman from Allegheny that you are not a Minority Member, that you more or less dominate that Committee.

Mr. STIEFEL. Mr. President, as I say, I am only one of those members who is present when I am supposed to be present.

Mr. HALUSKA. Mr. President, will the gentleman from Philadelphia, Senator Stiefel, give me an answer to the question as to whether he is or he is not an important member of that Committee?

Mr. WALKER. Mr. President, in my opinion he is the most important member of that Committee from the Minority side. Now, let them make something out of that.

Mr. HALUSKA. Is that right, Senator Stiefel?

Mr. STIEFEL. Mr. President, back in 1941 a similar question was advanced and I answered it this way; that the essence of democracy is not that everybody is to be present, but whoever wants to be present has an opportunity to do so.

The PRESIDENT. Well, the Chair interprets that to

mean if a man wants to be important, it is up to him as a personal matter.

Mr. STIEFEL. Mr. President, another thing, it is a known fact that a successful attorney wins his case by preparing it in his office, you see, and when it is well prepared and it is well balanced, there is no difficulty winning it. Now, in order to be an important person you have to persist in your work and be there always on time.

The PRESIDENT. Does that satisfy the Senator from Cambria?

Mr. HALUSKA. Mr. President, I do not care to be important. I would like to do my duty. As you know, I am interested in this Department of Public Assistance, but I see no good reason to hold me over or any other Senator. If we were in Session all day, taking care of our duties here, then I would have no objection and I would wait until eight o'clock tonight, but I protest this system. I do not know who set it up. We have been here since nine o'clock this morning. We have done nothing. We are about to adjourn, and now I am told that I must stay here until eight o'clock if I care to be important. As I am interested in that Committee, I would like to be there, but I am not staying until eight o'clock tonight, and in the future I want to serve notice that I am going to more than talk modestly on such a procedure.

Mr. STIEFEL. Mr. President, I do not hold any brief for the Committee on Appropriations, but I repeat again that at the time when the schedule was prepared weeks ago, the assumption was that the Session would be until Thursday, including Thursday, and this is the reason why the leadership of the two Committees wanted to utilize the evening so as to give ample time to everybody to be present and delve into all the aspects of this rather painful proposition.

Now, Mr. President, the reason why eight o'clock was chosen is because that gives them the entire evening, without pressure of other work, to do a good job. Meantime, the Session adjourns. As to whether or not it can be changed, that is not up to me. That is up to the majority of the members.

Mr. HALUSKA. Mr. President, I notice by our Calendar that we have meetings every morning from eight o'clock on, Penn State this morning, the University of Pittsburgh and others that are local, and the gentleman from Philadelphia, if he has any influence, could have exercised that influence by having this Committee meet throughout the day. This is State-wide; these colleges are local and it is easy to attend those meetings at any time if you have a special interest. The Department of Public Assistance deals with the entire Commonwealth, and I see no reason why that should be set aside until eight o'clock tonight when the Calendar shows there were three or four meetings this morning dealing with certain colleges and universities. There must be something back of it. I am not going to be there.

Mr. STIEFEL. Mr. President, it seems that the position of the Majority Leader in the Senate is of great importance because whatever he says spreads throughout the entire Commonwealth. For instance, I was busy yesterday at a polling place in Philadelphia, and yet I heard that his expression "pragmatism" spread through-

out the entire State, and there will be additional sales of dictionaries to find out the meaning of the word "pragmatism."

Now, Mr. President, last week just jokingly he ascribed to me powers which I do not possess. I am just a small cog in a big machine. I have no influence whatsoever and I am only a member of the Minority. So, therefore, I do not dictate any policies of the Committee. I am only attending there on time. That is all there is to it. So, please, I hope you will sheer me of the powers, and do not attach to me any super-human qualities.

POINT OF INFORMATION

Mr. DENT. Mr. President, I rise to a point of information.

The PRESIDENT. The gentleman from Westmoreland, Mr. Dent, will state his point of information.

Mr. DENT. Mr. President, is the meeting on or off tonight?

The PRESIDENT. The Chair would infer that since the Secretary announced that the meeting would be held tonight, that it is on.

Mr. DENT. Thank you, Mr. President.

Now, Mr. President, I have other commitments, looking forward to being home tonight, and I will not be at that meeting on Public Assistance. I want it clearly understood that there are some very serious questions that should be asked of the Department of Public Assistance, and I would like to ask those questions. I do not think that it is a fair procedure to ask the Members of this Senate to stay over when it is not essential that we do so. If we are working upon the Calendar, we plan our days and our weeks accordingly. We are here now four days and three days a week, working on a rather slim calendar, and we are trying to proceed in an orderly fashion with winding this Session of the Legislature up and going home. However, I do not think this meeting tonight is entirely a fair proposition in the face of the little known fact to the people of Pennsylvania that our salaries here are somewhere thirty-five per cent less than the janitors, and all of us, I believe, have to go home and try to earn a living in conjunction with the meager earnings that we have here. I have prepared to go home tonight, and I will go home and I will ask the questions that I am going to ask the Department of Public Assistance at a later meeting, if they will hold it, and if not, upon the floor of the Senate.

Mr. HOLLAND. Mr. President, I suggest that the Chair send out and get the Chairman of the Appropriations Committee, and see if he cannot make a change in this hearing tonight. I, too, have a commitment that I must be in Pittsburgh tonight, and I would like to attend the Department of Assistance hearings, and I kindly suggest that the President send out for the Chairman of the Committee and see if he cannot arrange to have it on another day more suitable to those who are interested in the meeting, so that those who are trying to do a job can do their job.

Mr. WALKER. Mr. President, will the gentleman from Allegheny yield for a moment?

Mr. HOLLAND. I will, Mr. President.

Mr. WALKER. Mr. President, anticipating his suggestion and desiring to render to the Minority that high

degree of service of which we are so capable, the Chairman of the Appropriations Committee has already been invited to return to his seat of dignity and honor here in the chamber, at which time the interrogatory may be addressed to him personally.

May I say, Mr. President, while I have the floor, that Doctor Stiefel's modesty is only surpassed by his tremendous ability to accomplish the most good for the greatest number of people in this great Commonwealth, and his contribution to the success of the Appropriations Committee is recognized by all of his colleagues here on the floor, and he is not going to remove one star from his crown by this display of modesty.

The PRESIDENT. The Chair would like to interrogate the Majority Floor Leader and the Minority Floor Leader. How long is this going to continue? The Board of Pardons is in session, and I just left to come down to preside, thinking we might get out of here by one o'clock. Now, I will have to ask someone to take my place if I am going to be tied up much longer.

Mr. WALKER. Mr. President, under the Constitution you have that privilege. That privilege is denied us.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

STATEMENT BY MAJORITY FLOOR LEADER

Mr. WALKER. Mr. President, for the information of the Chair, we are sort of resting on our oars for the moment while we are awaiting the arrival of the distinguished gentleman from Warren, Senator Chapman. There is an interrogatory that we would like have placed before him.

(The Senate was at ease)

Mr. WALKER. Mr. President, can we reconvene the Senate? Three gentlemen from Warren is here.

STATEMENT BY CHAIRMAN OF COMMITTEE ON APPROPRIATIONS

Mr. CHAPMAN. Mr. President, relative to the meeting with the Senate Appropriations Committee this evening, that is a joint meeting with the House and with the Senate, and on account of the tax bill being passed, probably, in the House this afternoon, we had to hold it this evening at eight o'clock. That is the reason for holding it at that time.

Mr. HALUSKA. Mr. President, may I interrogate the gentleman from Warren, Senator Chapman?

The PRESIDENT pro tempore. Will the gentleman from Warren, Mr. Chapman, permit himself to be interrogated?

Mr. CHAPMAN. I will, Mr. President.

Mr. HALUSKA. Doctor Chapman, a number of our boys have gone home. We have had a very light morning, and we have made plans to go home and we think it is very unfair to hold the meeting on this public assistance tonight. It is a State-wide issue. We have heard many debates upon the floor of this Senate about it, and a number of us wish to ask many questions and we think the meeting should be changed until, say, next Monday or Tuesday afternoon or morning, or this afternoon, but to keep us here tonight when most of our men have gone home I think it very unfair.

Mr. CHAPMAN. Mr. President, perhaps it is a misnomer to say that we are only having a hearing with the Appropriations Committee, and I assure that the Senate that no business or bills will be discussed at this time.

Mr. HALUSKA. Well, Doctor Chapman, will we have the opportunity to question these members of the Department of Public Assistance? We would like to ask a number of questions dealing with the appropriation, with the huge pay roll, and if you have a hearing tonight in our absence we will be denied that opportunity. Will we have the opportunity of asking the questions again?

Mr. CHAPMAN. Mr. President, Perhaps, if you want to ask any questions relative to the Department of Public Assistance, you will not have an opportunity if you are not there tonight, but I could adjourn it if the Senate so wishes.

Mr. HALUSKA. Well, Doctor Chapman, speaking for the Minority side, I would like to ask you to kindly postpone that meeting until some suitable date next week. I will appreciate it.

Mr. CHAPMAN. Mr. President, I will be very glad to postpone the meeting.

Mr. HALUSKA. Thank you.

ANNOUNCEMENT BY THE SECRETARY

The SECRETARY. The meeting of the Appropriations Committee, scheduled for eight o'clock tonight, is postponed.

ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Monday, April 23, 1951, at 3:00 o'clock, p. m., Eastern Standard Time.

Mr. SCARLETT. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 1:02 o'clock, p. m., Eastern Standard Time, until Monday, April 23, 1951, at 3:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, April 18, 1951.

The House met at 1:00 p. m.

The SPEAKER (Herbert P. Sorg) in the Chair.

PRAYER

The Chaplain, Reverend William Hugh Fryer, offered the following prayer:

Almighty God, we pray Thee to guide by Thy Holy Spirit the Assembly of the state of Pennsylvania. Give to them a right judgment in all things, and the will to seek not only the welfare of their own people, but the greater good of the security, and peace and unity of all mankind, that so Thy kingdom may be advanced in the earth; through Jesus Christ our Lord. Amen.

JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Tuesday, April 17, 1951? If not, and without objection, the Journal is approved.

BILLS INTRODUCED AND REFERRED

By Mr. PETROSKY.

HOUSE BILL No. 1034.

An Act to further amend subsection (d) of Section 11 of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 955), entitled, as amended "An act to promote public health, safety, morals, and welfare by declaring the necessity of creating public bodies, corporate and politic, to be known as housing authorities to engage in slum clearance, and to undertake projects, to provide dwelling accommodations for persons of low income; providing for the organization of such housing authorities; defining their powers and duties; providing for the exercise of such powers, including the acquisition of property by purchase, gift or eminent domain, the renting and selling of property, and including borrowing money, issuing bonds, and other obligations, and giving security therefor; prescribing the remedies of obligees of housing authorities; authorizing housing authorities to enter into agreements, including agreements with the United States, the Commonwealth, and political subdivisions and municipalities thereof; defining the application of zoning, sanitary, and building laws and regulations to projects built or maintained by such housing authorities; exempting the property and securities of such housing authorities from taxation; and imposing duties and conferring powers upon the State Planning Board, and certain other State officers and departments," by making stipulations as to minimum wages and maximum hours of labor mandatory in contracts of the Authority.

Referred to the Committee on State Government.

By Mr. HEADLEE.

HOUSE BILL No. 1035.

An Act to amend subsection (d) of Section 501 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors; burgesses, magistrates,

aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by providing for the issuance of registration plates at such times as to permit their use for a five year period.

Referred to the Committee on Motor Vehicles.

By Mr. DUNN.

HOUSE BILL No. 1036.

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims, registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by providing for the issuance of one registration plate and repealing inconsistent laws.

Referred to the Committee on Motor Vehicles.

By Messrs. CLENDENING AND ROBERTSON.

HOUSE BILL No. 1037.

An Act providing for the merger of certain existing railroad corporations into street passenger railway corporations setting forth the procedure to be followed; the effect of the merger upon property and franchises; and defining the rights, powers and privileges of the surviving company.

Referred to the Committee on Railroads and Railways.

By Messrs. WILLIAM C. LEONARD and ROBERTSON.

HOUSE BILL No. 1038.

An Act regulating the sale and use of air and spring guns; providing for the licensing of those defined as dealers in air guns; conferring powers and imposing duties on the Commissioner of the State Police, certain courts, chiefs of police of cities and sheriffs; and prescribing penalties.

Referred to the Committee on Law and Order.

By Mr. WACHHAUS.

HOUSE BILL No. 1039.

An Act to amend sections 401 and 406 of the act, approved the twelfth day of April, one thousand nine hundred fifty-one (P. L. 21), entitled "An act regulating to alcoholic liquors, alcohol and malt and brewed beverages, amending, revising, consolidating and changing the laws relating thereto, regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding

in storage, traffic in, and use of alcoholic liquors, alcohol and malt and brewed beverages, and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and incertain cases for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option and repealing existing laws," by permitting certain sales of liquor for consumption off the premises.

Referred to the Committee on Liquor Control.

By Messrs. MAZZA and POLEN. HOUSE BILL No. 1040.

An Act authorizing the Secretary of Property and Supplies to sell and convey a tract of land situate in the Township of Cecil, Washington County, Pennsylvania; providing for reversion to the Commonwealth.

Referred to the Committee on State Government.

By Mr. SCOTT. HOUSE BILL No. 1041.

An Act to further amend the act approved the twenty-seventh day of June one thousand nine hundred forty-seven (P. L. 1095) entitled "Anthracite Strip Mining Law" by amending section twelve.

Referred to the Committee on Mines and Mining.

By Messrs. POLEN and MAZZA.
HOUSE BILL No. 1042.

An Act to amend subsection (h) of section 2 of the act, approved the eighteenth day of May, one thousand nine hundred thirty-seven (P. L. 654), entitled "An act to provide for the safety and to protect the health and morals of persons while employed; prescribing certain regulations and restrictions concerning places where persons are employes, and the equipment, apparatus, devices and machinery used therein; prescribing certain powers and duties of the Department of Labor and Industry relative to the enforcement of this act; and fixing penalties," by providing further health and safety requirements.

Referred to the Committee on Labor Relations.

By Mr. TOOMEY. HOUSE BILL No. 1043.

An Act to further amend section 1026 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by limiting the eligibility of candidates for county superintendent of schools.

Referred to the Committee on Education.

By Messrs. HARRY W. PRICE and TOMPKINS.
HOUSE BILL No. 1044.

An Act to amend Section 1178 of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by excepting the positions of chief or assistant chief of the fire department or equivalent from civil service provisions, providing for reinstatement of such persons to former positions as paid operators of fire apparatus.

Referred to the Committee on Boroughs.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 119.

An Act regulating the suspension removal furloughs and reinstatement of police officers in boroughs and townships of the first class having police forces of less than three members and in townships of the second class.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 126.

An Act to amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried, by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further regulating insurance companies associations and inter-insurance exchanges and their powers investments policy provisions joint policies premium tax returns the licensing of foreign companies and repealing existing law.

Referred to the Committee on Insurance.

SENATE BILL No. 172.

An Act to amend the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) entitled "An act relating to the practice procedure regulations and adjudications of departments departmental administrative boards and commissions independent administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof and preserving equitable jurisdiction in certain cases" by redefining "regulation" changing provisions governing promulgation of regulations imposing duties on the Department of State providing for judicial review of regulations requiring all appeals to be taken to the Superior Court and enumerating the agencies effected and the extent to which they are affected.

Referred to the Committee on Judiciary.

SENATE BILL No. 306.

An Act to further amend section 1 and to amend section 5 of the act approved the twentieth day of May one thousand nine hundred thirty-seven (P. L. 728) entitled "An act providing for the creation of a Board of Arbitration of Claims arising from contracts with the Commonwealth providing for and regulating the procedure in prosecuting claims before such board defining the powers of the board and fixing the compensation of members and employes thereof providing that the awards of such board shall be final providing for the payment of awards and authorizing an appropriation" by increasing per diem wage of members of the board allowing such members maintenance and traveling expenses permitting hearings at such places within the Commonwealth as the board shall determine.

Referred to the Committee on State Government.

SENATE BILL No. 329.

An Act to amend Section 3 of the act approved the twenty-eighth day of May one thousand nine hundred thirty-one (P. L. 202) entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream artificial or natural body of water or non-tidal waters of any river within the Commonwealth conferring powers and imposing duties on certain police officers and the Board of Fish Commissioners including the enforcement of certain existing laws and prescribing penalties" by directing the Department of Revenue to authorize local agents which may be county officers to issue motor boat licenses.

Referred to the Committee on State Government.

SENATE BILL No. 425.

An Act to further amend section four hundred eleven of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An Act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing the shooting restrictions on regulated shooting grounds.

Referred to the Committee on Game and Forestry.

SENATE BILL No. 426.

An Act to amend section seven hundred twenty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing the period for retriever trials.

Referred to the Committee on Game and Forestry.

SENATE BILL No. 461.

An Act establishing a procedure by which the register of wills elected in counties of the first class shall execute record and file his bond to the Commonwealth and receive his commission and conferring powers and imposing duties upon the Secretary of the Commonwealth and the recorder of deeds.

Referred to the Committee on State Government.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. DALRYMPLE and GREER.

(Concurrent) RESOLUTION No. 35.

In the House of Representatives, April 17, 1951.

Whereas, The General Assembly of the Commonwealth of Pennsylvania along with the rest of the nation was shocked by the President's dismissal of General Douglas MacArthur from all his commands; and

Whereas, The General Assembly, fully aware of General MacArthur's outstanding record, particularly during the last ten years when he succeeded in keeping communism from sweeping through Japan, Korea, Formosa, the Philippines and points south and east, believes that General MacArthur should be given every opportunity to point out to the American people and their elected representatives the facts as he knows them on the true situation in the Orient; now therefore be it

Resolved (if the Senate concur) That the General Assembly of the Commonwealth of Pennsylvania hereby extends to General Douglas MacArthur an invitation to address it in the near future at such time as may be convenient to his busy schedule, on the entire military and political situation in the Far East as well as its connection with the position of the United States in world affairs, and be it further

Resolved, That the Chief Clerk of the House of Representatives shall transmit a copy of this resolution to General Douglas MacArthur.

Referred to the Committee on Rules.

JOHN HARRIS HIGH SCHOOL STUDENTS
WELCOMED

The SPEAKER. The Chair is pleased to welcome to the House 155 pupils from the John Harris High School, Harrisburg. They are interested in Problems of Democracy and American History and are here under the supervision of Mr. John Lynch, a faculty member. They are guests of the gentlemen from Dauphin, Messrs. Zeigler and Dowling.

LEAGUE OF WOMEN'S VOTERS WELCOMED

The SPEAKER. The Chair is also pleased to welcome a group of the League of Women's Voters of Swarthmore, Delaware County. They are here as the guests of the gentlemen from Delaware, Messrs. Bloom, Clendening, Robertson and William C. Leonard.

PERMISSION TO ADDRESS HOUSE

Mr. ROSE asked and obtained unanimous consent to address the House.

Mr. Speaker, I suppose most of the Members of the House are familiar with what happened in Philadelphia yesterday. In spite of the campaign of vilification, in spite of a campaign intended to distort the issues, the people of Philadelphia came out in large numbers yesterday to endorse the new Charter.

I am happy to have been a Member of the House at the last session when most of the Members on both sides afforded the people of Philadelphia an opportunity to create a Charter Commission, which of course, set up this Charter.

There was a great deal of falsehood spread by the opponents of the Charter, but in spite of that, with the aid of most of the civic groups in Philadelphia, with the aid of the industrial concerns, the Chamber of Commerce, most of the labor organizations and all civic organizations, we were successful in presenting to the people the endorsements of the Charter Commission when they presented this worthwhile new Charter to Philadelphia.

I arise today, Mr. Speaker, to call your attention to the fact that this is but one step on the road that the people of Philadelphia are taking in the direction of obtaining proper, adequate local government. There has been on the calendar for a period of about a month the City-County consolidation measure which passed in the Senate. It has been referred to the Judiciary Committee where it is now lying, and I am hopeful that the leadership of this House will give to Philadelphia what it seeks. Measures like that should not be held up.

There have been rumors spread that this type of legislation has been held in abeyance awaiting the outcome of the vote on the Charter. We who are interested in providing Philadelphia with good government feel that now is the time to release that type of measure. At the same time we are hopeful that there will be placed on the calendar and presented for consideration by Members of this House a large number of bills pertaining to

local activities which we feel now can be handled by the City.

This Charter was intended to grant a full measure of home rule to the citizens of Philadelphia. The fact that in the past we have had to come here cap in hand, begging the Members of the Legislature to grant us things that we need in Philadelphia will, I hope, no longer be necessary. I ask the leadership of this House to release for consideration those measures which are of a purely local nature, to be referred to the citizenry of Philadelphia and handled by the new council which will be set up in accordance with the new Charter they have passed.

I cannot help but thank the Members of this House who were instrumental in permitting the Charter to be presented to the electorate of Philadelphia. We also wish to thank the newspapers, particularly The Evening Bulletin and the Philadelphia Inquirer, the radio and television stations which joined hands with all groups in Philadelphia that were interested in forwarding the interests of that great city.

Most of you know that Philadelphia will face in the next five or ten years a tremendous period of growth. Some of the large steel mills and other industries, realizing that Philadelphia has an excellent labor situation where we have hard working, frugal workers, where we have people who are interested in aiding industry, have decided to come to the Philadelphia area. We who have been interested in the city have felt that under the old Charter there has been an opportunity to stifle the chance to grow and we think that with the passage of this Charter and other changes which will soon come in the city government in Philadelphia, we are on the road to a great period of growth which will inure to the benefit not only of Philadelphia, but to the people of Pennsylvania and of America and of the world.

PERMISSION TO ADDRESS HOUSE

Mr. TAHL asked and obtained unanimous consent to address the House.

Mr. Speaker, of course, the people of Philadelphia spoke yesterday with reference to a new form of government for Philadelphia.

It was a far reaching change in the Charter provision that we had heretofore. Therefore, there was bound to be a difference of opinion as to whether or not it is going to improve the form of government in Philadelphia. However, the Republican leadership in Philadelphia as represented by the City Committee, Mr. Morrow as Chairman, was definitely in favor of the Charter. I want to say to you, Mr. Speaker, that most of the ward leaders in Philadelphia followed the leadership of Mr. Morrow and voted for the charter.

So we all joined together, Republicans and Democrats, to make Philadelphia a better and greater city.

CLASS OF MILLERSVILLE STATE TEACHERS COLLEGE WELCOMED

The SPEAKER. The Chair welcomes to the House the class in American Government of the Millersville State Teachers College in charge of Mr. V. A. Champo. They are the guests of the gentlemen from Lancaster, Messrs. Wood, Royer, Murray and Bomberger.

SENATE MESSAGE

AMENDED SENATE BILL NONCONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 77.

An Act to further amend Section 319 of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by providing for the proration of attorney's fees and expenses in subrogation cases

Mr. JOHNSON. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill No. 77.

The motion was agreed to.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. MAZZA asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

Mr. SCOTT asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 318.

An Act authorizing counties of the second and fourth classes to establish fire training schools for the paid and volunteer firemen of municipalities within the county

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 68.

An Act to validate and confirm certain contracts heretofore entered into by boards of school directors where there is no evidence of fraud or conspiracy and to authorize ratify confirm and validate payments on such contracts by the school district.

SENATE BILL No. 318.

An Act authorizing counties of the second and fourth classes to establish fire training schools for the paid and volunteer firemen of municipalities within the county

SENATE BILL No. 366.

An Act to further amend subsection A of Section 221 and to amend Section 241 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the

inland waters and the boundary lakes and boundary rivers of the Commonwealth" by extending non-resident fishing privileges to Canadians and redefining resident

Whereupon,

The SPEAKER, in the presence of the House, signed the same

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 120.

An Act to further amend the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 803) entitled as amended "An act providing for the creation maintenance and operation of a county employes' retirement system in counties of the fifth sixth seventh and eighth class imposing certain charges on counties and prescribing penalties" by further defining county employe substituting the chief clerk for the auditor as a member of and secretary to the board in certain cases and extending the period in which a certain option may be exercised

HOUSE Bill No. 202.

An Act to further Section 2445 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by authorizing the issuance of non-debt revenue bonds for the alteration addition to or enlargement of existing sewers sewer systems and sewage treatment works and the pledging of revenue derived from the existing system in payment of such bonds and authorizing the issue and sale of non-debt revenue bonds at one time

HOUSE BILL No. 221.

An Act to reenact and amend the title of and the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1676) entitled "An act to provide revenue in school districts of the first class by imposing a temporary tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county assessing authority board of revision of taxes receiver of school taxes school treasurer board of public education in such districts and courts providing for compensation to certain officers and employes and imposing penalties" by continuing the provisions thereof for the year one thousand nine hundred fifty-two and succeeding years and deleting certain obsolete provisions

HOUSE BILL No. 602.

An Act to reenact and amend the title and the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled as amended "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employes' Retirement System and for Pension Annuity Contracts and in certain other cases into the State Employes' Retirement Fund for certain purposes" by extending the benefits of the act to certain county police pension funds

With information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 120.

An Act to further amend the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 803) entitled as amended "An act providing for the creation maintenance and operation of a county employes' retirement system in counties of the fifth sixth seventh and eighth class imposing certain charges on counties and prescribing penalties" by further defining county employe substituting the chief clerk for the auditor as a member of and secretary to the board in certain cases and extending the period in which a certain option may be exercised

HOUSE BILL No. 202.

An Act to further amend Section 2445 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by authorizing the issuance of non-debt revenue bonds for the alteration addition to or enlargement of existing sewers sewer systems and sewage treatment works and the pledging of revenue derived from the existing system in payment of such bonds and authorizing the issue and sale of non-debt revenue bonds at one time

HOUSE BILL No. 221.

An Act to reenact and amend the title of and the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1676) entitled "An act to provide revenue in school districts of the first class by imposing a temporary tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county assessing authority board of revision of taxes receiver of school taxes school treasurer board of public education in such districts and courts providing for compensation to certain officers and employes and imposing penalties" by continuing the provisions thereof for the year one thousand nine hundred fifty-two and succeeding years and deleting certain obsolete provisions

HOUSE BILL No. 602.

An Act to reenact and amend the title and the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled as amended "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employes' Retirement System and for Pension Annuity Contracts and in certain other cases into the State Employes' Retirement Fund for certain purposes" by extending the benefits of the act to certain county police pension funds

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 104, 121 and 365.

REPORTS FROM COMMITTEES

Mr. BLAIR from the Committee on Boroughs, reported as committed, House Bill No. 75, entitled:

An Act to further amend section one thousand one hundred thirty-one, of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by requiring boroughs to establish police pension funds in certain cases.

Mr. CLARENCE E. MOORE, from the Committee on Game and Forestry, reported as amended, House Bill No. 715, entitled:

An Act establishing a retirement system for game protectors of the Pennsylvania Game Commission, providing for payments upon retirement, death, disability, involuntary retirement, and of certain medical expenses from the State Employees' Retirement Fund; under the Administration of the State Employees' Retirement Board; providing for contributions by game protectors of the Pennsylvania Game Commission and the Commonwealth; providing for the guarantee by the Commonwealth of certain of said funds; providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial processes; making an appropriation from the Game Fund; and providing penalties.

Mr. FERSTER from the Committee on Public Health and Sanitation, reported as committed, House Bill No. 792, entitled:

An Act providing for treatment and cure in designated State institutions of persons habitually addicted to the use of opiates, and for their admission to, and care therein, and the payment of the cost thereof.

Mr. WILLIAM C. LEONARD from the Committee on Boroughs, reported as committed, House Bill No. 881, entitled:

An Act to further amend Clause L of Section 1202 of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by authorizing increase of appropriations for burial ground maintenance.

Mr. GUTENDORF from the Committee on Public Health and Sanitation, reported as committed, House Bill No. 971, entitled:

An Act to amend the act approved the seventh day of June, one thousand nine hundred one (P. L. 493), entitled, as amended "An act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage and cesspools, in cities of the second class, second class A and third class and imposing fines, penalties and forfeiture for violation thereof," by permitting the use of bituminized-fibre pipe in certain plumbing construction.

Mr. VARNER from the Committee on Public Health and Sanitation, reported as committed, House Bill No. 983, entitled:

An Act requiring wells and cisterns to be covered or sealed; providing penalties.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 18

Mr. McMILLEN. Mr. Speaker, I present the report of the Committee of Conference on Senate Bill No. 18.

The report was read by the Clerk.

The SPEAKER. This being a Senate Bill, the report will be noted in the Journal and printed by the Senate.

STUDENTS OF NEW CUMBERLAND HIGH SCHOOL WELCOMED

The SPEAKER. The Chair is pleased to welcome to the House 50 students of the Problems of Democracy Class of New Cumberland High School, under the supervision of their teacher, Mr. Johnson. They are the guests of the gentleman from Cumberland, Mr. Stoner.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 535, entitled:

An Act to further amend section 701 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by eliminating certain restricts on the possession of game and other birds and animals.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 624, entitled:

An Act to amend subsections (b) and (c) of section one thousand two hundred three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" and to add thereto new subsections (d) and (e) so as to except therefrom the transfer of stock not subject to the transfer inheritance tax owned by deceased residents of an area listed by the Department of Revenue as entitled by law to such exemption and stock formerly owned by the entireties by resident spouses one of whom shall have died and to require the Department of Revenue to list such areas.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 631, entitled:

An Act to repeal an obsolete act relating to transfer of stock standing in the name of a decedent or in the joint names of a decedent and one or more other persons or in trust for a decedent.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 705, entitled:

An Act to amend the act approved the nineteenth day of June one thousand nine hundred thirteen (P. L. 534) entitled "An act relating to appointment of deputy constables" by defining the jurisdiction of deputy constables.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 731, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by permitting the appointment of boards of health and health officers prescribing their powers and duties providing for the enforcement of the administration of health laws by such board and officers providing for a president and secretary of such boards imposing duties on the Secretary of Health and providing for payments of expenses by townships.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 767, entitled:

An Act to amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by authorizing the issuance of non-debt revenue bonds for improvement of a boroughs electric light plant.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 909, entitled:

An Act to further amend section 889 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by prohibiting the unauthorized wearing of the insignia badge shield or button of the Air Force Association.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 931, entitled:

An Act to further amend Section 719 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing the dog training period.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 168, entitled:

An Act to amend the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1368), entitled "An act amending, revising and consolidating the laws relating to delinquent county, city, except of the first and second class and second class A, borough, town, township, school district, except of the first class and school districts within cities of the second class A, and institution district taxes; providing when, how and upon what property, and to what extent liens shall be allowed for such taxes; the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the lien of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property, and the proceedings therefor; creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts, and repealing existing laws," by further regulating the sales made upon order of court, and extending the time limit when certain properties must be sold.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 394, entitled:

An Act to further amend section eight hundred six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by eliminating the provision making it unlawful to carry unloaded rifles and shotguns in or on any vehicle or conveyance unless said rifles and shotguns are in cases or securely wrapped and also eliminating the provision making it unlawful to possess cartridge or shells for hunting in vehicles or conveyances unless they are in unbroken original cartons or securely wrapped

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 569, entitled:

An Act to further amend the act approved the twenty-fourth day of May one thousand eight hundred and ninety-three (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same" by providing a method of paying service increments from the retirement fund in cities to members of the police force after retirement

The first section was read.

On the question,

Will the House agree to the section?

Mr. COSTA offered the following amendment:

Amend Sec. 1 (Sec. 1), page 3, line 9, by inserting after the word "and" the following "in cities of the first class only, the."

It was agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. COSTA offered the following amendment:

Amend Sec. 2 (Sec. 1.1), page 4, line 8, by inserting after the word "In" the following "every city of the first class, in."

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. COSTA offered the following amendment:

Amend Title, page 1, next to last line of Title, by inserting after the word "cities" the following "of the first class."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered. To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 769, entitled:

An Act to further amend clause (a) of section one thousand eight hundred three and clause (e) of section one thousand eight hundred six of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by further regulating the leasing and sale of State forest and park lands by the Commonwealth and defining the powers and duties of the Department of Forests and Waters and the rights of lessees with respect to such leased lands

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for third reading.

BILL PASSED OVER

There being no objection

Senate Bill No. 362, Printer's No. 114
was passed over at the request of the SPEAKER.

BILL ON FINAL PASSAGE

BILL PASSED OVER

There being no objection

House Bill No. 486, Printer's No. 220
was passed over at the request of the SPEAKER.

BILL ON FINAL PASSAGE POSTPONED

Mr. SMITH. Mr. Speaker, I call up on page 11 of today's Calendar bills on final passage postponed, House Bill 840, Printer's No. 144.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. SMITH.

The House resumed the consideration on final passage of House Bill No. 840, as follows:

An Act imposing an income tax on residents of Pennsylvania as herein defined including trusts and estates and on income of non-residents derived from property business or other sources in Pennsylvania defining taxable income and requiring filing of returns thereof providing for the assessment collection and lien of said tax providing for administration and enforcement of the act by the Department of Revenue conferring powers and imposing duties on certain persons fiduciaries partnerships associations corporations political subdivisions State officers employees and departments saving certain local taxes and imposing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Article I

Short Title and Definitions

Section 1 Short Title This act shall be known and may be cited as the "Personal Income Tax Act"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning

"Association" A partnership limited partnership or any other form of unincorporated enterprise owned by two or more persons

"Business" An enterprise activity profession vocation joint adventure or undertaking of any nature conducted for profit or ordinarily conducted for profit whether by an individual copartnership association or any other unincorporated entity The ownership of property held for the production of rent or royalties shall for the purposes of this act be deemed a "business"

"Corporation" A corporation or joint stock association organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency

"Department" The Department of Revenue of this Commonwealth

"Dividend" Any distribution made by a corporation or association out of its net earnings or profits to its stockholders or members whether in cash or in other property or in stock other than stock dividends as hereinafter defined

"Employer" An individual association corporation the Commonwealth of Pennsylvania or any political subdivision or agency thereof or any other entity who or which employs one or more persons on a salary wage commission or other compensation basis

"Fiduciary" A guardian committee trustee executor administrator receiver conservator or any person whether individual or corporate acting in any fiduciary capacity for any person estate or trust

"Individual" A natural person

"Net Profits" The net gain from the operation of a business profession or enterprise after provision for all costs and expenses including reasonable allowances for depreciation and depletion incurred in the conduct thereof either paid or accrued in accordance with the accounting system used and without deduction of taxes based on income

"Capital Assets" Property held by the taxpayer (whether or not connected with his trade or business) but does not include stock in trade of the taxpayer or other property of a kind which would properly be included in the inventory of the taxpayer if on hand at the close of the tax year or property held by the taxpayer primarily for sale to customers in the ordinary course of his trade or business or land used in the trade or business or property used in the trade or business of a character which is subject to an allowance for depreciation or provided in this act

"Capital Gain" Gain or profit from the sale or exchange of capital assets

"Capital Loss" Loss resulting from the sale or exchange of capital assets

"Net Capital Gain" The excess of capital gains over capital losses

"Paid" For the purpose of this act means "paid or accrued" or "paid or incurred" and the word "paid or accrued" "paid or incurred" and "incurred" shall be construed according to the method of accounting upon the basis of which the net income is computed under this act.

"Person" Every natural person fiduciary association or corporation Wherever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof

"Received" For the purpose of the computation of taxable income under this act means "received or accrued" and the words "received or accrued" shall be construed according to the method of accounting upon the basis of which income is computed under this act

"Resident" A natural person domiciled in the Commonwealth of Pennsylvania and every other natural person who maintains a permanent place of abode within this Commonwealth or spends in the aggregate more than seven months of the tax year within the Commonwealth shall be deemed to be residing within this Commonwealth for the purpose of determining liability for the tax under this act

"Stock Dividends" New stock for surplus or profits capitalized issued to stockholders or shareholders in proportion to their previous holdings

"Taxpayer" Any individual trust or estate required to pay a tax under the provisions of this act

"Tax Year" The period for which the taxes levied by this act are imposed It shall be a calendar year a fiscal year or in cases where returns for a fractional part of a year are permitted or required the period for which such return is made

Article II

Imposition of Tax

Section 201 Residents and Nonresidents A A State tax is hereby imposed upon every resident of this Commonwealth which tax shall be levied collected and paid annually at the rate of one-half per centum with respect to his entire taxable income (as hereinafter defined) whether derived from sources within or outside this Commonwealth

B A like tax is hereby imposed and shall be levied collected and paid annually at the rate of one-half per centum with respect to the entire taxable income (as hereinafter defined) from all property owned and from every business employment trade occupation service carried on or performed in this Commonwealth by natural persons not residents of this Commonwealth

Section 202 Associations Individuals carrying on business as an association shall be liable for income tax only in their individual capacity There shall be included in computing the taxable income of each partner or member of such association his distributive share whether distributed or not of the association's taxable income for the tax year

or if his taxable income for such tax year is computed upon the basis of a period different from that upon the basis of which the taxable income of the association is computed then his distributive share of the taxable income of the association for any tax year of the association ending within the tax year upon the basis of which the partner's or member's taxable income is computed Taxpayers who are partners or members of associations may be required by the department to make a return stating the gross receipts and net gains or profits of the association for any tax year The taxable income of the association shall be computed in the same manner and on the same basis as provided in computing the taxable income of individuals

Section 203 Estates and Trusts A The tax imposed by this act shall apply to estates and trusts which tax shall be levied collected and paid annually with respect to the income of estates or of any kind of property held in trust including

(1) Income received by estates of deceased persons during the period of administration or settlement of the estate

(2) Income accumulated in trust for the benefit of unborn and unascertained persons or persons with contingent interests

(3) Income held for future distribution under the terms of the will or trust

(4) Income which is to be distributed to the beneficiaries periodically whether or not at regular intervals and the income collected by a guardian of an infant to be held or distributed as the court may direct and

(5) Income of an estate during the period of administration or settlement permitted by subsection C of this section to be deducted from the income upon which the tax is to be paid by the fiduciary

B The fiduciary shall be responsible for making the return of income for the estate or trust for which he acts whether such income be taxable to the estate or trust or to the beneficiaries thereof The taxable income of an estate or trust shall be computed in the same manner and on the same basis as provided for individual taxpayers and in cases under paragraphs (4) and (5) of subsection A of this section the fiduciary shall include in the return a statement of each beneficiary's distributive share of such taxable income whether or not distributed before the close of the tax year for which the return is made

C In cases under paragraphs (1) (2) and (3) of subsection A of this section the tax shall be imposed upon the estate or trust with respect to the taxable income of the estate or trust and shall be paid by the fiduciary except that in determining the taxable income of the estate of any deceased person during the period of administration or settlement there may be deducted the amount of any income properly paid or credited to any legatee heir or other beneficiary In such cases an estate or trust created by or consisting of property of a person not a resident and an estate of a deceased person who at the time of his death was not a resident shall be subject to tax only to the extent to which individuals other than residents are liable as provided in subsection B of section two hundred one of this act

D In cases under paragraphs (4) and (5) of subsection A of this section if the distribution of income is in the discretion of the fiduciary either as to the beneficiaries to whom payable or as to the amounts to which any beneficiary is entitled the tax shall be imposed upon the estate or trust and paid by the fiduciary in the manner provided in subsection C of this section but without the deduction of any amounts of income paid or credited to any such beneficiary In all other cases under paragraphs (4) and (5) of subsection A of this section the tax shall not be paid by the fiduciary but there shall be included in computing the tributed or not of the net income of the estate or trust for the tax taxable income of each beneficiary his distributive share whether dis year In such cases the net income of a beneficiary not a resident derived through such estate or trust shall be subject to tax only to the extent to which individuals other than residents are liable as provided in subsection B of section two hundred one of this act

E Notwithstanding any other provisions of this section

the tax on net capital gains realized by an estate or trust shall be imposed upon the estate or trust whether or not distributable to beneficiaries or paid or credited to any legatee heir or other beneficiary

F Income of an estate or trust with respect to which the tax is imposed upon the estate or trust and paid by the fiduciary shall not be included in the taxable income of a beneficiary when distributed

Section 204 Initial Tax The tax imposed by this act shall first be imposed with respect to taxable income for the calendar year one thousand nine hundred fifty-one except where the taxpayer reports to the Federal government on the basis of a fiscal year and has certified such fact to the department as hereafter required in this act in which case such tax shall first be imposed with respect to that portion of the taxable income for the fiscal year ending in the calendar year one thousand nine hundred fifty-one which the number of months in such fiscal year after the thirty-first day of December one thousand nine hundred fifty bears to the total number of months in such fiscal year Such tax shall be reported withheld and paid in the manner hereafter provided

Article III

Computation of Tax

Section 301 Taxable Income A Subject to the provisions of this act the term "taxable income" means income of very kind whatsoever including but not limited to

(1) Salaries wages fees or other compensation for personal service of whatever kind and in whatever form paid including personal service as an officer or employee of the United States of America or any agency or instrumentality territory possession or dependency thereof the Commonwealth of Pennsylvania or any other state or any political subdivision agency or instrumentality thereof

(2) Net profits from any business

(3) Interest and dividends less reasonable expenses if any paid for the collection thereof

(4) Net capital gains derived from the sale or exchange of capital assets whether situated within or without the Commonwealth

(5) Income and profits other than capital gains derived from sales or dealings in property whether real or personal and whether situated within or without the Commonwealth growing out of the ownership or use of or interest in such property

(6) Income derived from estates or trusts subject to the provisions of section two hundred three

(7) All other gains profits and income derived from any source whatever

It is hereby intended to include all the foregoing items without regard to the source thereof location of the property involved or any other factor except only a case where the inclusion thereof would be violative of constitutional restrictions The amount of all such items shall be included in the taxable income for the tax year in which received by the taxpayer unless otherwise provided by this act

B The term "taxable income" shall not include the following items

(1) Amounts received under a life insurance contract paid by reason of the death of the insured whether in a single sum or in installments but if such amounts are held by the insurer under an agreement to pay interest thereon the interest payments shall be included in taxable income

(2) Amounts received (other than amounts paid by reason of the death of the insured and interest payments on such amounts and other than amounts received as annuities) under a life insurance or endowment contract but if such amounts (when added to amounts received before the taxable year under such contract) exceed the aggregate premiums or consideration paid (whether or not paid during the taxable year) then the excess shall be included in taxable income amounts received as an annuity under an annuity or endowment contract shall be included in taxable income except that there shall be excluded from taxable income the excess of the amount received in the taxable year over an amount equal to three per centum of the aggregate premiums or consideration

paid for such annuity (whether or not paid during such year) until the aggregate amount excluded from taxable income under this act in respect of such annuity equals the aggregate premiums or consideration paid for such annuity

(3) The value of property acquired by gift bequest devise or descent but the income from such property shall be included in taxable income

(4) Interest upon the obligations of the United States or its possessions or the obligations of the Commonwealth of Pennsylvania or any political subdivision thereof or any authority commission or instrumentality thereof (including those created by compact or agreement to which the Commonwealth of Pennsylvania is a party)

(5) Any amount received through accident or health insurance or under workmen's compensation acts as compensation for personal injuries or sickness plus the amount of any damages received whether by suit or agreement on account of such injuries or sickness or through the war risk insurance act or any law for the benefit or relief of injured or disabled members of the military or naval forces of the United States

(6) Income received by a church or by any other organization operated for purely public charity and used or held for use of such purposes

(7) Stock dividends when received by a shareholder shall not be subject to tax but if before or after the distribution of any such dividend the corporation proceeds to cancel or redeem its stock at such time and in such manner as to make the distribution and cancellation or redemption in whole or in part essentially equivalent to the distribution of a taxable dividend the amount so distributed in redemption or cancellation of the stock shall be treated as a taxable dividend and included in taxable income

(8) Any amount received by any person whatever under any law of this Commonwealth the United States or any other state providing for any pension or bonus or in respect to services in the military or naval forces of the United States in any war in which the United States has been engaged and compensation received by any person for active service as a member of the armed forces of the United States for any month during any part of which such person served in a "combat zone" as designated from time to time by the President of the United States by Executive Order

(9) Amounts received by any person as unemployment compensation under the provisions of the Unemployment Compensation Law of this Commonwealth as assistance under the provisions of the Public Assistance Law of this Commonwealth or as social security benefits under the Federal Social Security Act

Section 302 Manner of Computing Taxable Income A The taxable income shall be computed upon the basis of the taxpayer's annual accounting period (fiscal year or calendar year as the case may be) but if the taxpayer's annual accounting period is other than a fiscal year as defined in this act or if the taxpayer has no annual accounting period or does not keep books the taxable income shall be computed on the basis of the calendar year Such taxable income shall be computed in accordance with the method of accounting regularly employed in keeping the books of such taxpayer but if no such method of accounting has been so employed or if the method employed does not clearly reflect the taxable income the computation shall be made upon such basis and in such manner as in the opinion of the department does clearly reflect such income

B In the case of the death of a taxpayer there shall be included in computing taxable income for the tax year in which falls the date of his death only amounts received up to the date of his death

C If the taxpayer changes his accounting period from fiscal year to calendar year from calendar year to fiscal year or from one fiscal year to another taxable income shall with the approval of the department be computed on the basis of such new accounting period subject to the provisions of section four hundred five of this act

Section 303 Installment Basis A A taxpayer who

regularly sells or otherwise disposes of personal property on the installment plan may return as taxable income in any tax year that proportion of the installment payments actually received in that year which the total profit realized or to be realized when the payment is completed bears to the total contract price

B If an installment obligation is satisfied at other than its face value or distributed transmitted sold or otherwise disposed of profit or loss shall result to the extent of the difference between the basis of the obligation and (1) in the case of satisfaction at other than face value or a sale or exchange the amount realized or (2) in case of a distribution transmission or disposition otherwise than by sale or exchange the fair market value of the obligation at the time of such distribution transmission or disposition Any profit or loss so resulting shall be considered as resulting from the sale or exchange of the property in respect of which the installment obligation was received The basis of the obligation shall be the excess of the face value of the obligation over an amount equal to the taxable income which would be returnable were the obligation satisfied in full

Section 304 Inventories Whenever in the opinion of the department the use of inventories is necessary in order clearly to determine the income of any taxpayer inventories shall be taken by such taxpayer upon such basis as the department may prescribe conforming as nearly as may be to the best accounting practice in trade or business of such taxpayer and most clearly reflecting the taxable income

Section 305 Ascertainment of Gain and Loss A Gain or profit derived from the sale or exchange of property including capital assets shall be the excess of the gross amount realized from such sale or exchange over the basis of the property plus the expenses incurred in the sale or exchange Loss sustained upon the sale or exchange of property including capital assets shall be the excess of the basis plus expenses of the sale or exchange over the gross amount realized

B The basis of property shall be in case of property acquired on or after the first day of January one thousand nine hundred fifty-one the cost thereof or the inventory value if the inventory is made in accordance with this act

C In case of property acquired prior to the first day of January one thousand nine hundred fifty-one and disposed of thereafter

(1) No profit shall be deemed to have been derived if either the cost or the fair market price or value on the first day of January one thousand nine hundred fifty-one exceeds the amount realized

(2) No loss shall be deemed to have been sustained if either the cost or the fair market price or value on the first day of January one thousand nine hundred fifty-one is less than the amount realized

(3) Where both the cost and the fair market price or value on the first day of January one thousand nine hundred fifty-one are less than the amount realized the basis for computing profit shall be the cost or the fair market price or value on the first day of January one higher

(4) Where both the cost and the fair market price or value on the first day of January one thousand nine hundred fifty-one are in excess of the amount realized the basis for computing loss shall be the cost or the fair market price or value on the first day of January one thousand nine hundred fifty-one whichever is lower

D In the case of property acquired by gift after the thirty-first day of December one thousand nine hundred fifty the basis shall be the same as it would be in the hands of the donor or the last preceding owner by whom it was not acquired by gift except that for the purpose of determining loss the basis shall be the basis so determined or the fair market value of the property at the time of the gift whichever is lower If the facts necessary to determine the basis in the hands of the donor or the last preceding owner are unknown to the donee the department shall if possible obtain such facts from such

donor or last preceding owner or any other person cognizant thereof If the department finds it impossible to obtain such facts the basis in the hands of such donor or last preceding owner shall be the fair market value of such property as found by the department as of the date or approximate date at which according to the best information that the tax commission is able to obtain such property was acquired by such donor or last preceding owner

E In the case of property acquired by transfer in trust (other than by a transfer in trust by a bequest or devise) after the thirty-first day of December one thousand nine hundred fifty the basis shall be the same as it would be in the hands of the grantor increased in the amount of gain or decreased in the amount of loss recognized to the grantor upon such transfer under the law applicable to the year in which the transfer was made

F In the case of property acquired by gift or transfer in trust before the first day of January one thousand nine hundred fifty-one the basis for gain or loss shall be determined as provided in subsection C(1) or C(2) of this section except that the word "cost" as used in said subsections shall be deemed to mean the fair market price or value of such property at the time of such acquisition

G If the property was acquired by bequest devise or inheritance or by the decedent's estate from the decedent the basis for gain or loss shall be determined as provided in subsection B or C of this section except that the word "cost" as used in said subsections shall mean the fair market value of such property at the time of such acquisition In the case of property transferred in trust to pay the income for life to or upon the order or direction of the grantor with the right reserved to the grantor at all times prior to his death to revoke the trust the basis in the hands of the persons entitled under the terms of the trust instrument to the property after the grantor's death shall after such death be the same as if the trust instrument had been a will executed on the day of the grantor's death For the purpose of this subsection property passing without full and adequate consideration under a general power of appointment exercised by will shall be deemed to be property passing from the individual exercising such power by bequest or devise In case such property has been appraised (a) for the purpose of Pennsylvania transfer inheritance tax or (b) for death tax purposes by the state of domicile of the transferor or (c) for the purpose of the United States estate tax the appraised value shall be presumed to be the fair market value at the date as of which the appraisal was made but if appraised as of the same date for more than one of such purposes the appraisal for the purpose first specified shall be presumed to be the fair market value

H In the case of property acquired by a partnership if the basis is not otherwise determined under any of the subsections B to G inclusive of this section the basis shall be the same as it would be in the hands of the transferor If property so acquired by a partnership was distributed in kind to any partner the basis in the hands of such partner shall be such part of the basis in his hands of his partnership interest as is properly allocable to such property

I In the case of depreciable property used in a trade or business or held for the production of income a gain otherwise computed under this section shall be increased and a loss otherwise computed shall be decreased by the depreciation previously allowed to the taxpayer in determining his taxable income under this act

Section 306 Exchange of Property Upon the sale or exchange of property the entire amount of the gain or loss determined under section three hundred five of this act shall be recognized except as hereinafter provided in this section

A No gain or loss shall be recognized if properly held for productive use in trade or business or for investment (not including stock in trade or other property held primarily for sale nor stocks bonds notes choses in action certificates of trust or beneficial interest or other securities

or evidences of indebtedness or interest) is exchanged solely for property of a like kind to be held either for productive use in trade or business or for investment or if common stock in a corporation is exchanged solely for common stock in the same corporation or if preferred stock in a corporation is exchanged solely for preferred stock in the same corporation

B No gain or loss shall be recognized if stock or securities in a corporation a party to reorganization are in pursuance of the plan of reorganization exchanged solely for stock or securities in such corporation or in another corporation a party to the reorganization

C No gain or loss shall be recognized if property is transferred to a corporation by one or more persons solely in exchange for stock or securities in such corporation and immediately after the exchange such person or persons are in control of the corporation but if the property thus transferred (other than stock in trade) is sold or otherwise disposed of by the corporation within the six months subsequent to such transfer gain or loss to such person or persons shall be recognized as of the date of the exchange the stock or securities received by such person or persons from the corporation being presumed in the absence of proof to the contrary in such case to be of the same value as the amount of the consideration received by the corporation on the subsequent sale or other disposition of such property and it is further provided that in the case of an exchange by two or more persons this subsection shall apply only if the amount of the stock of the stock or securities received by each is substantially in proportion to his interest in the property prior to the exchange

D If property (as a result of its destruction in whole or in part theft or seizure or an exercise of the power or requisition or condemnation or the threat or imminence thereof) is compulsory or involuntarily converted into property similar or related in service or use to the property so converted or into money which is forthwith in good faith under regulations prescribed by the department expended in the acquisition of other property similar or related in service or use to the property so converted or in the acquisition of control of a corporation owning such other property or in the establishment of a replacement fund no gain or loss shall be recognized If any part of the money is not so expended the gain if any shall be recognized but in an amount not in excess of the money which is not so expended

E If an exchange would be within the provisions of subsections A B or C of this section if it were not for the fact that the property received in exchange consists not only of property permitted by such subsection to be received without the recognition of gain but also of other property or money then the gain if any to the recipient shall be recognized but in an amount not in excess of the sum of such money and the fair market value of such other property

F If an exchange would be within the provisions of subsections A B or C of this section if it were not for the fact that the property received in exchange consists not only of property permitted by such subsection to be received without the recognition of gain or loss but also of other property or money then no loss from the exchange shall be recognized

G As used in this section the term "reorganization" means (1) a statutory merger or consolidation or (2) the acquisition by one corporation in exchange solely for all or a part of its voting stock of at least eighty per centum of the voting stock and at least eighty per centum of the total number of shares of all other classes of stock of another corporation or of substantially all the properties of another corporation or (3) a transfer by a corporation of all or a part of its assets to another corporation if immediately after the transfer the transferor or its stockholders or both are in control of the corporation to which the assets are transferred or (4) a recapitalization or (5) a mere change in identity form or place of organization however effected

The term "a party to a reorganization" includes a corporation resulting from a reorganization and includes both

corporations in the case of a reorganization resulting from the acquisition by one corporation of stock or properties of another corporation

As used in this section "control" means the ownership of stock possessing at least eighty per centum of the total combined voting power of all classes of stock entitled to vote and at least eighty per centum of the total number of shares of all other classes of stock of the corporation

H When property is exchanged for other property and no gain or loss is realized under the provisions of this section the property received shall be treated as taking the place of the property exchanged therefor

Article IV

Returns and Payments of Tax

Section 401 Collection at Source For each calendar year every employer shall deduct and withhold from all taxable income of which he shall have control disposal or payment the tax imposed by this act on residents and nonresidents and shall on or before the thirtieth day of January April July and October of each year beginning with October one thousand nine hundred fifty-one make a return and pay to the department the amount of the tax so deducted for the three-month period ending on the last day of the month preceding The tax shall be withheld on the basis of each payroll period i e weekly bi-weekly semi-monthly or monthly but if there is no specified payroll period such tax shall be withheld on a per diem basis provided however the first deductions under this act shall be made thirty days after this act becomes effective and shall be accounted for and paid to the department in the return due the thirtieth day of October one thousand nine hundred fifty-one

Section 402 Returns of Taxpayers A Every taxpayer who has received taxable income during the tax year shall make a return on forms to be prescribed and furnished by the department If the taxpayer is unable to make his own return the return shall be made by a duly authorized agent or by the fiduciary charged with the care of the person or property of such taxpayer The fact that a taxpayer's name is signed to a filed return shall be prima facie evidence for all purposes that the return was actually signed by him

B If the taxable income for any year of any taxpayer as returned to the United States Treasury Department is changed or corrected by the Commissioner of Internal Revenue or other officer of the United States or other competent authority or where a renegotiation of a contract or subsequent with the United States results in a change in such income such taxpayer shall report such change or corrected income or the results of such renegotiation within thirty days after the final determination of such change or correction or renegotiation and shall concede the accuracy of such determination or state wherein it is erroneous Any taxpayer filing an amended Federal income tax return shall also file within thirty days thereafter an amended return with the department which shall contain such information as it shall require

C If a taxpayer during the tax year changes his status from that of resident to that of nonresident or from that of nonresident to that of resident he shall file two returns one as a resident covering the fraction of the year during which he was a resident and one as a person other than a resident covering the fraction of the year during which he was a nonresident

Section 403 Partnership Returns Every partnership shall make a return for each tax year stating specifically the items of its gross income capital gains capital losses and expenses and shall include in the return the names and addresses of the individuals who would be entitled to share in the taxable income if distributed and the amount of the distributive share of each individual The return shall be executed by any one of the partners

Section 404 Fiduciary Returns Every fiduciary (except receivers appointed by authority of law in possession of part only of the property of a taxpayer) shall make a return for the individual or estate or trust for which he acts as follows

A If he acts for an individual whose entire income from whatever source derived in his charge

B If he acts (1) for an estate of a deceased person during the period of administration or settlement whether or not the income of such estate during such period of administration or settlement is properly paid or credited to any legatee heir or other beneficiary (2) or an estate or trust the income of which is accumulated in trust for the benefit of unborn or unascertained persons or persons with contingent interests or (3) for an estate or trust the income of which is held for future distribution or is distributable in the discretion of the fiduciary under the terms of the will or trust

C If he acts (1) for an estate or trust the income of which is to be distributed to the beneficiaries periodically or (2) as the guardian of an infant whose income is to be held or distributed as the court may direct The return made by a fiduciary shall state specifically the items of the gross income capital gains capital losses and expenses Under such regulations as the department may prescribe a return made by one or two or more joint beneficiaries shall be sufficient compliance with the above requirement The fiduciary shall certify that he has sufficient knowledge of the affairs of the individual estate or trust for whom or which he acts to enable him to make the return and that the same is to the best of his knowledge and belief true and correct Fiduciaries required to make returns under this article shall be subject to all the provisions of this article which apply to taxpayers

Section 405 Returns When Accounting Period Changes If a taxpayer with the approval of the department changes the basis of computing taxable income from fiscal year to calendar year a separate return shall be made for the period between the close of the last fiscal year for which return was made and the following thirty-first day of December If the change is made from calendar year to fiscal year a separate return shall be made for the period between the close of the last calendar year for which return was made and the date designated as the close of the fiscal year If the change is made for the period between the close of the former fiscal year and the date designated as the close of the new fiscal year If a taxpayer making his first return for income tax keeps his accounts on the basis of a fiscal year he shall make a separate return for the period between the beginning of a calendar year in which such fiscal year ends and the end of such fiscal year

Section 406 Time and Place of Filing Returns A Returns shall be made to the department on or before the fifteenth day of April in each year in the case of taxpayers reporting on the basis of a calendar year and in the case of taxpayers reporting on the basis of a fiscal year returns shall be made on or before the fifteenth day of the fourth month following the close of such fiscal years or the fifteenth day of the fourth month following the month in which his act becomes effective whichever is later Returns shall be in such form shall contain the taxpayer's name residence address items of taxable income received and such other information as the department may from time to time prescribe and shall be filed with the department at its main office or at any branch office which it may establish Each return shall contain the certificate of the person making the return to the effect that the statements contained therein are true Blank forms of return shall be furnished by the department upon application but failure to secure the form shall not relieve any taxpayer from the obligation of making any return herein required

B The department may upon application made to it in such form as it shall prescribe or or prior to the last day for filing any return and upon proper cause shown grant to the taxpayer required to file return an extension of not more than sixty days within which such return may be filed and in case the Commissioner of Internal Revenue at any time grants a taxpayer a longer extension of time for filing his Federal income tax return the department may grant an additional extension of time for filing the

return under this act of not more than thirty days after the termination of the Federal extension

C Notwithstanding any other provisions of this act taxpayers on active duty with the armed forces of the United States who are serving outside the continental limits of the United States at the time a return would otherwise be due under his act shall not be required to file such return until the fifteenth day of the fourth month following the month in which such taxpayer returns to the United States

Section 407 Assessment and Payment of Tax Each taxpayer shall or in cases where an agent or fiduciary makes then the agent or fiduciary shall at the time of filing a return for the taxpayer on whose behalf he is acting the return compute and pay to the department the amount of tax shown by such return to be payable In making such computation the taxpayer shall take credit for any tax withheld on his behalf by any employer

A Whenever the tax imposed by this act is not paid upon the due date of the return provided for in subsection A of section four hundred six interest shall be charged thereon at the rate of six per centum per annum until paid whether or not the time for filing the return shall have been extended except that no interest shall accrue during the period of extension granted under subsections on active duty with the armed forces of the United States C of section four hundred six of this act to taxpayers

Article V

Administration and Enforcement

Section 501 Department to Administer The Department of Revenue shall administer and enforce the provisions of this act

Section 502 Assessments by the Department Notice If any taxpayer shall fail to file a return or fail to include in any return all of his taxable income or shall fail to compute and pay the tax due the Commonwealth as required in this act the department shall make an estimated assessment or additional assessment or both of tax for which the taxpayer is liable or for which he is believed by the department to be liable together with the penalty of ten per centum of such tax

Section 503 Assessments Made At Any Time Within Five Years An additional assessment or estimated assessment as heretofore provided shall be made by the department at any time within five years after any taxable income of any taxpayer should have returned by him for taxation any such additional assessment or estimated assessment may be made at any time during said period notwithstanding he shall have paid a tax assessed on the basis of returns previously made or filed and notwithstanding the department shall have made previous additional or estimated assessments against such taxpayer In any such case no credit shall be given for any penalty formerly assessed and paid

Section 504 Procedure for Reassessment Review Appeal A Promptly after the date of an assessment by the department the department shall send by mail a copy thereof to the person against whom it was made Within ninety days after the date upon which the copy of any such assessment was mailed such person may file with the department a petition for reassessment of such tax Every petition for reassessment shall state specifically the reasons which the petitioner believes entitled him to such reassessment and it shall be supported by affidavit that it is not made for the purpose of delay and that the facts set forth therein are true I shall be the duty of the department within six months after the date of any assessment to dispose of any petition for reassessment Notice of the action taken upon any petition for reassessment shall be given to the petitioner promptly after the date of reassessment by the department

B Within sixty days after the date of mailing of notice by the department of the action taken on any petition for reassessment filed with it the person against whom such assessment was made may petition request the Board of Finance and Revenue to review such action Every pe-

tion for review filed hereunder shall state specifically the reason upon which the petitioner relies or shall incorporate by reference the petition for reassessment in which such reasons shall have been stated. The petition shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true. The Board of Finance and Revenue shall act finally in disposition of such petitions filed with it within six months after they have been received and in the event of the failure of said board to dispose of any such petition within six months the action by the department upon the petition for reassessment shall be deemed sustained. The Board of Finance and Revenue may sustain the action taken on the petition for reassessment or it may reassess the tax due upon such basis as it shall deem according to law and equity. Notice of the action of the Board of Finance and Revenue shall be given by mail to the department and to the petitioner.

C Any person or the Commonwealth of Pennsylvania aggrieved by the decision of the Board of Finance and Revenue or by the board's failure to act upon his petition for review within six months may within sixty days appeal to the Court of Common Pleas of Dauphin County from the decision of the Board of Finance and Revenue or from the decision of the department as the case may be in the manner now or hereafter provided by law for appeals in the case of tax settlements.

D In all cases of petitions for reassessment review or appeal the burden of proof shall be upon the petitioner or appellant as the case may be.

E Whenever any assessment of additional tax is not paid within ninety days after the date thereof if no petition for reassessment has been filed or within sixty days from the date of reassessment if no petition for review has been filed or within sixty days from the date of the decision of the Board of Finance and Revenue upon a petition for review of the expiration of the board's time for acting upon such petition if no appeal has been made and in all cases of judicial sales receiverships assignments or bankruptcies the department may call upon the Department of Justice to collect such assessment. In such event in a proceeding for the collection of such taxes the person against whom they were assessed shall not be permitted to set up any ground of defense that might have been determined by the department. The Board of Finance and Revenue or the courts as aforesaid.

Section 505 Enforcement Rules and Regulations. Inquisitorial Powers of the Department. A The department is hereby authorized and empowered to prescribe, adopt, promulgate and enforce rules and regulations relating to any matter or thing pertaining to the administration and enforcement of the provision of this act and the collection of taxes, penalties and interest imposed by this act.

B The department or any agent authorized in writing by it is hereby authorized to examine the books, papers and records of any taxpayer or supposed taxpayer in order to verify the accuracy of any return made or if no return was made to ascertain and assess the tax imposed by this act. Every such taxpayer or supposed taxpayer is hereby directed and required to give to the department or its duly authorized agent the means, facilities and opportunity for such examinations and investigations as are hereby provided and authorized. The department is hereby authorized to examine any person under oath concerning any taxable income which was or should have been returned for taxation and to this end may compel the production of books, papers and records and the attendance of all persons whether as parties or witnesses whom it believes have knowledge of such taxable income. The procedure for such hearing or examination shall be the same as that provided by The Fiscal Code relating to inquisitorial powers of fiscal officers.

C Any information gained by the department as a result of any returns, investigations, hearings or verifications required or authorized by this act shall be confidential except for official purposes and except in accordance with proper judicial order or as otherwise provided by law and any person or agent divulging such informa-

tion shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not in excess of five hundred dollars and costs of prosecution or to undergo imprisonment for not more than three years or both in the discretion of the court.

Notwithstanding the provisions of subsection C of this section the department may permit the Commissioner of Internal Revenue of the United States or the proper officer of any state imposing an income tax upon the incomes of individuals or the authorized representative of either such officer to inspect the income tax returns of any individuals or may furnish to such officer or his authorized representative an abstract of the return of income of any individual or supply him with information concerning any item of income contained in any return or disclosed by the report of any investigation of the income or return of income of any individual but such officer or his representative only if the statutes of the United States or of such other state as he case may be grant substantially similar privileges to the proper officer of this State charged with the administration of the personal income tax law thereof.

Section 506 Lien of Taxes. A All taxes imposed by this act together with all penalties and interest shall be considered a public account after being assessed in the manner prescribed in this act and as such shall be a lien upon the franchises and property both real and personal of the taxpayer against whom the same are assessed after the same has been entered and docketed of record by the prothonotary of the county where the resident's franchises or property are situated.

B The department may at any time transmit to the prothonotaries of the respective counties of the Commonwealth to be by them entered of record certified copies of all liens for taxes imposed by this act and penalties and interest upon which record it shall be lawful for writs of scire facias to issue and be prosecuted to judgment and execution in the same manner as such writs are ordinarily employed.

Section 507 Violations Penalties. Any person who shall fail neglect or refuse to make any return required by this act or any taxpayer who shall refuse to pay the tax, penalties and interest imposed by this act or any person who shall refuse to permit the department or any agent appointed by it in writing to examine his or her books, records and papers or who shall knowingly make any incomplete, false or fraudulent report or who shall attempt to do anything whatever to avoid the full disclosure of the amount of taxable income to avoid the payment of the whole or any part of the tax shall be guilty of a misdemeanor and shall be sentenced to pay a fine not exceeding one thousand dollars and costs of prosecution or undergo imprisonment not exceeding three years or both in the discretion of the court.

Such fine shall be in addition to any penalty imposed by any other section or subsection of this act.

Article VI

Miscellaneous

Section 601 Saving Clause. The tax imposed by this act shall be in addition to any local tax imposed or authorized by any law of this Commonwealth or by any ordinance or resolution of any political subdivision in force and effect on the effective date of this act and relating to the imposition, levy or collection of any taxes on the same persons or subjects covered by this act it being the intention of the General Assembly that any such law, ordinance or resolution shall not be vacated, effected or impaired by anything contained in this act notwithstanding any law to the contrary.

Section 602 Constitutional Construction. If any section, sentence, clause or part of this act is for any reason held to be unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act. It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional sentence, section, clause or part thereof not been included herein.

Section 3 This act shall become effective immediately upon final enactment

Mr. SWARTZ. Mr. Speaker, two weeks ago I came before this same microphone. When I left my seat my hands were shaking so that I could hardly hold the cards, but I said in my own heart: "Dear God, if it be Thy will, help me to see this thing through." I came here and I talked to you on this same bill that you today are calling back on the calendar to try to force upon the people of Pennsylvania against the wishes of the people of Pennsylvania.

I want to put some things in the record for the people in the state of Pennsylvania. I tried to be a gentleman at this microphone the last time. I tried to take things easy. I even offered to break off debate if our party would sit down and consider the proposals which the Governor so greatly hollers from the rooftops that he welcomes so much. And he tells a contemptible lie when he says that—

The SPEAKER. Will the gentleman yield?

Mr. SWARTZ. Yes sir.

The SPEAKER. The gentleman will refrain from personal reflections.

Mr. SWARTZ. I will, Mr. Speaker, I beg your pardon.

I do not know whether I will be here two minutes or ten hours, but I want to put in the record what I have to say and let the people of Pennsylvania know where I stand. I do not change my stand from where I stood when I stood here before. I have not been promised to have a bill put through if I changed my vote. I would not accept such a promise if it had been made.

The people of Pennsylvania have been witnessing in the last few weeks one of the most contemptible spectacles of arrogance and pressure politics that this state has ever seen. We defeated this income tax bill after proper debate and I make no claim that I led any of the opposition. I did not. I did not seek the honor of being the leader of the opposition. I want no credit, if there be any credit, above the other 105 who stood and voted this contemptible bill down. I merely came here as an individual to speak the things which I had in my own heart and, as I told you at that time, when I follow the dictates of my own heart I usually find that I am doing what the people want me to do.

But on that same day we had not started this spectacle of overriding the will of the people, when three Members who voted for the measure changed their votes in order that they could be on the prevailing side, and thereby be permitted to recall this measure within the specified period of time, which they have done. They have managed to get it back on the calendar despite the antagonism of the millions of Pennsylvanians, the working people, who were at one time championed by the Republican party and who today stand deserted by the Republican party.

In my experiences when I came before this microphone two weeks ago I did not know that I had any support for what I would say. I did not know a thing about how the people would actually accept what I said. I just felt it in here. But today I know where I stand, because I have had letters, telegrams and personal calls—and the phone ringing at my place of business and at my home, and even in the corridors of this Capitol people coming

out and tapping me on the arm and saying: "Don't quit. Don't give up the fight."

I know today that the majority of the people who draw pay checks are opposed to this legislation, while they would not be opposed to other forms of taxation. When you have people coming to you with tears in their eyes you know that their hearts are in it. I have had that happen to me in the past two weeks. I can take you to the place and bring you the people and the witnesses that were there when the tears were rolling down their cheeks, and said: "Don't give in. Stand up and fight!" That is what I am doing and I intend to keep it up.

I represent the Second Dauphin County District. In that district are the Bethlehem Steel plants at Steelton, the Hershey interests at Hershey, Pennsylvania, the Reading Railroad Company yards at Rutherford Heights, and I know what those people want. I know what they want because they have told me; not only their leaders but the men themselves and the people who work in those places.

I swore when I took my oath of office and even before that I would never pass legislation that is detrimental to the working masses of the people of Pennsylvania.

My opposition, so far, has been one penny postal card from one group who I do not want to put on the record; who I told I thought they were making a mistake; that they would get public sentiment against them; that I was not opposed to the things that they were after and that I would work for the things that they were after under other forms of taxation, if we needed it. To that group, and I do not want it written into the record, I am still going to be the gentleman although they have not been much of a gentleman with me.

I do not want to read everything. I could keep you here for two days reading the mail and the telegrams I have received. I will not go into that.

There is one thing I want to call your attention to. Some of these are not my own words. I am opposing a particular form of taxation and I want to call it to the attention of you who are the representatives of the people, that the power to tax is the power to corrupt; the power to tax is the power to destroy, the power to tax is the power to enslave.

Corrupt what? Corrupt the moral fibers of the people. Destroy what? Destroy the incentive of the people. Enslave whom? Enslave the people themselves. If you do not see what is happening on the other side of the water, gentlemen, I do not think you are wide awake. Yet this same power of taxation, if we used it wisely and in conformity with the interest of society as a whole, we could go forward to greater things than this state has ever known. Advancing our health, our welfare, our other services that the people want advanced, but not at the expense of putting a noose around their necks and getting their pay from their checks before they ever see it.

I think I better keep quiet. I think maybe the best thing to happen here is for this bill to pass and in the next election the Republican party will come down and find that they are out of power—maybe I ought to keep my mouth shut and just sit down.

If I ever wanted to lose an election I would do the things the leadership here have done. I just want to call your attention to a couple little things, and then I am going to shut up because the longer I talk the more I want to talk. I am just filled up with this subject.

As one of the representatives of the people I just want to call to your attention some facts.

The Mayflower compact begins, "in the name of God, Amen."

I want to call to your attention the Fundamental Orders of Connecticut, "for as much as it hath pleased the Almighty God."

And then that great document, The Declaration of Independence,

"When in the course of human events it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the Powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them . . ."

Maybe there is another one here, but in those I want to point out the word "God." I do not profess to be a good man but I do believe in God and I think that we are making fun of our God, and we are forgetting God after the prayer has been said when we are convened here every day.

This party of ours which I must stand to oppose today should be ashamed of itself, because here are some of the words of the man who is supposed to be the father of the Republican party:

"That we here highly resolve that these dead shall not have died in vain, that this nation under God shall have a new birth of freedom and that government of the people, by the people and for the people shall not perish from the earth."

After a lot of quotations I could say: "I regret that I have but one life to give for my country." "We have just begun to fight," "Give me liberty or give me death."

Down through this historical, vast and great nation of ours—I do not know—maybe we are getting off the track. Lincoln said:

"God must have loved the common people because He made so many of them."

And the party to which I belong and for which he set up such eloquent principles to follow, in the name of God, how have we come so far away from those common people.

Here in Pennsylvania the liberty bell rang many years ago. At Valley Forge the men walked in the snow until the blood was on the snow and they starved but they would not give way for the ideals that they thought were the things that they wanted in life for them and their children.

At Gettysburg fifteen thousand men under Pickett swept across the field and unto the ramparts and they dashed on the ramparts and tied up and flowed away and the high tide of the Civil War had been reached and it receded.

Here in Pennsylvania all of those outstanding things have taken place and I sincerely hope in spite of what other states are doing, what other nations are doing, that here in Pennsylvania it shall also be written that here we stood against the further encroachment upon the fundamental rights of a free people. That is the issue, it is not the one half of one percent income tax. I am fighting for a principle in which I believe.

The people of Pennsylvania know that we defeated upon the floor of this House by a vote of 105 to 101

this very bill that we discuss today. I have no doubt that the minority party will stand as they did. I have no doubt that any of the others will stand and we will go out of here licking this bill again by at least 105 to 101. But I want to call to the attention of the people of Pennsylvania to watch the 105. I ask the newspapers to publish the names of any of the 105 who today change their vote from what they voted two weeks ago. Let us mark them so everybody can see them and I make no other comments.

When this fight on this tax bill is past it is just the beginning because I, if it is passed, will go from one end of Pennsylvania, if I have a crawl on my hands and knees and bring the message of this contemptible legislation to all the people, and I will help to elect any Governor four years from now who will promise to take it off the record books.

I was going to ask permission to interrogate certain people here today, but I do not want to point the finger at them. I know the people of Pennsylvania are watching 105 men here. Just 4 or 5 of them have it in their power to put this tax on the millions of people. So I will not ask permission to interrogate them; I think they will be indicted before the bar of public opinion, so I will not go into that.

What I would like to see here is no income tax at this session, no sales tax, but a plan similar to what the Philadelphia Inquirer suggested in the next two years. That is to formulate a plan whereby if we need the money for educational help and so forth, be fair to the people and tell them if we give you a sales tax collected at the source, exempting food and those things, that is a fair tax. There you have your exemptions and that is the best tax for you and it is earmarked for health, welfare and education and the people of Pennsylvania will go along.

I have not heard any of the people that work at Hershey or those places that said they would not go for a tax like that, even though they tell me they do not want this type of a tax. We say we cannot save any money. I do not have any paper here to show you where there is a \$15,000 office right now where the gentleman says that he will not be there very much of the time and his lieutenants can handle the job.

I say to you if that man is not needed there all of the time we do not need him there any of the time. We can save \$15,000 for the taxpayer. That is chicken feed when you do not count \$10 millions as being anything these days. At least you show the people you are getting started in the right direction.

Then we have the spectacle of a lot of loveseats being bought with the taxpayers' money, somewhere in this Capitol. Judas Priest I am getting too old for that kind of stuff, I do not know what they want with them over there.

I have been accused of playing for the headlines and I want to remark to you right here, I never played for any headlines. I do not play for headlines today. Being in the position I am in, if I would have wanted headlines, I would have gotten them when that bridge proposition was brought on the floor of the House: The resolution to name that bridge "The Harvey Taylor Bridge." I could have gotten on the floor of this House and torn

that thing apart, but I resolved in my heart that I would not say "aye" for it, but I would not stoop to such low politics as to raise a furor and get my name in the papers. I wanted an issue and if I had to stand up and fight for a real issue, then I would stand up and I would fight, but not on an issue like that, although I could have had some publicity on it. I have a couple of bills in mind, if I dropped them in the hopper down there, I could have my name in the headlines from one part of Pennsylvania to the other. Even the Republicans here would be so hopping mad that they would not know what to do about it. I could do that, but I have not. I have not played for the headlines and I do not play for them.

I am going to get off the floor here. Somebody told me last night he was proofreading or something on that last speech I made—there were twelve pages—and he did not know I was so windy. I will get finished here and let these people put this noose around the necks of the people of Pennsylvania.

I just want to call to your attention one little thing. You who profess to believe in the American way of life; you who profess to be representatives of the people, passing legislation in the interests of all the people—"We hold these truths to be self evident that all men are created equal, that they are endowed by their Creator with certain inalienable rights among these are life, liberty and the pursuit of happiness that to secure these rights governments are instituted among men."

Are you going to allow those rights to continue for free people or are you going to regiment them under this income tax bill?

On the base of the Statue of Liberty which I have never seen I am sorry to say, they tell me there is an inscription something like this:

"Yield to me your tired, your poor, your huddled masses yearning to be free. The wretched refuge of your teeming shore. Send these the homeless, tempest tossed to me. I lift my lamp beside the golden door."

I thank you for your attention; I am just waiting to see if you are going to hold that lamp beside the golden door, and all I say is, as you vote may the will of Almighty God himself be done here today.

Mr. HOCKER. Mr. Speaker, what I am about to do I think will probably be something that is a little out of the ordinary. But due to the fact that the gentleman from Dauphin, Mr. Swartz, and myself represent the Second Legislative District of this great county I feel as though it is my duty to set the record straight and interrogate the gentleman.

The SPEAKER. Will the gentleman from Dauphin, Mr. Swartz, permit himself to be interrogated?

Mr. SWARTZ. Mr. Speaker, I shall

Mr. HOCKER. Mr. Speaker, the gentleman and I together represent the Second Legislative District in Dauphin County.

Mr. SWARTZ. Mr. Speaker, that is right.

Mr. HOCKER. Mr. Speaker, how many people are in that district?

Mr. SWARTZ. Mr. Speaker, well I would say close to 100,000 people.

Mr. HOCKER. Mr. Speaker, the gentleman is approxi-

mately right, There are somewhere in the neighborhood of 96,000 people.

The gentleman made the statement awhile ago that he is representing his people and his people's wishes, is that correct?

Mr. SWARTZ. Mr. Speaker, that is correct.

Mr. HOCKER. Mr. Speaker, does the gentleman know how many districts, how many boroughs there are in our district?

Mr. SWARTZ. Mr. Speaker, I do not have the figures. You are an older Member than I and I suppose you have had more opportunity to secure that information than I have had.

Mr. HOCKER. Mr. Speaker, for your own personal information and for the information of the House, there are 15 boroughs in our district.

Mr. SWARTZ. Mr. Speaker, I am glad I got educated, sir.

Mr. HOCKER. Mr. Speaker, does the gentleman know how many townships there are in our district?

Mr. SWARTZ. Mr. Speaker, no, I do not.

Mr. HOCKER. Mr. Speaker, the same answer will go for this: there are 22 townships.

Mr. SWARTZ. Mr. Speaker, I thank the gentleman.

Mr. HOCKER. Mr. Speaker, I represent my people and I think that the gentleman does too, but I cannot let the record stand as it is.

The gentleman mentioned the Bethlehem Steel Company, the Hershey Estates, Rutherford Yards and so on and so forth. Did he hold a public hearing on this issue?

Mr. SWARTZ. Mr. Speaker, in what way does the gentleman mean a public hearing?

Mr. HOCKER. Mr. Speaker, well, the gentleman made the statement that he was going to have a debate; did he hold that debate?

Mr. SWARTZ. Mr. Speaker, where was this to have been held?

Mr. HOCKER. Mr. Speaker, I understand that he held it in Derry Township; is that correct?

Mr. SWARTZ. Mr. Speaker, I do not think the gentleman needs an answer to that question inasmuch as he was invited to that meeting and refused to attend.

Mr. HOCKER. Mr. Speaker, the gentleman is evading my question.

Mr. SWARTZ. Mr. Speaker, I am not. I have no desire to evade the question of the gentleman from Dauphin because in a few short weeks I will be out there on the stump opposing the gentleman who is interrogating me, ready and willing for the people of Dauphin County to decide the issue.

The SPEAKER. Will the gentleman permit himself to be further interrogated?

Mr. SWARTZ. Mr. Speaker, oh, yes, indeed, I am just beginning to talk.

Mr. HOCKER. Mr. Speaker, did the gentleman hold any meetings in any of the other boroughs or townships in the Second Legislative District?

Mr. SWARTZ. Mr. Speaker, I did not for the simple reason that this income tax business was rammed in here in such a hurry, without proper time to consider it, that I could not have arranged those meetings.

Mr. HOCKER. Mr. Speaker, now one more question, Mr. Swartz.

Mr. SWARTZ. Mr. Speaker, I am ready for all you have.

Mr. HOCKER. Was the gentleman in favor of the Soldiers' Bonus? If that is personal, he does not have to answer it.

Mr. SWARTZ. Mr. Speaker, no, I have not one thing to hide. You know, I write a little weekly column for the Hummelstown Sun and it is all written into the record. I wrote one full column the week before that Bonus question was brought up and I pleaded with the people to vote for the Bonus. It is on the record.

Mr. HOCKER. Mr. Speaker, that is all. I thank the gentleman.

The only thought that I have in my mind this afternoon is to set the record straight in regard to the people from the Second Legislative District of Dauphin County.

I have represented these people during three sessions of this Legislature, and I have never had to go back to them and apologize for anything that I have done on the floor of this House. I always had a good reason for what I have done.

I do not want the rest of this Commonwealth to think that my District, the Second Legislative District of Dauphin County, which comprises the Boroughs of Middletown, Highspire, Steelton and on up into the hard coal regions, Millersburg, Lykens, Williamstown, I do not want the rest of the people of this Commonwealth to think that my people are a backward people.

Up until this time I have received exactly two letters in opposition to this measure. Both of those letters were from what I term "pressure groups." I will not mention them. I have no fear that I will fall down on my job on account of those two groups.

I have had many people come to me and talk to me about this. I told them that in view of the fact that we had to have new income, that anything they wished I would go along with, and with very few exceptions they all agreed that this was the wisest step to take at this time.

I have no axe to grind so far as this is concerned other than the fact that I was brought up to pay my debts. For two sessions I, and many of you people here put on the calendar of this House and passed, the Soldiers' Bonus. I was very proud of you and very proud to be a part of that program. It was put on the ballot and my people voted for it. I have no alternative but to pay that bill that my people wanted. I am going to vote for this program today because I feel I am carrying out the wishes of my people.

I will not take any more of the time of the House. I do not want Mr. Swartz to feel any ill-will towards me because we both campaigned in the last election, but I just could not take it lying down and let the people of the Commonwealth think that the great Dauphin County of which I am so proud, would take a backward step at this time.

Mr. SWARTZ. Mr. Speaker, I am very glad that the gentleman from Dauphin, Mr. Hocker, rose today so that all the people of Dauphin County know where he stands.

I desire to interrogate the gentleman.

Mr. SPEAKER. Will the gentleman from Dauphin, Mr. Hocker, permit himself to be interrogated?

Mr. HOCKER. Mr. Speaker, I shall.

Mr. SWARTZ. Mr. Speaker, I desire to know from the gentleman from Dauphin, did I at any time say that I was defaulting in the debts of the state of Pennsylvania or upheld default of such debts by reason of my stand against the income tax in respect to the Soldiers Bonus?

Mr. HOCKER. Mr. Speaker, is that question directed at me? He started out by saying, Mr. Speaker.

Mr. SWARTZ. Mr. Speaker, I believe I direct the questions through the Speaker.

Mr. HOCKER. Mr. Speaker, not necessarily.

The SPEAKER. The Chair will inform both of the gentlemen from Dauphin that an interrogation directed to the Chair is an interrogation directed to the Member.

Mr. HOCKER. Mr. Speaker, in answer to the question I would answer it this way. I did not say that he was opposed to the Soldiers Bonus. I did not say that he would default his debts. I merely made the statement in regard to myself.

Mr. SWARTZ. Mr. Speaker, does the gentleman think that this income tax is the only way to have people pay their taxes to pay the debts?

Mr. HOCKER. Mr. Speaker, personally and on behalf of my people, and of course, in going to my people and talking to as many of them as I could, that is correct. That is the best method at this time.

Mr. SWARTZ. Mr. Speaker, in other words, of all the people who work near his home at Bethlehem Steel, all the people who work at Hershey, all of the people who work at Rutherford or in this Capitol for that matter, then he is willing to say that the best way to get their money is to grab it from their pay checks before they have any choice in the spending of that money. I want it on the record, is that what you say?

Mr. HOCKER. Mr. Speaker, that is not what I said.

Mr. SWARTZ. Mr. Speaker, well do not try to hedge or evade.

Mr. HOCKER. Mr. Speaker, I am not hedging. I wish to make a statement.

The SPEAKER. Does the gentleman from Dauphin, Mr. Swartz, desire to further interrogate the gentleman from Dauphin, Mr. Hocker?

Mr. SWARTZ. Mr. Speaker, yes indeed.

The SPEAKER. Will the gentleman from Dauphin, Mr. Hocker, permit himself to be further interrogated?

Mr. HOCKER. Mr. Speaker, I will refrain from any other interrogation because in my six years here I feel as though I have always been a gentleman and I wish to remain that way.

The SPEAKER. The gentleman states that he will not permit himself to be further interrogated.

Mr. SWARTZ. Mr. Speaker, I do not want to stand here. I once told you that I was going to be the gentleman, that I would not interrogate anybody in this House, but I will interrogate anybody who wants to interrogate me as fair play.

You see, I try to be a fair minded man. Now Mr. Hocker has his own opinion, and I have never at any time asked any man in this House, how to vote. Never. I never said "Go ahead vote this way or do not vote that way." I feel every man here is intelligent enough to make his own decisions.

Let us get it on the record: I will challenge Mr. Hocker to a series of debates on this issue any place in Dauphin County or on any radio station that will reach the people of Dauphin County—

The SPEAKER. Does the gentleman from Dauphin County, Mr. Swartz, desire to debate the question now before the House?

Mr. SWARTZ. Mr. Speaker, I will just finish this statement and then I am done.

The SPEAKER. The Chair has allowed a great deal of latitude in the debate on this particular issue. The gentleman will proceed.

Mr. SWARTZ. Mr. Speaker, thank you—and then we will let the people of Dauphin County say who is right.

Mr. WILLIAMS. Mr. Speaker, I rise at this time to oppose this particular bill. I think what we should do here today is talk about the forgotten men and women who are involved in this taxation.

Two years ago we passed and sent to the voters for their approval a Soldiers' Bonus Bill. I recall very distinctly in the 1949 session that the Honorable Thomas Heatherington of Allegheny County rose after we passed the resolutions, and said: "Now, who will tell me how we are going to raise the funds to pay the soldiers' bonus?" There was no reply.

The voters went to the polls and they overwhelmingly approved the payment of the Soldiers' Bonus. I am surprised that the question has never been raised in debate in this House in connection with the repayment of the soldiers' bonus. I believe that the greater portion of this money that you are going to try to raise through the income tax is going to be used for that particular purpose.

On whom are we going to saddle the debt? The soldier boys went away; they were practically all over the world. We were going to do so much for them when they came back. Yet at the 1949 session we took away from them the right to have clubs. Now in 1951 we are going to say to them, "We want you to pay back the money that you have not yet received."

Many of them are still being processed through the Veterans' Administration. Many of the boys have not yet received their money, but if they are working in the steel mills and the coal mines, we are going to go to the payroll clerk and we are going to have him deduct from their wages,—their gross earnings, if you please,—the money to help repay the money we gave to them in recent months; in some cases, not yet received.

I think this is a very important factor. I say we should not be a bunch of Indian givers. We should not give a man money today and then say to him tomorrow: "We want you to return it." I for one am going to plead not guilty. I say that the man who gets up and waves the flag here on this floor and says he is for the soldier, and votes for this bill, he is only kidding somebody. And I think the only person that he is kidding is himself, because after all, that is exactly what is being done here today.

I thought after the vote was taken in Philadelphia yesterday on the issue of the City Charter, that this bill would automatically fall. I did not think it would be called before this House today for a vote, because of the fact that I believe down in the bottom of the hearts of the people of Philadelphia, one of the reasons that the people took the attitude they did there yesterday, in face

of the opposition of political leaders who controlled those votes for so many years, is the fact that the people already have a so-called wage tax in Philadelphia. You are going to give them another wage tax in Philadelphia under the guise of an income tax. I believe they thought the only way they could rebuke the leadership of that city, which was partly responsible for this particular piece of legislation, was to march to the polls and to cast their vote of protest by voting for the Charter bill. I believe that they hope that in the future they will be able to make reforms which will relieve them of that type of taxation.

We speak of spreading this down into a broader tax base. Yes, there is no doubt that you are doing just that. But whom are you hurting? You are hurting the man who has spent the best years of his life in industry; he has given his energy to create the wealth of this Commonwealth, to make it the state that it is today, one of the leading in the nation and one of the greatest of any territories in the world.

People are going to be compelled, if they have seven or eight or ten children, to carry the greatest burden of the lot because of the fact that they are the ones who can least afford to pay it. In case a boy lost his life in the war, of course he is not here to pay it; but you are going to his aged parents, to his sisters and brothers and saying "we want that bonus money back; we only loaned it to you, so you pay it back." I think it is a shame with the wealth that we have here, the magnitude of our industry, the power to create, that we have to come down to this type of taxation.

I come from a mining district and I know that we have men there who have worked in the mines for twenty-five, thirty, or forty years who are now getting \$100 a month pension. You are going to those old people and saying "We want fifty cents a month out of that pension check." Whereas, on the other hand under some of the exceptions, a Judge can probably retire on ten or twenty thousand a year and he does not pay anything.

I cannot see where there is any merit, any justification for this type of taxation. If we had no other source, I would say then possibly as a last resort, we would have to come to it. But that is not the case, because even although I voted against the pop tax in the 1949 session, I would prefer it to this. I would prefer some other tax to this because of the fact that you are going right down and taking it off the man's dinner table, and I do not think it is fair.

That is all I have to say Mr. Speaker, I do not desire to prolong matters here and I thank the House for its kind attention.

Mr. POLEN. Mr. Speaker, on April 4th when House Bill 840 was before this House for consideration, I voted against the bill. At that time I did not have one single request asking me to vote in favor of the bill. I had a few letters and a few telegrams opposing the bill.

However, in my county since the defeat of that bill, House Bill 840 on April 4th, I have received approximately 108 telegrams and about thirty letters. I am not going to read all these telegrams, for they are practically all the same; but I do want to read a few of them to bring out the point that I want to present to this House.

Here is a typical telegram:

"Dear Mr. Polen. In favor of Income Tax Bill 840

pending regarding increased subsidies to school districts and urge your support of same. Sincerely"

It is signed by Foster Township Teachers Association. Another one:

"Dear Mr. Polen (the telegram is addressed to me) "I favor Income Tax Bill 840 pending regarding increased subsidies to school districts and urge your support. Respectfully Gladys McCormack, Washington County."

"Dear Mr. Polen. I am in favor of Income Tax Bill pending regarding increasing subsidies to school district and urge your support of same. Sincerely."

And all down the line.

Now, Mr. Speaker, I certainly am not in favor, and I think my record in this House since 1941 will bear me out,—I am not in favor of defeating any bill that increases the subsidies to school districts. Since this bill was defeated I have had approximately 50 or 60 teachers and educators call upon me in person at my home and at my office. They all seem to be under the impression that this is a school subsidy bill. We do have such a bill, 334 in this House, and I heartily favor it.

However, in discussing this legislation, House Bill 840, with the men and women who are interested in education in Washington County, they all said to me, when I asked them the question: "How does it come that when this bill was originally up for consideration I did not hear from any of you asking my support? and where do you get the information that this is a school subsidy bill? The general answer was, "Well, we were instructed to see you and ask you to vote for this bill."

On Saturday of this past week one of the supervising principals of Washington County who is a close friend of mine, came to see me. I knew I could talk to him. I asked him a question; I said: "Do you know anything about this bill?"

He said: "Not a thing."

I again asked him the question, I said: "Do you think it covers school subsidies?"

He said: "I don't know, all I know is that I have instructions from Harrisburg to see you and put the heat on you to vote for this bill."

I think we are going far afield when any organization would attempt to do what has been done in this case. In fact, to me it amounts to misrepresentation. I am even going further with another telegram which I have received in which it says the Patton Township Teachers Association meeting April 13, 1951, voted in favor of the State Income Tax as recommended by the PSEA. We will appreciate your continued support of the teachers.

I have always felt that one of the great constructive attitudes of the PSEA—I am a great admirer of that organization—was the fact that they never tied their school subsidy bills or their teachers' bills to any tax program. I think the taxes for education in Pennsylvania should and must be raised, and I feel that the support of the public schools is certainly necessary.

I concur and agree with the Minority Leader, Mr. Andrews, when he made the statement on the floor of the House asking for a public hearing, when he specifically stated that he did not say that all of the items were too large, in fact, so far as the teachers' salaries are concerned, that the amount asked was too small.

I believe that that is the case here today. I do not be-

lieve that we have enough money in the budget to do properly the things that we want to do for the teachers of Pennsylvania, and I further feel that if we are to continue to have and maintain an enlightened citizenship in Pennsylvania, we are going to have to do it by having good schools, good buildings, well manned and staffed by well educated men and women, paid adequate salaries so that they can maintain a station in life in line with their responsibilities in teaching the youth of this nation.

In order to clear the record, Mr. Speaker, I would like to interrogate the Majority Leader, Mr. Smith.

The SPEAKER. Will the Majority Leader, the gentleman from Philadelphia, Mr. Smith, permit himself to be interrogated?

Mr. SMITH. I will, Mr. Speaker.

Mr. POLEN. Mr. Speaker, I would like to ask the gentleman if there is anything in House Bill 840 that pertains to school subsidies.

Mr. SMITH. Mr. Speaker, I can only answer the gentleman by saying House Bill 840 is a tax bill.

Mr. POLEN. I thank the gentleman.

Mr. Speaker, I want to state that I am not opposed to an income tax bill simply because it has originated in the majority side of this House. I believe it is the duty and the responsibility of the majority party to formulate a tax program in Pennsylvania. I am heartily in favor of income taxes as the proper way to raise tax revenue on a broad program and a broad base. However, I do feel that if we want to do that we should legalize by a constitutional amendment the right to levy a graduated income tax.

I do not want to take up much more of the time of the Members of this House, because I feel that everyone has about made up his mind. However, in order to clarify some issues regarding this tax Bill 840 in my own mind and some of the questions that have been raised by my constituents, I would again like to interrogate the Majority Leader, the gentleman from Philadelphia, Mr. Smith.

The SPEAKER. Will the Majority Leader, the gentleman from Philadelphia, Mr. Smith, permit himself to be interrogated?

Mr. SMITH. I will, Mr. Speaker.

Mr. POLEN. Mr. Speaker, I would like to ask the gentleman if I am correct in my understanding that if I would, perchance, employ a boy to mow my lawn and pay him a dollar, would I have to deduct, if this bill becomes law, the one-half of one percent, and make the report and pay it to the Commonwealth?

Mr. SMITH. I do not believe the gentleman would, Mr. Speaker, because I believe that would be handled by administration.

Mr. POLEN. I would like to further interrogate the gentleman. Is there anything in the bill that would give any authority for the statement that the gentleman has just made?

Mr. SMITH. No, Mr. Speaker, there is not at this time. There are no exemptions, I would remind the gentleman.

Mr. POLEN. Mr. Speaker, I happen to be engaged in a small business. For a number of years I worked for other corporations, different companies, and I know that one of the great burdens that is being placed upon small

business particularly, and also upon the larger corporations is the continuous adding of additional payroll deductions for which they are not paid, which causes endless trouble, worry and the detail is tremendous.

I hope that the gentleman from Philadelphia, Mr. Smith, is correct when he says that the administration of these small items would be eliminated; but I doubt it; I do not see how it could be done.

However, I want to bring this thought to you, that everyone, according to my interpretation of this bill, that any individual or firm or corporation that employs anyone and pays wages, is going to have to deduct and remit this tax to the Commonwealth. I do not see that the amount makes a particle of difference; I do not see how it could. My heart does not bleed for labor, and the farmer and everybody; I think we are all in the same boat, but I do think that a busy farmer, if he hires a man for a few days in the threshing time, he has ten or fifteen extra men, I think it is going to be somewhat of a burden to ask him to assume this additional burden of making reports and deducting. I hoped that it could be eliminated, as the gentleman said administratively it might; but I am afraid that it cannot.

It seems to me, Mr. Speaker, that the question of further continuing and adding to the withholding tax idea is certainly something that is creeping up on us. Certainly sometime it has to be stopped, and it seems to me that a good time to stop it is right here in Pennsylvania, now.

I know lots of people in small business, they have to employ accountants; they are worried to death. They have social security and all these Federal taxes and believe me, my thought is if the Federal government, the Commonwealth of Pennsylvania or any of its municipalities within it have to reach in and take their tax before the man gets it there is something wrong with the integrity of our government. I am not casting aspersions against any particular branch; that goes for all of them.

It seems to me as American citizens, if we have confidence in our government we would want to pay the bill. I am not opposing this bill just because it is an income tax bill; I am not opposing it because of the amount; in fact, I think it is very fair so far as the amount is concerned. I do not think it adds any great burden to anyone, though it might, in the case my colleague cited to the man on a small pension fifty cents or a dollar would be something material to him. What we are now doing in government is getting it first before the man ever gets his salary; it seems to me that if we have the proper respect, and if our people support the things that we do, they have to pay the bill.

Mr. Speaker, just one other question. I would like to interrogate once again the gentleman from Philadelphia, Mr. Smith.

Mr. Speaker, I understood the gentleman on the 4th of April when this bill was being debated made a statement, and I have not been able to verify it in the Legislative Journal because it is not in print, but as I copied the statement down at that time it was along these lines—possibly not the exact wording—that the tax paid under this bill is deductible dollar for dollar from the Federal income tax. Is that statement substantially correct?

Mr. SMITH. It certainly is, Mr. Speaker, so far as I know. Let me put it, in computing the Federal income tax, it is deductible.

Mr. POLEN. I thank the gentleman. That clarifies it. And I raise this question because today I had a telephone call from a businessman in Washington County, and he quoted this provision where he said that he understood that the administration had said it was deductible dollar for dollar. If I understand that right, if he paid \$100 Federal tax and \$10 State tax, he could deduct it. I just wanted that for the benefit of the record and for the people of my county, the great County of Washington. I am glad the gentleman has clarified that. It is not deductible, however, dollar for dollar. It can be listed and claimed as a deduction, but as the great majority of people take the standard deductions it would not in any way, unless they were extremely large taxpayers, reduce the amount of their Federal tax.

Mr. Speaker, I am not going to take up any more time of this House and I thank you very much for your attention.

Mr. SEYLER. Mr. Speaker, I, too, have no desire to prolong the debate, but in view of statements made on this floor within the recent period of this debate, I feel that some statement needs to come forth at this point.

Interrogation the other day elicited the information from me that I am a teacher, and I was glad to give that information. I am certainly proud of being a member of that group. I am also opposed to the present tax bill and I would like to make a comment in view of the many statements that have been made. Five times in the last two weeks I have heard gentlemen rise on both sides of the floor and make an indictment of teachers.

I am also, I may say, a member of the PSEA although in view of what I have heard recently, I have not checked to find out whether I am in good standing. However, I do not want the Members of this House to have the feeling that the teachers of this great Commonwealth are, as was said on the floor on one occasion, a selfish group.

I agree with the gentleman from Washington County who just spoke, that the teachers are by no means unanimous in their opinion upon this tax bill. I would say that they divide as a group pretty much according to the lines drawn across the Commonwealth in any group of the same income and economic status. Their leadership, the PSEA has seen fit to take a stand on this bill and I do not intend to criticize it. However, I would like to make this statement to all concerned, I would request that you do not carry any resentment or animosity which might have been aroused in you by any alleged pressures such as the gentleman from Washington and others have referred to, to give you the opinion that the school teachers of this Commonwealth desire to take a partisan stand on this issue or desire to have their legislation considered as a partisan issue. They eminently do not.

In other words, the school teachers are standing for better schools. They are advocating salary increases and other bills which will lead to a better type of education in the State of Pennsylvania. In no wise should anybody's stand on this bill be influenced, it seems to me, by considerations of the teachers' bills. In other words, I hope that all will preserve their sense of humor and equanimity

of mind so that when the time comes to consider school legislation they will be fair, impartial and not be governed by any of the resentment or animosity which they may feel now.

Mr. PETROSKY. Mr. Speaker, I certainly am not going to prolong the discussion on this bill inasmuch as I have had my say on the matter prior to today, but I do want to set the record straight in reference to the position that I took on April 4, and which I will again take today.

I, the same as the other gentlemen that have preceded me at the microphones, have been approached by a great number of teachers while at home over the week-ends. On every occasion that I had an opportunity to discuss the bill and the possibilities of tax legislation for this session of the General Assembly with the teachers who were assembled in my home, I was able from my notes to prove to them the figures which I have—and I will not repeat them inasmuch as my Minority Leader has covered the subject very well.

I maintain and continue to take the position that no new taxes are necessary at this particular time. By my vote I do not oppose anything that the teachers are for and especially so for the program which they have in this House. By the same token may I say publicly to the teachers who continue to implore me to vote for House Bill No. 840 that I for one, with all of the charges that have been placed upon this legislation that is before us, would rather quit my public office than vote for this type of tax bill.

Mr. GRANVILLE E. JONES. Mr. Speaker, I wish to interrogate the gentleman from Philadelphia, Mr. Smith.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Smith, permit himself to be interrogated?

Mr. SMITH. I shall, Mr. Speaker.

Mr. GRANVILLE E. JONES. Mr. Speaker, if this tax is passed would the gentleman tell me what Department would collect this tax?

Mr. SMITH. Mr. Speaker, it could be collected by the Secretary of Revenue.

Mr. GRANVILLE E. JONES. Mr. Speaker, has the gentleman received any communications on House Bill No. 840 relative to a public hearing?

Mr. SMITH. Mr. Speaker, on House Bill No. 840 I have very, very, very few.

Mr. GRANVILLE E. JONES. Mr. Speaker, has the gentleman received any telegrams or communications opposing this tax?

Mr. SMITH. Mr. Speaker again I have received very few. For the gentleman's information, I would say at the most 25 from a city of two million people.

Mr. GRANVILLE E. JONES. Mr. Speaker, does the gentleman recall at the opening of this session the oath and obligation administered by the Honorable Judge Robert E. Woodside?

Mr. SMITH. Mr. Speaker, I certainly do.

Mr. GRANVILLE E. JONES. Mr. Speaker, this oath then makes the gentleman and I and the rest of the Members of this House obligated to the citizens of this Commonwealth and the Constitution of this State? Is that right?

Mr. SMITH. Mr. Speaker, I certainly have always felt that way.

Mr. GRANVILLE E. JONES. Mr. Speaker, I thank the gentleman.

I was greatly relieved of the headache and annoyances due to the pressure brought to bear when this bill was defeated. Now it has been resurrected and placed on the postponed calendar before us for consideration again.

It would be a very fine thing to resurrect some of the now slumbering legislation, such bills as FEPC, a free city college, and bills that deal with child delinquency and what not.

I rise now in opposition to this House Bill 840. First, because my constituents have called and stopped me on the streets concerning this unwanted tax. I shall endeavor to bring to you a picture giving the views and the opinions from the citizens of my district, in conjunction with the citizens of this Commonwealth. If the people could learn how many bills are now pending in or slumbering in the Committees, that will never see daylight, that would be a benefit to them especially if they are Democratically sponsored, as most of the legislation seems to take on a political aspect. I have seen new members on the majority side present bills, move them from the Committees to the floor of the House, have them considered and passed.

I am going to offer a resolution to have House histories placed on the mailing list so that our constituents may have an opportunity to know what kind of legislation is pending in the Committees and what happens to them. These histories are never looked into by some of the Members. It seems the most we know of a bill is the number, the title and the sponsor. Then it is forgotten all about until someone raises the issue about what the bill can do. That is what we are doing now.

House and Senate histories would serve a better purpose in the homes of our citizens than lying on the floors or lying in a trash heap.

Veterans Councils are opposed to this tax. The veterans in my district have stated that if they had known they were going to be taxed for the bonus they had earned, it would have been better for Governor Duff to have kept it rather than give it with the hope at the end of the 1951 General Assembly to attach a string and snatch it back.

I want to read into the records some of the letters, some of the telegrams and telephone messages—which I will not be able to read, I will tell them.

Pennsylvania Council, holding a membership of 600,000 individuals, have directed this letter to the Members of the House. I will just read one paragraph:

"You have been elected to our state Legislature to represent the people in your district. This is a very high honor in these most serious times. It is also a very grave responsibility."

Further down the line is says,

"We expect you to decide and vote on merit."

I will also read a letter from an individual in Philadelphia. I do not know him. The name is F. A. Hass. It is addressed to me.

"My only purpose in writing to you is the fact that I am a voter and I would like to express my complete and unequivocal opposition to the enactment of any state income tax in Pennsylvania. It hasn't been proven yet in any itemized fashion as to why it is needed, and secondly, there are too many other things about the necessity for this type of taxation which have not been clearly put before the voting public."

Another letter from Philadelphia Typographical Union No. 2, representing 2,000 members. They are opposed to this tax measure.

Local No. 37, representing 2,000 members,—I will not read the full contents, but I am going to give you their conception of this type of tax. They are opposed to this tax and even a wage tax if that is also considered.

The International Brotherhood of Pulp, Sulphite and Paper Mill Workers representing 6,500 members. They are also opposed to this type of tax.

The Bakery and Confectionery's Union Local No. 6 representing a membership of 5,000:

"We oppose any effort for the passage of a similar type of taxation which may be under consideration by the legislature."

A private individual writes to me—I do not know him, M. A. McDermitt,

"Dear Sir: I wish to write to you to record my disapproval of a state income tax. Any effort which you may make in opposition to enactment of such regulation will be greatly appreciated."

In regard to the organizations and the memberships opposing these bills, they also have been asking for a public hearing. Telegrams are seldom given any attention here. Only when they have something drastic, or death written across the face of it, we become shocked, hysterical, sympathetic and emotional.

This is what happened to our citizens when they received a telegram from you informing them that the chance for a public hearing for House Bill 840 had died. You have already denied these people the right to be heard, when they could have expressed their opinion and offered some solution to this tax problem. We have many tax wizards in the state that could have helped in this situation. I have been asked by the people in all walks or stations in life along the highways and byways, socially, professionally, fraternally and politically, and last but not the least, religiously.

The question, "Why don't you fellows in the Legislature set up a race track or pari-mutuel or bingo which would give the state and the communities a revenue to take care of operation and the cost of the state government?"

It was also mentioned that the state was in the liquor business, which is causing some of our boys and girls to become heavy drinkers of wines and liquors. The income of the state stores is some \$80 million alone for the biennium of 1949 to 1951. Other sports such as baseball, basketball, boxing and wrestling, while some folks go for the sport, some may find time to do otherwise.

Incidentally, and for the first time in my life, I visited the bingo game here in Harrisburg. The room was jammed and packed. There was a little bit of diversion there. It was a matter of fun or sport to hear somebody at the rear of the room shout out "Bingo." And I stood there and waited for another call. I could have shouted out the same.

If these people are classed as gamblers, Kefauver would have to return to Pennsylvania to continue his investigation, as there would be a great percentage found gambling through the state. Throughout the state in all of these games and sports principles are altogether forgotten when administration orders are given. We have failed to adhere to the wills and the mandates of the citizens of the Commonwealth for a true and honest representation in the

cause of good government, free of unnecessary pressure and taxes.

The Constitution of Pennsylvania under Article I Section 20, the right of mankind to petition the government.

"The citizens have a right, in a peaceful manner to assemble together for their common good and to apply to those invested with the power of government for redress of grievances or other proper purposes by petition, address or remonstrance."

We must bear in mind our oath and obligation in Article VII Section I which reads,

"I do solemnly swear that I will support, obey and defend the Constitution of the United States and the Constitution of this Commonwealth and that I will discharge the duties of my office with fidelity."

This makes all of us obligated to the citizens of this great Keystone state, but we have somewhat neglected our duties so far as extending the rights and the privileges to the citizens of this state.

If an FEPC was established, as our other sister states have, it would give more and better employment to the citizens throughout the state. Perhaps the constituents would not object to being taxed then. Political science is being taught to the statesmen of tomorrow who will work and act in behalf of the people whom they shall represent. Today you are petitioning Mr. and Mrs. Taxpayer, or should I say Mr. and Mrs. John Q. Public, with the words inscribed as follows: "We the undersigned do hereby refuse to grant you a public hearing and are about to impose a state income tax under House Bill 840," signed by G. O. P., which can be called the Grand Old Party.

This will place them in a dilemma that will probably last until November before they can become conscious of what happened at Harrisburg. Some of you will have the audacity to ask for support into public office. We were flooded with questionnaires as candidates by the various organizations. We were asked our views on legislation dealing with the welfare, health and economical status of the people of the state. Some of you answered; some of you did not. I did not hesitate to answer so long as the questions were put in the party platform. Therefore these people are depending on you and me to stand up and be counted for the things we have promised to do.

Mr. Speaker, I urge you to defeat this bill for the sake of humanity.

Mr. LOVETT. Mr. Speaker, I christened this bill in the Committee as "The Thing" and to me it is still "The Thing." You refused to give us a public hearing on "The Thing" so that we might be able to get inside and find out something about The Thing.

My good friend Mr. Smith, on the other side of this House, is somewhat disturbed, I suppose, about the activities of the House today and has been worried somewhat for many weeks.

I opposed this bill on first reading, if you remember, and I would be very neglectful of my duty if I did not continue to oppose it.

I want to thank the Speaker and the Members of the House for the attention they have given during the debate on this bill, and I hope they will continue to do that. I can recall back a number of years ago when a Member got up to speak that they resented somewhat; the inkwells would rattle until your toenails rattled. I must

say we have come a long way since those days, and this House of Representatives deserves a lot of credit for that.

We have continually fought to better conditions, and I am sorry that the public hearing was not granted. We could then have eliminated a lot of this time in the House of Representatives, had we had the opportunity for a public hearing. But you Members here saw fit to deny the right of a public hearing.

Now at least we have given a public hearing to the politicians, because we have had this bill before this House long enough to have a public hearing and we did give opportunity for a political public hearing. The outcome of that political public hearing will be decided here today. That political public hearing which you have had and which you cannot deny, because this bill was defeated, and gave you the opportunity for the political public hearing in order to mend the fences of the politicians and to deprive the people of Pennsylvania of that same privilege. So we find ourselves right back where we were in the beginning. We still have "The Thing."

I could interrogate the gentleman from Philadelphia, and I think a few questions would not hurt—I will interrogate the gentleman, if I may?

The SPEAKER. The gentleman talked himself right into it.

Will the gentleman from Philadelphia, Mr. Smith, permit himself to be interrogated?

Mr. SMITH. It looks as though I am talked into it, too, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, I would ask the gentleman, if a farmer delivered his products to market would he be able to exempt under this particular bill, the time or the gasoline or the money that he may have spent in doing so—if he could exempt that under this particular bill?

Mr. SMITH. Mr. Speaker, I do not believe he would be able to exempt his time, but if the cost of delivering that material was part of his business cost, it would not be exempted, but it would be deductible.

Mr. LOVETT. Mr. Speaker, would the gentleman say that a steel worker working in a steel mill, living in Podunk in Westmoreland County, working in the city of Pittsburgh, could deduct his transportation to and from his place of employment?

Mr. SMITH. Mr. Speaker, I would say no, and I would like to remind the gentleman that he can no more do that under this bill than he has the privilege of doing it under the Federal income act. He does not have that privilege under that act.

Mr. LOVETT. Mr. Speaker, I have continually insisted that we do not refer to the Federal income tax in the same breath.

Mr. SMITH. Mr. Speaker, the gentleman has not impressed me with his insistence.

Mr. LOVETT. I thank the gentleman.

Mr. Speaker, when you consider in the same breath the Federal income tax with a flat income tax in Pennsylvania you are not being fair, and I have continually asked of this House to be fair.

You know and I know that if we had before us today a graduated income tax for the State of Pennsylvania, I as one would vote for it, and will vote for it any time it

comes before this body, if I am a Member of the General Assembly.

I want to assure the gentleman from Dauphin that he at least is going to get one vote that he did not get last week because I was absent. I am going to give one more vote on this side of the ledger. And I hope those Members that saw fit to defeat this bill will continue to defeat a flat income tax in the State of Pennsylvania.

Mr. MORAN. I would like to interrogate the Majority Floor Leader.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Smith, permit himself to be interrogated?

Mr. SMITH. I am still holding up, Mr. Speaker.

Mr. MORAN. Mr. Speaker, I understood in a previous interrogation that the Department of Revenue would collect this tax if this bill passes, is that right?

Mr. SMITH. That is right, Mr. Speaker.

Mr. MORAN. Can the gentleman tell me approximately how many new employees will be required to handle this tax?

Mr. SMITH. Mr. Speaker, I can only answer that on a rough estimate as I did prior to today.

On the basis of calculation and on the basis of comparing ourselves to other states which have a similar, although not exactly the same tax, I told the gentleman who interrogated me at that time, it would probably take about fifteen hundred employees. That could be a few hundred either way.

Mr. MORAN. I thank the gentleman.

Mr. Speaker, the thought struck me since it requires so many new employees to handle this tax, I wonder if this in any way would influence any of the Members on the majority side from a patronage standpoint?

I also believe in talking to a lot of our legal talent and getting their views on this bill, that if passed and contested, will be declared unconstitutional.

Now, Mr. Speaker I would like to ask permission to enter on the record, rather than taking up the time of the House in reading them, newspaper articles which best express what the minority members of this House believe in regard to this bill.

The SPEAKER. The Chair thanks the gentleman from Allegheny, Mr. Moran. Without objections the communications of the gentleman will be spread upon the record. The Chair hears none.

Sun Telegraph, April 10, 1951.

Teachers Back State Income Tax

By Harrisburg Correspondent

Harrisburg, April 10.—State teacher and Parent-Teacher groups today were urging legislators to support the income tax bill.

The measure setting up a half of one per cent levy, which is expected to be called up for reconsideration in the House tomorrow, was defeated last week by 105 to 101.

Every one of the 208 members in the lower chamber received a copy of a letter urging passage of the bill on the basis of school needs.

The letters were sent out by the Pennsylvania State Educational Assn. and the Pennsylvania Congress of Parents and Teachers, Inc. The former organization represents 55,000 teachers and the latter 306,400.

Fine's Warning

Gov. John S. Fine warned over the weekend that education programs would be among those services

hit if the legislature failed to enact either a sales or income tax.

Fine still favors the income tax and is rounding up support for another attempt at passing it.

The activity of the school organizations in behalf of the income tax brought a blast from House Minority Leader Hiram G. Andrews, Johnstown, that teachers had been misled "as result of a malicious, untruthful campaign."

Asks Tax

PSEA President John M. Lumley termed enactment of the income tax "imperative."

Lumley commented:

"A financial structure that depends for one-third of its revenue to the general fund from so-called emergency and special taxes is not sound. A broad-base tax is imperative to provide the government services to which our commonwealth is committed by legislative action."

Pittsburgh Post-Gazette, Monday, April 9, 1951.

Facts, Not Threats

In an effort to save his flat income tax bill, Governor Fine has resorted to a fairly common political device. He is crying havoc at the top of his voice, thus hoping to frighten certain powerful groups into support of his program.

Unless his income tax proposal, rejected by the House last week, is approved, the Governor has warned, a sales tax will be needed or, if neither an income nor sales tax is passed, cuts will have to be made in the State's education, health and welfare services.

The sales tax threat is designed, of course, to win acceptance of the income tax among organized labor and other elements opposed to a sales levy. And the threat to slash appropriations in the fields of education, health, and welfare is aimed at arousing such groups as educators, the healing arts professions, and professional welfare workers.

* * *

We do not blame Governor Fine for trying to get his tax program approved, but we question the wisdom of his approach. As we have suggested previously, he should try to sell his program on the basis of fact rather than attempt to ram it down the Assembly's throat.

In other words, the Assembly and the public should be convinced at open hearings that the Governor's billion-plus budget is not larded with fat and that the income tax is the best method of raising additional funds with which to balance the budget. There can be no such conviction in the absence of a full and open legislative study.

The Governor can doubtless make out a very strong case for his tax program. Certainly he can show that he has inherited from the last administration such unavoidable expenses as an additional \$10,000,000 in State Authority rentals, and some \$60,000,000 in new funds with which to finance the veterans' bonus. This newspaper pointed out at the time the bonus was passed that veterans and all the rest of us would be paying for it for many years to come and that the public could, therefore, anticipate higher taxes.

Now Governor Fine is trying to find the money with which to meet obligations approved in the past. Instead of trying to frighten the Assembly and the public into blind acceptance of his program, however, he should win support for it on the basis of indisputable fact developed at open hearings.

Monday, April 16, 1951

Pittsburgh Post-Gazette

A Do-Nothing Assembly

Here it is mid-April and the General Assembly has

done virtually nothing. After three and a half months in session, it has nothing to show for its work and expense except civil defense legislation, which was non-controversial.

On other major issues, the Assembly has proved powerless to act. It has failed to determine exactly the State's financial needs for the next two years and to provide any additional funds that might be required to meet them. That leaves hanging such important considerations as what to do about education, health and welfare. It would be foolish to take action affecting those services until we know what revenue will be available.

In other fields, the Assembly has proved equally indecisive. Such hardy legislative perennials as a Fair Employment Practices law, a bill to remove unfair restrictions on margarine, stronger sex laws, the question of what to do about overweight trucks that pound our roads to pieces, and the need to reapportion the State's congressional and legislative districts as required by the Constitution—these and other matters are the victims of inexcusable lethargy or willful obstruction.

Aside from these reminders of past failures, there are new issues which the Assembly has shown a shameful reluctance to settle. There is buried in committee, for instance, excellent legislation to overhaul the State's haphazard child placement and adoption practices. There is the question of a loyalty oath for State employees. Nor has there been a decision on revision of the archaic Constitution.

Still, the Assembly fails to get going. Is it for want of leadership in both the executive and legislative branches of our State Government? An impatient public is beginning to wonder. The people are not reassured by what is going on, or rather what is not going on, in Harrisburg. The Assembly should get down to business without further delay.

Mr. CLAPPER. Mr. Speaker, I desire to make a few statements to the House.

It so happens that recently a vicious, unjust and unfair attack was made upon the school teachers of Pennsylvania on the floor of this House. Why this statement was made, I do not know. But I would like it to be recorded upon the Legislative Journal of this House that I as a Member of the House do not believe that the teachers of Pennsylvania are a selfish group of people.

The teachers of Pennsylvania stand united to break down selfishness in this great Commonwealth. The future destiny of Pennsylvania rests upon the school rooms of Pennsylvania, and I believe that the teachers have and will continue to uphold to the best of their ability the fundamental principles that were laid down when our constitution was adopted.

I would like to say this afternoon in answer to the statement that was made that the school teachers were unaware of the contents of this bill which we will vote upon this afternoon, I would like to advise the Members of this House that the PSEA organization which represents all of the school teachers that belong to the organization are fully aware of the contents of this bill, and as a delegate to the House of Delegates which the teachers held in the last weeks of December it was discussed in that House of Delegates that a broad base tax was necessary if the educational system of Pennsylvania was to be carried on in a successful manner in this great Commonwealth.

This afternoon I want to say to the Members of this House that I am going to back the teachers of Pennsylvania. I am not going to say to them that I will vote

for an increase in your salary, or I will vote for an increase in subsidy to the school districts of Pennsylvania providing I can find the money. I intend to stand on both feet and back the school districts of Pennsylvania and the teachers by supporting this bill because I know that if this tax bill is passed in this House there will be funds that are necessary to uphold our educational system in this State.

Mr. ANDREWS. Mr. Speaker, though I were endowed with the tongue of men and angels, I would not expect to change a single vote. I do not think you could roll Demosthenes, Daniel Webster, Patrick Henry and William Jennings Bryan into one personality and change a single vote. So at this time I am, for the purpose of the record, for the purpose of the future, briefly summarizing our positions.

I appreciate the devotion of the gentleman from Bedford to the cause of the embattled teachers. I want to say that I place more confidence in the rank and file of the teaching profession than I place in the executives of the PSEA who represent them in Harrisburg. I was interested, in view of more than four hundred and fifty telegrams from teachers, individual teachers, to hear the gentleman from Bedford say that he did not think the teachers knew what was in the bill. But this puissant, powerfully, all-wise House of Delegates did know, did know what was in the bill and it knew what was not in the bill, and I leave it to history to determine who disseminated misleading information among the rank and file.

Now every bitter medicine needs a sugar coating, and this bill needed respectable, local sponsorship. How could you take an objectionable measure and sugar coat it and give it respectable local sponsorship by a means that would be more powerful than placing the rank and file of the teaching profession back of that bill?

Now Mr. Speaker, I would like to, if I may, interrogate the gentleman from Blair, Chairman of the House Education Committee.

The SPEAKER. Will the gentleman from Blair, Mr. Soltenberger permit himself to be interrogated?

Mr. SOLLENBERGER. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, are there bills now pending in the House Education Committee that have been introduced with either the direct or implied sponsorship of the PSEA and which represent the program of the PSEA as it has been adopted at its various conferences and conventions?

Mr. SOLLENBERGER. There are, Mr. Speaker.

Mr. ANDREWS. What are the numbers of those bills?

Mr. SOLLENBERGER. The salary bill is 333; 334 is the subsidy bill.

Mr. ANDREWS. Mr. Speaker, what would House Bills 333 and 334, if enacted in the form in which they were introduced, cost the Commonwealth or the local school districts, either one or both, over and above the rate of current expenditure?

Mr. SOLLENBERGER. House Bill No. 334 which is the only bill that requires any expenditure of money, will require for the next biennium approximately \$93 million over the 1949-1951 biennium. That includes,

of course, the commitments made by the 1949-1951 session that carry into the future.

Mr. ANDREWS. But it boils down to a rough increase as the bills stand of at least \$90 million.

Mr. SOLLENBERGER. That is right, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, what are the increases proposed in the budget as submitted by His Excellency the Governor?

Mr. SOLLENBERGER. Mr. Speaker, I presume the gentleman from Cambria, Mr. Andrews, has reference to the two House bills only, and not so far as any other bill is concerned.

Mr. ANDREWS. That is right.

Mr. SOLLENBERGER. There will be approximately \$27 million, that is the commitment of the former legislative session. There will be \$20 millions to be considered in the Governor's proposed budget. That will be an amount of \$47 million of subsidy to the districts for instructional purposes.

Mr. ANDREWS. Mr. Speaker, what is the spread between the expenditures by the Commonwealth for and on behalf of the public schools as sponsored by the PSEA and the figure suggested by His Excellency the Governor?

Mr. SOLLENBERGER. Mr. Speaker, if I understand the gentleman correctly, he wants to know the difference between the amount that was covered by the former Legislature and the proposed amount, the two added, and subtract that from the amount that House Bill 334 will require.

Mr. ANDREWS. That is right, and the gentleman being skilled in the matter of mathematics and learned in the matter of budgets, I defer to him as to the mathematics of the calculations.

Mr. SOLLENBERGER. The arithmetical end of it I might be able to give, but so far as the budget, no, I am not an authority, and not even the son of an authority.

Mr. ANDREWS. Was the gentleman swearing at the budget secretary?

Mr. SOLLENBERGER. No, Mr. Speaker, if I wanted to swear about it I would have substituted another word for the word "authority" that I heard has happened in legislative halls already. When someone wanted to swear and did not want to use the correct word, he substituted. About \$45 or \$46 million.

Mr. ANDREWS. Is there any reason why we should believe, or why the teachers should believe that if House Bill 840 is passed, that the teachers will get that \$46 million?

Mr. SOLLENBERGER. Mr. Speaker, in reply to the gentleman, I would have to make two statements. The first is, it is certainly the will of the teachers that they get it; I think I could speak for them on that. But the more important and the final answer would be that the Appropriation Committee will have to answer your question by action.

Mr. ANDREWS. But there are no implied agreements, no understandings, no bargains made which in any way would give the teachers any where reason to feel that they had this \$46 million?

Mr. SOLLENBERGER. Mr. Speaker, I am speaking for myself, as Chairman of the Committee on Education; I know of no agreement between any authorities

and the teachers or the Committee on Education or anyone else that there will be sufficient money. Absolutely no agreement that I know of in any way.

Mr. ANDREWS. Mr. Speaker, one further question.

Would the gentleman from Blair care to give his views as to why hundreds of teachers and on the basis of my correspondence, thousands of teachers, individuals, just teachers, identify the success of House Bill 840 with a certainty of getting the \$46 million? What are the psychological or other factors that have led to that belief, as I could demonstrate to this House were I to take the time to read the hundreds of telegrams that I have received.

Now, it is not fiction; it is not a mere statement on my part that the teachers apparently so believe; it is stated in their telegrams, and I wonder how that has come about.

Mr. SOLLENBERGER. Mr. Speaker, I have no definite answer for the gentleman. It is plainly seen by just common logic and common sense that I could not give a definite answer. I will attempt to answer in my own opinion and speaking for no one else. In the first place there is no assurance, and I do not believe that they have assurance in any way of the full amount as requested in House Bill 334.

Now in the second place, it is only good reasoning and common sense to think that if the schools through the subsidy will receive the \$92 million plus, it would be by an added tax, at least a reasonable amount of that, and I think that is what they have in mind; that there is no hope of receiving \$92 million plus for instructional purposes, which is salaries and so forth, if an added tax bill would not be enacted into law.

Mr. ANDREWS. May I interrupt?

Mr. SOLLENBERGER. You may.

Mr. ANDREWS. Is there a feeling that this particular bill that we are now considering will make it possible for this body to appropriate \$46 million?

Mr. SOLLENBERGER. Mr. Speaker, I could not possibly answer that question, because we have an executive, we have an Appropriation Committee, we have a Department of Public Instruction, and all of those groups or individuals must act upon this; and they have prior authority. Therefore I would not attempt to answer that question.

Mr. ANDREWS. I thank the gentleman from Blair.

Mr. Speaker, as far as the teachers are concerned and on the basis of the budget as it stands, a budget embodying the purposes of this administration, the teachers will not receive the full amount for which they have importuned this assembly even if this tax bill passes.

Our position from the first has been this and perhaps the gentleman from Blair has partly expressed it. He says the teachers cannot get this money, the mental health institutions cannot get this money, welfare cannot get this money, unless there is a reasonable increase in the amount we propose to raise through taxes.

We on this side have taken the position that we have, because the Democratic minority in the Senate and a considerable number of members of the majority apparently agree with the gentleman from Westmoreland, Mr. Petrosky, that present taxes will finance the Governor's budget.

I personally have never accepted that point of view. I do not know. But I have argued, and apparently to no purpose, that before I vote for or against House Bill 840 I should have the benefit of the facts and figures that fortify the view in the Senate that the budget can be financed within the scope of the existing tax structure.

I also have not been unmindful of the suggestions from various sources of alternative methods of financing the imperative needs of the Commonwealth. If some Democratic member, a member of the minority suggested those alternative methods, I would say that you were justified in paying but scant attention. When such suggestions come with a unanimous voice from the press of the Commonwealth as represented in our major cities, I would say as to those suggestions that it is folly to ignore them. I call to the attention of the gentlemen from Philadelphia that apparently in a recent event in Philadelphia the press happened to be right. The press happened to represent public sentiment. There is a bare possibility, that in their demand for a public hearing that they again represent public feeling. The crime in the situation is the fact that for the purposes of the leadership you probably did not want a public hearing because if you had a public hearing you would have heard Republican Senators not in agreement with the administration's program. You would have heard Republican editors not in agreement with the administration's program. You might even have heard Republican Members of this House not in agreement with the administration's program. And goodness knows you have heard enough, you would have heard quite enough from the Representatives on this side of the House. So your peculiar political situation made it inadvisable to hold public hearings lest it be prematurely attacked from the other side of the capital.

You know that history has a habit of repeating, and I am going to ask the privilege of reading a statement made by the Democratic Legislative Caucus on January 8, 1947.—Any of the Members that want to go to sleep while I read, and any Members that care to absent themselves from the Hall of the House during the course of the next half hour are welcome to do so. In fact if you find this reading worrisome I hope that you show your disapproval of what I am doing by just marching right out that door. But I hope that you fellows on this side stick around.

Mr. Speaker, my neighbors here are pleading that I do not make it a half hour because they do not know what the devotion to the cause may be upon the part of all the Members assembled. You know there is a limit of endurance and somebody just on the basis of a verbal attack might crumble.

Anyway, Mr. Speaker, here is what we had to say in 1947:

"The Democratic Legislation Caucus regrets that the General Assembly of 1947 faces the financial situation that is clouded by deception and deceit. It is also unfortunate that the Governor-elect of this Commonwealth is not in a position to plead surprise by reason of the problems that loom upon the Commonwealth's financial horizon.

"Pennsylvania's Governor-elect will head an administration which will come into power following a period during which the Commonwealth's financial

position has been persistently and systematically misrepresented."

That was the fact in 1947, it was the fact in 1949, it is the fact in 1951. The Commonwealth's fiscal situation has been persistently misrepresented.

"In order to establish the claim that mythical governmental economies have been real, it has been the policy of the outgoing administration to underestimate revenue accruing for the Commonwealth from various sources—thus making it appear that any surplus established was due to good management instead of being the result of budget manipulation.

It is still the practice of the budget office and practically every Chairman of every Committee in this House knows that the budget office persistently and systematically and as a matter of policy overestimates expenditures and underestimates receipts.

"It was not so many months ago that Edward Martin, speaking as Governor of this Commonwealth, predicted that 'new state tax reductions were in prospect for 1947 to make Pennsylvania even more attractive to industry in the post-war period than it was during the war period.'

At one of his press conferences Senator Martin, then Governor, said—and was so quoted in the Pennsylvania press—that "the Republican gubernatorial candidate can promise to cut taxes again and he will be able to fulfill that promise in 1947."

The campaign pledged, prior to the election of Governor Duff, the last message of Governor Martin specifically definitely predicted, that Governor Martin's successor would be able to reduce taxes.

The phrase "cut taxes again" was used by the then Governor by reason of the fact he had insisted that his administration would reduce taxes in an amount of more than \$350 millions.

Thus it is that there appears in the record a positive statement made by Edward Martin as Governor of the Commonwealth that taxes could and would be reduced in 1947—and also there is already in the record a statement made by the Governor-elect that unless new taxes are provided the ordinary routine house-keeping operations of the state government would result during the first biennium of the Duff administration in a deficit approximately \$100 million."

When Martin was writing his last budget he made a definite prediction that his successor could reduce taxes. When Martin's successor came into office he said that he had to have new taxes or the deficit would be \$100 million.

"Moreover, the Governor-elect makes this dismal forecast indicating a substantial deficit unless new taxes are enacted even though in his campaign, as reported in the Pennsylvania press"—he repeatedly referred to that famous \$200,000,000 surplus.

Now you have been very attentive. I am not going to continue that. I will submit it to the reporters for inclusion in full in the record.

Governor-elect Duff's press release covering his memorable speech in Milford carried the following opening paragraph:

"A prediction by the Attorney-General James H. Duff, that the present Administration's treasury surplus 'may reach \$200,000,000,' by the end of the biennium is based on swelling returns from levies on gasoline, cigarettes and liquor, the state Budget Office indicated today."

It is not the fact that financial problems have arisen to embarrass political prophets that should be stressed, but rather the fact that the outlines of these problems and their probable advent have so long been concealed from the people. The \$200,000,000 surplus that

figured in the campaign has been changed into a \$100,000,000 probable deficit in a much too mysterious manner.

Governor-elect Duff's predecessor has dumped a messy financial situation into his lap. The incoming administration cannot wipe out all the sins committed by its predecessor, but the time has certainly arrived when the budget office and the governor's office should begin telling the people the truth concerning the financial affairs of their Commonwealth.

The Democratic Legislative Caucus will gladly lay aside partisan considerations and help pull the Commonwealth out of the financial bog in which it finds itself—provided the incoming administration will establish its good faith by a willingness to lay all of the financial cards on the table—and inaugurate a new era during which the people of Pennsylvania will be told the truth concerning their affairs.

The point is that the budget promises made by Martin in his last budget were not fulfilled. The budget promises made during the Duff campaign were not fulfilled; during that campaign there was this fake \$200 million surplus. The promises made during the campaign that elected His Excellency the present Governor, the promises repeated at length in the press, ran to the effect that this administration through various economies, through increased revenue, by reason of non-recurring items in the budget would not need any new taxes, and during the campaign the very people who are now saying they need \$160 million in new money went around this state telling the people that there was \$140 millions produced that could be used in financing the next budget.

Now they were either right in the campaign and wrong now or they were knowingly wrong during the campaign and right now.

All that the gentlemen in the other chamber are doing is adopting the very figures which during the recent campaign the spokesmen for His Excellency the Governor made in his behalf while he was a candidate. Those are the reasons why this side of the House has taken its unalterable stand against this tax at this time—the persistent refusal to submit your facts to public scrutiny.

The refusal being based, in my opinion, upon the exigency of purely partisan politics.

I have not any notion and do not intend to predict what is going to happen to this bill and its future problems. I should not encourage it. I think this bill is going to pass. I do not think you would be here the way you are unless you thought you had the votes.

But, just as the people in Philadelphia eventually won the Charter fight in the face of the Philadelphia leadership, I give it as my considered opinion that the people of this Commonwealth will take into consideration your inconsiderate action, your lack of confidence in public judgment, your unwillingness to have a case stated in an open forum, and that by your action today you will once again contribute to the victory of the political forces that you have been opposing. It is my personal theory long expounded, that the only way the Democrats can win either in Philadelphia or in Pennsylvania is when the Republican leaders make darned fools of themselves.

I think you are taking a step, which as a partisan, I would welcome; but which as a citizen, I would regret.

Mr. WATKINS. Mr. Speaker, my little speech will be a very short one as usual. I have been granted the privilege by my colleague from Schuylkill County to

state: We, the Schuylkill County delegation, are appreciative of the actions of the Republican majority of this House for their loyal support given this income tax measure before us when it first made its appearance upon the calendar for its original final passing.

We are, of course, mindful of the fact that a number of the majority Members representing several districts of our Commonwealth, could not see fit for various and good reasons to go along on a favorable basis. These Members are loyal to their constituents. They feel they have a just cause and purpose for their actions. They are not in any way or manner disloyal to this Republican majority.

Perhaps, the minority Members of the House had a just cause in voting against the passage of this income tax bill on its rapid procedure and personality, I have found no fault with the course they have pursued.

However, in reconsideration of this bill before us today, in looking forward to the future, enormous demands are made and going to be made on our state government. Certainly many of these demands are of highest necessity to the welfare of our citizens. These demands carry a great financial outlay and a responsibility and I am now convinced that this income tax is a most desirable method of raising the necessary revenue to pay for demanded services by the public.

Having confidence and believing in the sincerity of our Governor, who is the commander of this great ship of state, and is willing to assume responsibility of guiding us through troubled waters which we face, let me say: "Ship ahoy," and provide him and this administration with the income measure which will provide the funds needed to sail this great ship of state forward.

Mr. Speaker, I submit the following statement by the majority Members of the Schuylkill delegation of the House, giving our position on this income tax measure before us, and I ask your permission to have same printed in the record.

The position of the Schuylkill County delegation has been that if new taxes are necessary, they would prefer the Income Tax to a Sales Tax, because the latter would be a heavier burden on the small income groups. They insisted that more time be given for discussion with groups back home and sought information and clarification of the discussion in the public press in which opponents of the tax bill contend that neither income or sales tax is necessary.

Several statements have been issued by the Governor in support of his budgetary figures which indicate that the defeat of the income tax bill will force the adoption of a sales tax. No one has ever questioned the sincerity of the Governor. For this reason the majority of the Schuylkill County delegation will vote for the income tax with the hope that if it is passed by the House, the budgetary questions that have been raised and the suspicions voiced about the entire State fiscal program will be further clarified by the Senate Finance Committee before this new tax is pressed to final enactment.

IVAN C. WATKINS
WAYNE M. BREISCH
GEO. C. SHOEMAKER
G. EDGAR KLINE

Mr. SMITH. Mr. Speaker, if there are any other gentlemen that would like to speak on this bill, I will gladly yield to them at this time.

Mr. SWARTZ. Mr. Speaker, I do not intend to take

any time other than to enter into the records one statement.

Inasmuch as the representative of the delegation from the very County which has been headlined for the past two weeks has seen fit to change his position, I say to the people of Pennsylvania: "Keep your eye on what happens from here on out for the Schuylkill County Members of this House."

Mr. WATKINS. Mr. Speaker, there is no disgrace in reversing any vote when you feel and know that you are right.

Mr. VARNER. Mr. Speaker, I would like to say "Amen" to Mr. Watkins' statement.

Mr. SMITH. Mr. Speaker, several of the gentlemen today when they addressed the House said that they did not intend to take up too much time of the House. Well, I feel that we have certainly debated the merits of this tax over and over again. We have discussed the pros and cons for the last two or three weeks. I am inclined to agree with the Minority Leader that anything that I say now would be just rehashing past arguments.

We as Republicans still feel that of all the broad base taxes, an income tax is the fairest and most equitable to the citizens of this Commonwealth. It is based on the ability to pay and certainly nothing could be fairer than that.

I reiterate at this time, the time for talking is past. Let us call the roll on House Bill 840.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

A verification of the roll was requested by Messrs. Moran, Erb and Young.

The roll was verified and was as follows:

YEAS—109

Banker,	Gibson,	Markley,	Scott,
Barkdoll,	Gleason,	Mazza,	Shoemaker,
Baumunk,	Goodling,	McConnell,	Shotwell,
Bear,	Graybill,	McCormack,	Smith,
Beech,	Greenwood,	McCullough,	Sollenberger,
Blair,	Greer,	McInroy,	Spencer,
Bomberger,	Gutendorf,	McKinney,	Stimmel,
Bower,	Guthrie,	McMillen,	Stoner,
Breisch,	Hall,	Metz,	Tahl,
Brown,	Hamilton, W. H.,	Mikula,	Thompson, E. F.,
Cella,	Harney,	Miller, H. G.,	Thompson, R. L.,
Clapper,	Haudenshield,	Mintess,	Tompkins,
Conway,	Helm,	Moore, C. E.,	Toomey,
Cooper,	Hewitt,	Moore, H. A.,	VanSant,
Costa,	Hocker,	Murray,	Varnier,
Dalrymple,	Johnson,	Najaka,	Waterhouse,
Davis,	Jump,	Naugle,	Watkins,
Dennison,	Keller,	Pichney,	Weidner,
Dowling,	Kent,	Pitzer,	Wescott,
DuBois,	Kline,	Price, H. W. Jr.,	Whalley,
Dunn,	Kohl,	Reagan,	White,
Erb,	Leisey,	Reilly, J. M.,	Will,
Ewing,	Light,	Rigby,	Wood,
Ferster,	Loftus,	Riley, R. L.,	Yeakel,
Firmstone,	Lyons,	Royer,	Young,
Flack,	Madden,	Rubin,	Ziegler,
Frost,	Madigan,	Sax,	Sorg,
Geer,			Speaker

NAYS—97

Amarando,	Hamilton, R. K.,	Maxwell,	Reidenbach,
Andrews,	Headlee,	McDermitt,	Robertson,
Beaver,	Hersch,	McGee,	Rose,
Berkstresser,	Hoggard,	McNally,	Rosen,
Bloom,	Hunter,	Mthm,	Rovansek,

Boles,	Jenkins,	Miller, J. C.,	Sarra,
Bolton,	Jones, G. E.,	Mills,	Scanlon,
Boorse,	Jones, J. M.,	Monroe,	Schuster,
Breth,	Jones, P. F.,	Moran,	Seyler,
Bucchin,	Jones, T. H. W.,	Muldowney,	Snider,
Byrne,	Kamyk,	Munley,	Stank,
Clendening,	Kolankiewicz,	Musto,	Swartz,
Cochran,	Kornick,	Needham,	Swope,
Corr,	Kratz,	Olsen,	Taylor,
Coyle,	Kubacki,	Penglase,	Toll,
Dougherty,	Lafore,	Peta,	Varallo,
Duffy,	Lederer,	Petrosky,	Verona,
Fenrich,	Leonard, L.,	Pettigrew,	Wachhaus,
Fillip,	Leonard, W. C.,	Pfaff,	Wargo,
Filo,	Leven,	Polaski,	Welsh,
Gaffney,	Limper,	Polen,	Westrick,
Good,	Lopresti,	Price, R. A.,	Wheeler,
Guarnieri,	Lovett,	Readinger,	Williams,
Hagerty,	Lutty,	Reese,	Yester,
			Yetzer,

NOT VOTING—1

Schmidt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REASONS FOR VOTE

Mr. TOMPKINS filed the following reason for his vote:
I am for the income tax bill but I am against bribery.

REPUBLICAN CAUCUS

The SPEAKER. There will be a Republican Caucus immediately upon the calling of a recess. The Chair requests the Members to return to their seats promptly after the recess, so that we may complete the business of the day as quickly as possible.

RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess for fifteen minutes. The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Herbert P. Sorg) in the Chair.

BILLS ON SECOND READING POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar, by Mr. SMITH.

The House resumed the consideration on second reading of House Bill No. 847, entitled:

An Act to amend section four of the act, approved the second day of July, one thousand nine hundred forty-seven (P. L. 1199), entitled "An act imposing a State tax, payable by those herein defined as users, on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways; providing for the collection and lien of the tax and the distribution and use of the proceeds thereof; requiring such users to secure licenses, to file bonds as a guarantee of payment of taxes, penalties, interest, fines, uncollectible check fees and Attorney General's fees, to file reports and to compile and retain certain records; imposing duties on dealers, wholesalers and carriers for hire; imposing certain costs on counties; conferring powers and imposing duties on certain State offi-

cers and departments; providing for refunds of taxes; penalties and interest illegally or erroneously collected from licensed users; and making appropriations," by extending the provisions of the additional tax for a limited time.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. SMITH. Mr. Speaker, I move that this bill be re-committed to the Committee on Ways and Means for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The bill having been called up from the postponed calendar, by Mr. SMITH.

The House resumed the consideration on second reading of House Bill No. 848, entitled:

An Act to further amend sections four and ten of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled as amended, "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are practically, and commercially suitable for use in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," by extending the provisions of the additional tax for a limited time; and further providing for the distribution of the additional tax to certain political subdivisions of this Commonwealth, with certain conditions.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. SMITH. Mr. Speaker, I move that this bill be re-committed to the Committee on Ways and Means for the purpose of further study.

The motion was agreed to.

BILL ON THIRD READING POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. SMITH.

The House resumed the consideration on third reading of House Bill No. 841, entitled:

An Act to reenact and further amend the title and the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and re-settlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-

stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by increasing the rate of tax and extending the provisions of the act for a further limited period of time

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. SMITH. Mr. Speaker, I move that this bill be re-committed to the Committee on Ways and Means for the purpose of further study.

The motion was agreed to.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection

House Bill No. 277, Printer's No. 185.

House Bill No. 683, Printer's No. 215

House Bill No. 900, Printer's No. 216

Senate Bill No. 169, Printer's No. 94

Senate Bill No. 239, Printer's No. 56

Senate Bill No. 240, Printer's No. 57

Senate Bill No. 241, Printer's No. 58 and

Senate Bill No. 304, Printer's No. 70

were passed over at the request of the SPEAKER.

PUPILS OF SCHUYLKILL HAVEN HIGH SCHOOL WELCOMED

The SPEAKER. The Chair welcomes to the House the Schuylkill Haven High School Seniors accompanied by their Principal, Mr. Hartranft and their Coach, Mr. Stauffer. They are the guests of the gentlemen from Schuylkill, Messrs. Kline and Watkins.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. REIDENBACH asked and obtained unanimous consent to add additional sponsors to a resolution to be introduced by him.

RESOLUTION CONGRATULATIONS

Messrs. REIDENBACH, ROBERT A. PRICE, NEEDHAM, Mrs. MUNLEY and Messrs. WARGO and SPENCER offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives, April 15, 1951.

No greater catastrophe can strike a hotel than an early morning fire. Even San Francisco concedes that a fire can create a havoc more devastating and arouse a terror more demoralizing than that caused by an earthquake.

When fire broke out in the Earle Hotel in Scranton, Pennsylvania, at 4:00 a. m. on January 28, 1951, the scene was set for indescribable horror, yet tragedy was averted because of the vigilance, the resoluteness, and the heroism of a number of individuals and groups.

The fire departments of Scranton and its neighboring communities, the Scranton police, the local Chapter of the American Red Cross, and the personnel of the hotel coordinated their efforts in the face of a common danger to awaken and to rescue every guest and to minimize the damage to the hotel and adjoining structures.

With the resourcefulness and the sacrifice that traditionally appear when a united endeavor combats a rapidly growing menace, the responsible parties met their challenge heroically and offered convincing proof that emergencies can always be thwarted by community spirit and cooperation, therefore be it

Resolved, That this House of Representatives warmly command Thomas G. Evans, Chief of the Bureau of Fire; his fire fighting associates; police officers, Willard Beynon, Joseph Waltos, and David Biggs; the fire companies of Dunmore, Taylor, Clark-Summit, Olyphant, and Old Forge; the local Chapter of the American Red Cross; and Miss Betty Barbour for their indefatigable service beyond the call of ordinary duty in controlling and extinguishing a hazardous fire at the Earle Hotel and their rescue of all guests from danger and possible death; and be it further

Resolved, That this House is proud that civic responsibility and public spirit are so deeply ingrained in the conscience of the citizens of Scranton, and be it further

Resolved, That the Mayor of Scranton and the members of his official family be given copies of this resolution.

ADJOURNMENT

Mr. McDERMIT. Mr. Speaker, I move that this House do now adjourn until Monday, April 23, 1951 at 4:30 p. m.

The motion was agreed to, and (at 5:03 p. m.) the House adjourned.

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HARRISBURG, PA., MONDAY, APRIL 23, 1951.

No. 40.

SENATE

MONDAY, April 23, 1951

The Senate met at 3:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

PRAYER

The Chaplain, Rev. THOMAS D. GARDNER, Pastor of St. John's Evangelical and Reformed Church, Bedford, Pennsylvania, offered the following prayer:

O God, the Father of our Lord Jesus Christ, we bow in humble submission before Thy throne of mercy and grace. We seek Thy forgiveness, and ask that Thou wilt continue to give us the power to live and move and have our being. We are grateful for Thy love for us.

We pray that Thy blessing might be with the Governor of our Commonwealth in his hour of bereavement. May the cup of light and faith replace the cup of sorrow which has been pressed to his lips. May he be given the vision to see the stars as they shine in the darkness.

May Thy blessing be with all of us as we strive faithfully and diligently to serve Thee and our fellowmen. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding Session.

The Clerk proceeded to read the Journal of the preceding Session, when, on motion of Mr. WALKER and Mr. TAYLOR, further reading was dispensed with, and the Journal was approved.

REGULAR ORDER OF BUSINESS DISPENSED WITH

Mr. WOOD. Mr. President, I move that the regular order of business be dispensed with, and that we proceed to the business of original resolutions.

Mr. HARE. I second the motion, Mr. President.

The motion was agreed to.

SENATE CONCURRENT RESOLUTION

CONDOLENCES OF THE GENERAL ASSEMBLY EXTENDED TO GOVERNOR JOHN S. FINE AND HIS SONS

Mr. WOOD offered the following resolution which was twice read as follows:

In the Senate, April 23, 1951.

The shadow of death has fallen across the Governor's mansion and has touched the hearts of those within with

inconsolable grief; for Mrs. Helene Morgan Fine was suddenly and fatally stricken on April 23rd, following a routine visit to the University of Pennsylvania Hospital.

Her unexpected death has etched deeply into the consciousness of Pennsylvanians the bewildering uncertainty of life. Apparently recovered from an earlier operation, Mrs. Fine had been restored to her home to become again the pivotal point of laughter and gaiety and activity in the Executive Mansion. About her gracious personality, the normal social and domestic undertakings of a functional home were brightly rotating—and from her selfless solicitude for others, the coalescing forces that are ever inherent in a wife and a mother irradiated their gentle influence far beyond her family circle to make their pleasant impact on thousands of homes throughout the State.

Suddenly—the lamp of light and love in the Governor's home has become extinguished. Without the slightest warning, a black curtain has been abruptly lowered on a happy domestic scene. The helping hand lies motionless, the tender eyes are glazed in death; and the eloquent lips are silenced forever.

Why? It is denied to us to penetrate the inscrutable mystery of life and hereafter. The ways of God transcend on human understanding and we must inevitably bow our heads to the immutable ordinances of an unknowable Universe; therefore be it

Resolved (if the House of Representatives concur), That this General Assembly express its immeasurable grief over the sudden death of Mrs. Helene Fine and tender to the Governor its heartfelt sympathy in his hour of desolation and sorrow, and be it further

Resolved, That this General Assembly mingle its prayers with the countless supplications arising from all faiths and creeds throughout the Commonwealth, that the Governor and his sons be sustained by an unwavering spiritual solace during their trial of bereavement; and be it further

Resolved, That, despite the inadequacy of verbal expression in defining a moving crisis, a copy of this Resolution be transmitted to Governor Fine and his two sons.

RESOLUTION UNANIMOUSLY ADOPTED

Mr. WOOD. Mr. President, I move that the resolution be adopted.

Mr. WALKER. Mr. President, I second the motion.

The resolution was unanimously adopted.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

SENATE CONCURRENT RESOLUTIONS

RECALLING FROM THE GOVERNOR SENATE BILL No. 68, SENATE BILL No. 366 AND SENATE BILL No. 318

Mr. WALKER offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 23, 1951.

Resolved (if the House of Representatives concur), That the following Senate Bills be recalled from the Governor for the purpose of further consideration:

Senate Bill No. 68, Printer's No. 121, entitled "An act to validate and confirm certain contracts heretofore entered into by boards of school directors where there is no evidence of fraud or conspiracy, and to authorize, ratify, confirm and validate payments on such contracts by the school district."

Senate Bill No. 366, Printer's No. 104, entitled "An act to further amend subsection A of Section 221, and to amend Section 241 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled 'An act relating to fish and amending, revising, consolidating and changing the law relating to fish in the inland waters, and the boundary lakes and boundary rivers of the Commonwealth' by extending non-resident fishing privileges to Canadians and re-defining resident."

Senate Bill No. 318, Printers No. 138, entitled "An act authorizing counties of the second and fourth classes to establish fire training schools for the paid and volunteer firemen of municipalities within the county."

Ordered, That the Clerk present same to the House of Representatives for concurrence.

TIME OF NEXT MEETING

COMMITTEE BE APPOINTED TO ATTEND THE
FUNERAL SERVICES OF THE WIFE OF
GOVERNOR JOHN S. FINE

Mr. WALKER offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 23, 1951.

Resolved (if the House of Representatives concur), That as a further mark of respect to His Excellency, the Governor and his family, the Senate adjourn this day, to reconvene on Monday, April 30, 1951, at 2:00 p. m., Eastern Standard Time, and the House of Representatives adjourn this day, to reconvene on Monday, April 30, 1951, at 3:30 p. m. Eastern Standard Time; and be it further

Resolved, That a committee on the part of the Senate comprised of the President Pro-Tempore of the Senate; the Majority Leader; the Minority Leader and the Senators representing the twentieth and twenty-first Senatorial Districts of the County of Luzerne to be joined with a committee on the part of the House, comprised of the Speaker; the Majority Leader; the Minority Leader and the Members of the House representing the Legislative Districts of the County of Luzerne, is hereby designated to attend the funeral of the beloved wife of our Governor.

Resolved, That the Clerk of the Senate present this resolution to the House of Representatives for concurrence.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

COMMITTEE APPOINTED TO ATTEND THE FUNERAL
SERVICES OF THE WIFE OF GOVERNOR
JOHN S. FINE

The PRESIDENT. The Chair announces on behalf of the President pro tempore the following Members of the Senate as a committee to attend the funeral services of the wife of Governor John S. Fine on Wednesday, April 25, 1951: the gentleman from Luzerne, Mr. T. N. Wood,

Chairman; the gentleman from Westmoreland, Mr. John H. Dent; the gentleman from Allegheny, Mr. John M. Walker; the gentleman from Luzerne, Mr. Patrick J. Toole, and the gentleman from Dauphin, Mr. M. Harvey Taylor.

STATEMENT BY MAJORITY LEADER

Mr. WALKER. Mr. President, I desire to make a statement at this time for the information of the gentlemen of the Senate.

It will be necessary to maintain a skelton formation until the concurrent resolutions which have been passed in the House and the Senate clear both desks.

I would also like to call the attention of the Members of the Senate to the fact that when we reconvene next Monday, April 30, we will reconvene a 2:00 o'clock p. m. Eastern Standard Time, which will be 3:00 o'clock Daylight Saving Time. The reminder is due to the fact that we will be operating on Daylight Time next week.

RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for fifteen minutes, to await the concurrent resolutions from the House.

Mr. TAYLOR. Mr. President, I second the motion. The motion was agreed to.

AFTER RECESS

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

The PRESIDENT PRO TEMPORE. The time of recess having elapsed the Senate will be in order.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE CONCURRENT
RESOLUTIONS

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate as follows:

CONDOLENCES OF THE GENERAL ASSEMBLY
EXTENDED TO GOVERNOR JOHN S FINE
AND HIS SONS

In the Senate, April 23, 1951.

The shadow of death has fallen across the Governor's mansion and has touched the hearts of those within with inconsolable grief; for Mrs. Helene Morgan Fine was suddenly and fatally stricken on April 23rd, following a routine visit to the University of Pennsylvania Hospital.

Her unexpected death has etched deeply into the consciousness of Pennsylvanians the bewildering uncertainty of life. Apparently recovered from an earlier operation, Mrs. Fine had been restored to her home to become again the pivotal point of laughter and gayety and activity in the Executive Mansion. About her gracious personality, the normal social and domestic undertakings of a functional home were brightly rotating—and from her selfless solicitude for others, the coalescing forces that are ever inherent in a wife and a mother irradiated their gentle influence far beyond her family circle to make their pleasant impact on thousands of homes throughout the State.

Suddenly—the lamp of light and love in the Governor's home has become extinguished. Without the slightest warning, a black curtain has been abruptly lowered on a happy domestic scene. The helping hand lies motion-

less, the tender eyes are glazed in death; and the eloquent lips are silenced forever.

Why? It is denied to us to penetrate the inscrutable mystery of life and hereafter. The ways of God transcend on human understanding and we must inevitably bow our heads to the immutable ordinances of an unknowable Universe; therefore be it

Resolved (if the House of Representatives concur), That this General Assembly express its immeasurable grief over the sudden death of Mrs. Helene Fine and tender to the Governor its heartfelt sympathy in his hour of desolation and sorrow, and be it further

Resolved, That this General Assembly mingle its prayers with the countless supplications arising from all faiths and creeds throughout the Commonwealth, that the Governor and his sons be sustained by an unwavering spiritual solace during their trial of bereavement; and be it further

Resolved, That, despite the inadequacy of verbal expression in defining a moving crisis, a copy of this Resolution be transmitted to Governor Fine and his two sons.

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

COMMITTEE TO BE APPOINTED TO ATTEND THE FUNERAL SERVICES OF THE WIFE OF GOVERNOR JOHN S. FINE

In the Senate, April 23, 1951.

Resolved (if the House of Representatives concur), That as a further mark of respect to His Excellency, the Governor and his family, the Senate adjourn this day, to reconvene on Monday, April 30, 1951, at 2:00 p. m., Eastern Standard Time, and the House of Representatives adjourn this day, to reconvene on Monday, April 30, 1951, at 3:30 p. m. Eastern Standard Time; and be it further

Resolved, That a committee on the part of the Senate comprised of the President Pro-Tempore of the Senate; the Majority Leader; the Minority Leader and the Senators representing the twentieth and twenty-first Senatorial Districts of the County of Luzerne to be joined with a committee on the part of the House, comprised of the Speaker; the Majority Leader; the Minority Leader and the Members of the House representing the Legislative Districts of the County of Luzerne, is hereby designated to attend the funeral of the beloved wife of our Governor.

Resolved, That the Clerk of the Senate present this resolution to the House of Representatives for concurrence.

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

RECALLING FROM THE GOVERNOR SENATE BILL No. 68, SENATE BILL No. 366 AND SENATE BILL No. 318

In the Senate, April 23, 1951.

Resolved (if the House of Representatives concur), That the following Senate Bills be recalled from the Governor for the purpose of further consideration:

Senate Bill No. 68, Printer's No. 121, entitled "An act to validate and confirm certain contracts heretofore entered into by boards of school directors where there is no evidence of fraud or conspiracy, and to authorize, ratify, confirm and validate payments on such contracts by the school district."

Senate Bill No. 366, Printer's No. 104, entitled "An act to further amend subsection A of Section 221, and to amend Section 241 of the act approved the second day

of May one thousand nine hundred twenty-five (P. L. 448) entitled 'An act relating to fish and amending, revising, consolidating and changing the law relating to fish in the inland waters, and the boundary lakes and boundary rivers of the Commonwealth' by extending non-resident fishing privileges to Canadians and re-

Senate Bill No. 318, Printers No. 138, entitled "An act authorizing counties of the second and fourth classes to establish fire training schools for the paid and volunteer firemen of municipalities within the county."

SENATE CONCURS IN HOUSE CONCURRENT RESOLUTION

He also presented extract from the Journal of the House, which was twice read as follows, considered and agreed to:

RESOLUTION RECALLING FROM THE GOVERNOR CERTAIN HOUSE BILLS

Resolved (if the Senate concur), That the following House Bills be recalled from the Governor for the purpose of further reconsideration:

House Bill No. 25, Printer's No. 27, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Pennsylvania Historical and Museum Commission, to acquire on behalf of the Commonwealth, certain land, buildings and appurtenances, located in the Township of Manheim, Lancaster County, and certain personal property therein; and making an appropriation.

House Bill No. 30, Printer's No. 83, entitled:

An Act to add clause (5) to section two thousand five hundred forty-one of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by providing for payments on account of pupil transportation where school buses are used for purposes of better graduation.

House Bill No. 42, Printer's No. 153, entitled:

An Act to amend subsection (b) of Section 921, and Section 922 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by changing the tenure of members and officers of county boards of school directors.

House Bill No. 96, Printer's No. 47, entitled:

An Act to reenact sections one to nine inclusive, of the act approved the second day of July, one thousand nine hundred thirty-seven (P. L. 2803) entitled "An act providing a method of annexation of townships of the first class, and parts thereof, to cities and boroughs, and regulating the proceedings pertaining thereto," by making the same applicable in counties of the second class and repealing inconsistent laws excepting as to proceedings now pending.

House Bill No. 175, Printer's No. 211, entitled:

An Act authorizing and directing the Joint State Government Commission to make a comprehensive study of the migratory habits of fish, particularly shad, and the stocking and tagging of shad below and above the Safe Harbor Dam, the Holtwood Dam and the Conowingo Dam, and to cooperate with the Federal government in connection therewith; prescribing powers and duties and making an appropriation.

House Bill No. 187, Printer's No. 202, entitled:

An Act to further amend Article XIV of the act approved the twenty-fourth day of June, one thousand nine

hundred thirty-one (P. L. 1206), entitled "First Class Township Law," by authorizing the appointment of special school police and defining their powers and duties.

House Bill No. 188, Printer's No. 77, entitled:

An Act relating to the admissibility in evidence, and the proof of official records, documents and proceedings, both domestic and foreign, and of copies thereof, and extracts therefrom, and certificates in reference thereto.

House Bill No. 247, Printer's No. 49, entitled:

An Act to amend the title and the act, approved the sixth day of April, one thousand nine hundred forty-five (P. L. 164), entitled "An act authorizing and empowering minors seventeen years of age, or older, to contract for and to make loans in accordance with the provisions of the act of Congress, known as the "Servicemen's Readjustment Act of 1944," or any agency of the Commonwealth hereafter created, and saving and relieving the parents, guardians, and trustees of such minors from any liability therefor, unless joining therein," by extending the provisions thereof to include certain, adults and empowering the minor spouses of such persons to join in the execution of certain contracts; and validating the actions of minor spouses of such adults in heretofore joining in the execution of any such contracts under certain conditions.

House Bill No. 484, Printer's No. 73, entitled:

An Act to further amend subsection (a) of section 704 of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," by permitting the use of semi-automatic shotguns for the hunting and killing of small game, predators and unprotected birds.

House Bill No. 555, Printer's No. 97, entitled:

An Act to amend Section 1704 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by clarifying the powers of joint school committees in managing the affairs of joint schools or departments.

House Bill No. 655, Printer's No. 108, entitled:

An Act to amend Section 508 of the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by requiring a record vote of school directors on the adoption of the annual budget.

House Bill No. 719, Printer's No. 114, entitled:

An Act making a deficiency appropriation to the Department of Welfare to reimburse State-aided hospitals for part of the cost of training student nurses in approved schools of nursing.

House Bill No. 59, Printer's No. 22, entitled:

An Act to further amend section 15 of the act, approved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207), entitled "Municipal Claim and Tax Lien Law," changing the procedure in reviving municipal claims; and reinstating the lien of certain claims.

House Bill No. 276, Printer's No. 71, entitled:

An Act to further amend the act, approved the fifth day of June, one thousand nine hundred forty-seven (P. L. 458), entitled as amended "Parking Authority Law," by extending the provisions of the act to boroughs and townships of the first class.

Ordered That the Clerk inform the House of Representatives accordingly.

ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Monday, April 30, 1951, at 2:00 o'clock, p. m., Eastern Standard Time.

Mr. MAHANY. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:08 o'clock, p. m., Eastern Standard Time, until Monday, April 30, 1951, at 2:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, April 23, 1951.

The House met at 4:30 p. m.

The SPEAKER (Herbert P. Sorg) in the Chair.

PRAYER

The Chaplain, Reverend William Hugh Fryer, offered the following prayer:

O God, who to save us didst give Thine only-begotten Son, stir us with such love toward Thee that we may gladly share whatever Thou hast entrusted us of life and strength. Grant that we whom Thou hast called to so goodly a heritage in this State, may extend more abundantly to others what we so richly enjoy, and in serving them may know the glory of serving Thee.

Accept our prayers on behalf of the soul of thy servant Helene, and grant her an entrance into the land of light and joy, in the fellowship of Thy saints.

O Merciful God, and Heavenly Father, who hast taught us in Thy Holy Word that Thou dost not willingly afflict or grieve the children of men; look with pity, we beseech Thee, upon the sorrows of Thy servants for whom our prayers are offered. Remember them, O Lord, in mercy; endue their souls with patience; comfort them with a sense of Thy goodness; lift up Thy countenance upon them and give them peace; through Jesus Christ our Lord. Amen.

JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Wednesday, April 18, 1951? If not, and without objection, the Journal is approved.

BILLS INTRODUCED AND REFERRED

By Messrs. ERB and WESTRICK.

HOUSE BILL No. 1045.

An Act requiring political subdivisions to purchase all types of insurance required or authorized to be purchased from insurance firms, brokers or agents who are taxpayers of the county in which such political subdivisions are situate.

Referred to the Committee on Municipal Corporations.

By Mr. DALRYMPLE.

HOUSE BILL No. 1046.

An Act to further amend Section 2 of the act, approved the twenty-fifth day of June, one thousand eight hundred ninety-five (P. L. 275), entitled "An act dividing the cities of this State into three classes with respect to their population, and designating the mode of ascertain-

ing and changing the classification thereof in accordance therewith," by providing for the regression in classification of cities upon their decrease in population.

Referred to the Committee on Municipal Corporations.

By Messrs. KENT and FROST. HOUSE BILL No. 1047.

An Act to further amend the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen; and providing for the licensing, regulation, and supervision of resident and nonresident real estate brokers and real estate salesmen and their business," by further defining "real estate brokers" and "real estate salesmen" authorizing the issuance of limited real estate brokers' and salesmen's licenses within a limited field or branch of the real estate business and prescribing the powers and duties of the department and commission with respect thereto, further regulating licensing and the suspension and revocation of such licenses; prohibiting the use of names of real estate salesmen in the corporate or partnership names of corporations or partnerships engaged in the real estate business and further regulating the payment of commissions.

Referred to the Committee on Professional Licensure

By Messrs. McCORMICK and RUBIN.

HOUSE BILL No. 1048.

An Act to further amend Section 7 of the act, approved the twenty-fourth day of July, one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities; regulating the sale thereof; and providing penalties for violation hereof," by requiring declaration of contents of package to contain the word "net."

Referred to the Committee on State Government.

By Mr. VAN SANT.

HOUSE BILL No. 1049.

An Act to amend Section 2 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 806), entitled "An act limiting the number of licenses for the retail sale of liquor, malt or brewed beverages, or malt and brewed beverages, to be issued by the Pennsylvania Liquor Control Board; defining hotels, and prescribing the accommodations required of hotels in certain municipalities," by permitting the exchange of liquor licenses for retail dispensers' licenses and establishing procedure therefor.

Referred to the Committee on Liquor Control.

By Messrs. OLSEN and HUNTER.

HOUSE BILL No. 1050.

An Act to amend clause (d), paragraph 1, of Section 1404 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," computation of returns when candidate's name is written, stamped or applied to ballot.

Referred to the Committee on Elections and Apportionment.

By Messrs. MAZZA, DENNISON, POLEN,

WILLIAMS and REESE. HOUSE BILL No. 1051.

An Act creating a Bituminous Mine Law Study Commission for the purpose of making a study and investigation of all laws relating to bituminous coal mines and the preparation of a modern code relating thereto and making an appropriation.

Referred to the Committee on Appropriations.

By Mr. FILO.

HOUSE BILL No. 1052.

An Act to further amend the title and Section 1 of the act, approved the sixteenth day of April, one thousand nine hundred seven (P. L. 92), entitled, as amended, "An act defining the duty of coroners, where death is sudden or violent, or is of a suspicious nature and character, and of police, and health authorities, in this Commonwealth, in reference to the disposition of bodies of persons whose cause of death may be the subject of inquiry by the coroner, but where it appears the cause of death is not surrounded by suspicious circumstances," by prescribing duties of coroners and deputy coroners when death occurs to a minor in any institution for juvenile delinquents and dependents.

Referred to the Committee on Welfare.

By Mr. LEDERER.

HOUSE BILL No. 1053.

An Act providing for additional vacation leave for time spent on official duties in courts of record by members of the police departments and uniformed officers and men employed as park guards in cities of the first class.

Referred to the Committee on City and County—First Class.

By Messrs. CLENDENING and ROBERTSON.

HOUSE BILL No. 1054.

An Act prohibiting the sale of artificially colored butter and prescribing penalties.

Referred to the Committee on Agriculture and Dairy Industries.

By Mr. READINGER.

HOUSE BILL No. 1055.

A Joint Resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania, exempting income taxes from requirement of uniformity.

Referred to the Committee on Judiciary.

By Mr. TOMPKINS.

HOUSE BILL No. 1056.

An Act to further amend clause (q) of section seven hundred thirty-one of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and emending, revising, consolidating and changing the law relating thereto," by providing additional penalties.

Referred to the Committee on Game and Forestry.

By Mr. BOORSE.

HOUSE BILL No. 1057.

An Act to add Section 6.1 to the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1216), entitled "An act to define real estate brokers and real estate salesmen; and providing for the licensing, regulation and supervision of resident and non-resident real estate brokers and real estate salesmen and their business," by authorizing the issuance of lim-

ited real estate brokers' and salesmen's licenses within a limited field or branch of the real estate business and conferring powers and imposing duties upon the Department of Public Instruction and the State Real Estate Commission with respect to examination for the issuance of such licenses.

Referred to the Committee on Professional Licensure.

By Messrs. DUNN, KOHL, NAJAKA, JUMP
and SCOTT. HOUSE BILL No. 1058.

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions bases on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by further defining "unemployment" and providing for compensation for partial unemployment on a day base plan.

Referred to the Committee on Workmen's Compensation.

By Mr. DENNISON. HOUSE BILL No. 1059.

An Act to further amend subsections (a) and (b) of Section 411 and to amend Section 506 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by providing for the transfer of motor vehicles, trailers and semi-trailers from a husband to his wife and from a wife to her husband or from either to both jointly.

Referred to the Committee on Motor Vehicles.

By Mr. WATERHOUSE. HOUSE BILL No. 1060.

An Act to amend the act approved the twelfth day of April, one thousand nine hundred fifty-one (P. L. 21), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages, amending, revising, consolidating and changing the laws relating thereto, regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in,

and use of alcoholic liquors, alcohol, and malt and brewed beverages, and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option and repealing existing laws," by making the serving of food optional with certain licenses and changing certain requirements relating to the serving of food.

Referred to the Committee on Liquor Control.

By Messrs. TOMPKINS and CLARENCE E. MOORE.
HOUSE BILL No. 1061.

An Act to amend Section 1 of the act, approved the seventeenth day of May, one thousand nine hundred twenty-nine (P. L. 1798) entitled "An act providing a fixed charge, payable by the Commonwealth, on lands acquired by the State and the Federal Government for forest reserves, or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania, and preserving and maintaining the same as public places and parks; and the distribution of the same for county, school, township, and road purposes in the counties, school districts, and townships where such forests are located; and making an appropriation," by increasing the amounts which the counties, school districts and townships will receive from the State for forest reserves.

Referred to the Committee on State Government.

By Mr. READINGER. HOUSE BILL No. 1062.

An Act to amend clause (b) of Section 6 of the act, approved the eleventh day of June, one thousand nine hundred forty-seven (P. L. 565) entitled "An act providing compensation to certain persons who served in the military or naval forces of the United States or of any of her allies during World War II; providing the method of making payment to representatives of persons who, because of death or incapacity, cannot personally receive compensation; imposing certain duties on the Adjutant General; making an appropriation, and providing penalties," by making additional children eligible to receive compensation payments in certain cases.

Referred to the Committee on Military Affairs.

By Messrs. TOLL and LEVEN. HOUSE BILL No. 1063.

An Act to amend Section 1 of the act, approved the tenth day of June, one thousand eight hundred ninety-seven (P. L. 139), entitled "An act to limit the period of time within which suits may be brought against sureties of constables," by providing that suits on constables' bonds shall be brought within six years from time at which cause of action arose.

Referred to the Committee on Judiciary.

By Mr. GEER. HOUSE BILL No. 1064.

An Act to amend Section 1132 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by conferring jurisdiction on the County Court of Allegheny County in certain cases of appeal from decisions of the Superintendent of Public Instruction.

Referred to the Committee on Judiciary.

By Mr. SMITH.

HOUSE BILL No. 1065.

An Act making an appropriation to the Trustees of Temple University at Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. SMITH.

HOUSE BILL No. 1066.

An Act making an appropriation to the Temple University Medical School at Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 104.

An Act providing for the sentencing of persons convicted of certain crimes to an indeterminate sentence having a minimum of one day and a maximum of life in certain cases; authorizing the criminal courts to impose such a sentence and certain temporary sentences in connection therewith, requiring psychiatric examinations of such persons before the imposition of such a sentence, conferring powers and imposing duties upon the Department of Welfare and the Pennsylvania Board of Parole, and providing for the parole, conditional parole or absolute discharge of persons so sentenced and the procedure relating thereto.

Referred to the Committee on Judiciary.

SENATE BILL No. 121.

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by authorizing the classification of real estate into buildings on land and land exclusive of the buildings for city assessment and tax-levying purposes at separate and different rates.

Referred to the Committee on Cities—Third Class.

SENATE BILL No. 365.

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporation conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by permitting the Department of State to copy and destroy or return certain documents permitting directors to fill vacancies in the board of directors resulting from an increase in the number of directors deleting certain requirements as to the appointment compensation and duties or agents providing that meetings of shareholders at which directors are to be elected may be adjourned for periods of fifteen days

each fixing the method of cumulative voting in cases where directors are elected separately by the holders of different classes of shares providing that courts having jurisdiction over trustees who are evenly divided as to how shares shall be voted may direct the voting of such shares deleting requirements as to the voting of shares of foreign corporations owned by other corporations providing that articles of incorporation may be amended to eliminate the preemptive rights of shareholders and providing for the purchase of and payment for shares of any shareholders who dissent therefrom specifying cases of merger or consolidation of which sixty days' notice to shareholders must be given providing that shareholders of a parent corporation shall have no right to dissent from a merger or consolidation of such parent and one or more wholly-owned subsidiaries thereof provided the state of incorporation and relative rights and preferences of the shareholders of the parent corporation are not changed thereby providing that foreign corporations which shall have done business in Pennsylvania without procuring a certificate of authority to do so shall be conclusively presumed to have appointed the Secretary of the Commonwealth their agent to accept service of process in cases arising out of acts of omissions of such corporation in the Commonwealth and specifying the duties of the Secretary upon receipt of such process.

Referred to the Committee on Judiciary.

RESOLUTION

RECALLING HOUSE BILLS FROM GOVERNOR

Mr. SMITH offered a resolution which was read, considered and adopted as follows:

In the House of Representatives,
April 23, 1951.

Resolved (if the Senate concur), That the following House Bills be recalled from the Governor for the purpose of further consideration:

House Bill No. 25, Printer's No. 27, entitled "An act authorizing the Department of Property and Supplies with the approval of the Pennsylvania Historical and Museum Commission to acquire on behalf of the Commonwealth certain land buildings and appurtenances located in the Township of Manheim, Lancaster County, and certain personal property therein and making an appropriation."

House Bill No. 30, Printer's No. 83, entitled "An act to add clause (5) to section two thousand five hundred forty-one of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending, revising, consolidating and changing the laws relating thereto' by providing for payments on account of pupil transportation where school buses are used for purposes of better graduation."

House Bill No. 42, Printer's No. 153, entitled "An act to amend subsection (b) of Section 921 and Section 922 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools, amending, revising, consolidating and changing the laws relating thereto' by changing the tenure of members and officers of county boards of school directors."

House Bill No. 96, Printer's No. 47, entitled "An act to reenact sections one to nine, inclusive, of the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2803) entitled 'An act providing a method of annexation of townships of the first class and parts thereof to cities and boroughs and regulating the proceedings pertaining thereto' by making the same ap-

plicable in counties of the second class and repealing inconsistent laws excepting as to proceedings now pending."

House Bill No. 175, Printer's No. 211, entitled "An act authorizing and directing the Pennsylvania Fish Commission to make a comprehensive study of the migratory habits of fish, particularly shad and the stocking and tagging of shad below and above the Safe Harbor Dam, the Holtwood Dam and the Conowingo Dam, and to cooperate with the Federal government and the Joint State Government Commission in connection therewith and prescribing powers and duties

Whereas, Prior to the construction of the Safe Harbor Dam, the Holtwood Dam and the Conowingo Dam on the lower Susquehanna River, shad fishing was an important industry in Pennsylvania, and

Whereas, The shad fishing industry is now virtually extinct in Pennsylvania, and

Whereas, The diversification of economic activity in Pennsylvania is of the utmost importance in connection with the stabilization of the Commonwealth's economy, and

Whereas, The Congress of the United States has authorized a study of shad and has offered to cooperate with Pennsylvania, and to share the cost of a joint effort in determining the factors relevant in the migration of shad in the Susquehanna and its tributaries."

House Bill No. 187, Printer's No. 202, entitled "An act to further amend Article XIV of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled 'An act concerning townships of the first class amending revising consolidating and changing the law relating thereto' by authorizing the appointment of special school police and defining their powers and duties."

House Bill No. 188, Printer's No. 77, entitled "An act relating to the admissibility in evidence and the proof of official records, documents and proceedings both domestic and foreign and of copies thereof and extracts therefrom, and certificates in reference thereto."

House Bill No. 247, Printer's No. 49, entitled "An act to amend the title and the act approved the sixth day of April one thousand nine hundred forty-five (P. L. 164) entitled 'An act authorizing and empowering minors seventeen years of age or older to contract for and to make loans in accordance with the provisions of the act of Congress known as the "Servicemen's Readjustment Act of 1944" or any agency of the Commonwealth hereafter created, and saving and relieving the parents, guardians and trustees of such minor from any liability therefor, unless joining therein' by extending the provisions thereof to include certain adults and empowering the minor spouses of such persons to join in the execution of certain contracts and validating the actions of minor spouses of such adults in heretofore joining in the execution of any such contracts under certain conditions."

House Bill No. 484, Printer's No. 73, entitled "An act to further amend subsection (a) of section 704 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled 'An act concerning game and other wild birds and wild animals and relating thereto' by permitting the use of semi-automatic amending, revising, consolidating and changing the law shotguns for the hunting and killing of small game predators and unprotected birds."

House Bill No. 555, Printer's No. 97, entitled "An act to amend Section 1704 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school systems including certain provisions applicable as well to private and parochial schools, amending, revising, consolidating and changing the laws relating thereto' by clarifying

the powers of joint school committees in managing the affairs of joint schools or departments."

House Bill No. 655, Printer's No. 108, entitled "An act to amend Section 508 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending, revising consolidating and changing the laws relating thereto' by requiring a record vote of school directors on the adoption of the annual budget."

House Bill No. 719, Printer's No. 114, entitled "An act making a deficiency appropriation to the Department of Welfare to reimburse State-aided hospitals for part of the cost of training student nurses in approved schools of nursing."

House Bill No. 59, Printer's No. 22, entitled "An act to further amend section 15 of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207) entitled 'An act providing when, how, upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates, sewer rates and lighting rates for the procedure upon claims filed therefor, the methods for preserving such liens and enforcing payment of such claims, the effect of judicial sales of the properties liened, the distribution of the proceeds of such sales, and the redemption of the property therefrom, for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed within six months before the passage of this act, and for the procedure on tax and municipal claims filed under other and prior acts of Assembly' changing the procedure in reviving municipal claims and reinstating the lien of certain claims."

House Bill No. 276, Printer's No. 71, entitled "An act to further amend the act approved the fifth day of June one thousand nine hundred forty-seven (P. L. 458) entitled as amended 'An act creating as bodies corporate and politic "Parking Authorities" in cities of the first, second, second A and third classes prescribing the rights, powers and duties of such authorities authorizing such authorities to acquire, construct, improve, maintain and operate parking projects to conduct research of the parking problem and to establish a permanent coordinated system of parking facilities, and to borrow money and issue bonds therefor, providing for the payment of such bonds and prescribing the rights of the holders thereof, conferring the right of eminent domain on such authorities empowering such authorities to enter into contracts with and to accept grants from the Federal Government State political subdivisions of the State, or any agency thereof, exempting the property and securities of such parking authorities from taxation and conferring exclusive jurisdiction on certain courts over rates' by extending the provisions of the act to boroughs and townships of the first class."

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE

SENATE BILLS RECALLED FROM GOVERNOR

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 23, 1951.

Resolved (if the House of Representatives concur), That the following Senate Bills be recalled from the Governor for the purpose of further consideration:

Senate Bill No. 68, Printer's No. 121, entitled "An act to validate and confirm certain contracts heretofore entered into by boards of school directors where there is no evidence of fraud or conspiracy, and to authorize, rectify, confirm and validate payments on such contracts by the school district."

Senate Bill No. 366, Printer's No. 104, entitled "An act to further amend subsection A of Section 221, and to amend Section 241 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled 'An act relating to fish and amending, revising, consolidating and changing the law relating to fish in the inland waters, and the boundary lakes and boundary rivers of the Commonwealth' by extending non-resident fishing privileges to Canadians and redefining resident."

Senate Bill No. 318, Printer's No. 138, entitled "An act authorizing counties of the second and fourth classes to establish fire training schools for the paid and volunteer firemen of municipalities within the county."

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 222.

An Act to reenact and amend the title of, and the act, approved the twenty-third day of May, one thousand nine hundred forty-nine (P. L. 1669), entitled "An act to provide revenue for school districts of the first class by imposing a temporary tax on persons engaging in certain businesses, professions, occupations, trades, vocations and commercial activities therein; providing for its levy and collection; conferring and imposing powers and duties on the Board of Public Education, receiver of school taxes and school treasurer in such districts; and prescribing penalties," by continuing the provisions thereof for the year one thousand nine hundred fifty-two and succeeding years; exempting payments on building and loan and savings and loan stocks; and deleting certain obsolete provisions.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend the title, page 2, line 3, by inserting after the word "years" the words "exempting payments on building and loan and savings and loan stocks"

Amend Section 1, page 5, line 18, by inserting after the word "deposits" the words "and in the case of building and loan or savings and loan associations payments received on account of shares purchased by shareholders".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. SMITH. Mr. Speaker, I move that House Bill 222 be laid upon the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 559.

An Act to further amend section sixteen of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by authorizing taxing authorities to add names to the tax assessment lists and tax duplicates.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 2, lines 2 and 3, by striking out after the word "authorizing" the words "supervisors of township of the second class" and inserting in lieu thereof the words "taxing authorities".

Amend Section 1, Section 16, page 3, lines 6 and 7 by striking out after the word "district" the following: "or the board of supervisors of any township of the second class" and inserting in lieu thereof the words "taxing authorities of any taxing district"; line 9 by striking out after the part word "trict" the words "or township"; line 10 by inserting after the second word "the" the word "taxing"; line 11 by striking out after the word "district" the words "or township"; line 16, by striking out after the word "board" the words "or township supervisors" and inserting in lieu thereof the words "taxing authorities"; line 20, by striking out after the word "district" the words "or by the township" and inserting in lieu thereof the words "taxing district".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. SMITH. Mr. Speaker, I move that House Bill 559 be laid upon the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 701.

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by changing requirements for contracts and purchases and imposing penalties.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.
The Clerk read the amendments as follows:

Amend Section 1, Section 1802, page 2, line 14 by striking out brackets before and after the word "three" and striking out the word "two"; page 6, by striking out all of lines 16, 17, 18 and 19; page 7, by striking out lines 1 to 19 inclusive; page 8 by striking out lines 1 to 7 inclusive and inserting in lieu thereof the following:

Section 1802.1 Evasion of Advertising Requirements
No commissioner or commissioners shall evade the provisions of section one thousand eight hundred two as to advertising for bids by purchasing or contracting for services and personal properties piecemeal for the purpose of obtaining prices under seven hundred fifty dollars upon transactions which transactions should in the exercise of reasonable discretion and prudence be conducted as one transaction amounting to more than seven hundred fifty dollars. This provision is intended to make unlawful the evading of advertising requirements by making a series of purchases or contracts each for less than the advertising requirement price or by making several simultaneous purchases or contracts each below said price when in either case the transactions involved should have been made as one transaction for one price. Any commissioners who so vote in violation of this provision and who know that the transaction upon which they so vote is or ought to be a part of a larger transaction and that it is being divided in order to evade the requirements as to advertising for bids shall be jointly and severally subject to surcharge for ten per centum of the full amount of the contract or purchase. Whenever it shall appear that a commissioner may have voted in violation of this section but the purchase or contract on which he so voted was not approved by the board of commissioners this section shall be inapplicable.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. SMITH. Mr. Speaker, I move that House Bill 701 be laid upon the table.

The motion was agreed to.

COMMUNICATION

The SPEAKER laid before the House the following telegram:

Hon. Herbert P. Sorg

House of Representatives, Harrisburg, Penna.

Due to the death of Mrs. Fine the 28th Biennial Dinner of the Pennsylvania Legislative Correspondents' Association has been postponed from Tuesday, April 24th until Wednesday, May 23rd at 7:30 p. m. Penn Harris Hotel.

We regret the sad circumstances that require this postponement but will look forward to having you with us on May 23rd.

LEONARD R. LINDGREN, President,
Pennsylvania Legislative Correspondents' Assn.

SENATE MESSAGE

CONDOLENCE RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented the following extract from the Journal of the Senate, which was read as follows, viz:

In the Senate, April 23, 1951.

The shadow of death has fallen across the Governor's mansion and has touched the hearts of those within with inconsolable grief; for Mrs. Helene Morgan Fine was suddenly and fatally stricken on April 23rd, following a routine visit to the University of Pennsylvania Hospital.

Her unexpected death has etched deeply into the consciousness of Pennsylvanians the bewildering uncertainty of life. Apparently recovered from an earlier operation, Mrs. Fine had been restored to her home to become again the pivotal point of laughter and gayety and activity in the Executive Mansion. About her gracious personality, the normal social and domestic undertakings of a functional home were brightly rotating—and from her selfless solicitude for others, the coalescing forces that are ever inherent in a wife and a mother irradiated their gentle influence far beyond her family circle to make their pleasant impact on thousands of homes throughout the State.

Suddenly—the lamp of light and love in the Governor's home has become extinguished. Without the slightest warning, a black curtain has been abruptly lowered on a happy domestic scene. The helping hand lies motionless, the tender eyes are glazed in death; and the eloquent lips are silenced forever.

Why? It is denied to us to penetrate the inscrutable mystery of life and hereafter. The ways of God transcend on human understanding and we must inevitably bow our heads to the immutable ordinances of an unknowable Universe; therefore be it

Resolved (if the House of Representatives concur), That this General Assembly express its immeasurable grief over the sudden death of Mrs. Helene Fine and tender to the Governor its heartfelt sympathy in his hour of desolation and sorrow, and be it further

Resolved, That this General Assembly mingle its prayers with the countless supplications arising from all faiths and creeds throughout the Commonwealth, that the Governor and his sons be sustained by an unwavering spiritual solace during their trial of bereavement; and be it further

Resolved, That, despite the inadequacy of verbal expression in defining a moving crisis, a copy of this Resolution be transmitted to Governor Fine and his two sons.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution?

It was unanimously concurred in by a rising vote.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 23, 1951.

Resolved (if the House of Representatives concur), That as a further mark of respect to His Excellency, the Governor and his family, the Senate adjourn this day, to reconvene on Monday, April 30, 1951, at 2:00 p. m. Eastern Standard Time, and the House of Representatives adjourn this day, to reconvene on Monday, April 30, 1951, at 3:30 p. m. Eastern Standard Time; and be it further

Resolved, That a committee on the part of the Senate comprised of the President Pro Tempore of the Senate; the Majority Leader; the Minority Leader and the Senators representing the twentieth and twenty-first Senatorial Districts of the County of Luzerne to be joined with a committee on the part of the House, comprised of the Speaker; the Majority Leader; the Minority Leader and the Members of the House representing the Legislative Districts of the County of Luzerne, is hereby designated to attend the funeral of the beloved wife of our Governor.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?
It was unanimously concurred in by a rising vote.
Ordered, That the Clerk inform the Senate accordingly.

CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, April 23, 1951.

Resolved (if the Senate concur), That the following House Bills be recalled from the Governor for the purpose of further consideration:

House Bill No. 25, Printer's No. 27, entitled "An act authorizing the Department of Property and Supplies with the approval of the Pennsylvania Historical and Museum Commission to acquire on behalf of the Commonwealth certain land buildings and appurtenances located in the Township of Manheim, Lancaster County, and certain personal property therein and making an appropriation."

House Bill No. 30, Printer's No. 83, entitled "An act to add clause (5) to section two thousand five hundred forty-one of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending, revising, consolidating and changing the laws relating thereto' by providing for payments on account of pupil transportation where school buses are used for purposes of better graduation."

House Bill No. 42, Printer's No. 153, entitled "An act to amend subsection (b) of Section 921 and Section 922 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending, revising, consolidating and changing the laws relating thereto' by changing the tenure of members and officers of county boards of school directors."

House Bill No. 96, Printer's No. 47, entitled "An act to reenact sections one to nine, inclusive, of the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2803) entitled 'An act providing a method of annexation of townships of the first class and parts thereof to cities and boroughs and regulating the proceedings pertaining thereto' by making the same applicable in counties of the second class and repealing inconsistent laws excepting as to proceedings now pending."

House Bill No. 175, Printer's No. 211, entitled "An act authorizing and directing the Pennsylvania Fish Commission to make a comprehensive study of the migratory habits of fish, particularly shad and the stocking and tagging of shad below and above the Safe Harbor Dam, the Holtwood Dam and the Conowingo Dam, and to cooperate with the Federal government and the Joint State Government Commission in connection therewith and prescribing powers and duties

Whereas, Prior to the construction of the Safe Harbor Dam, the Holtwood Dam and the Conowingo Dam on the lower Susquehanna River, shad fishing was an important industry in Pennsylvania, and

Whereas, The shade fishing industry is now virtually extinct in Pennsylvania, and

Whereas, The diversification of economic activity in Pennsylvania is of the utmost importance in connection with the stabilization of the Commonwealth's economy, and

Whereas, The Congress of the United States has authorized a study of shad and has offered to cooperate with Pennsylvania, and to share the cost of a joint effort in

determining the factors relevant in the migration of shad in the Susquehanna and its tributaries."

House Bill No. 187, Printer's No. 202, entitled "An act to further amend Article XIV of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled 'An act concerning townships of the first class amending revising consolidating and changing the law relating thereto' by authorizing the appointment of special school police and defining their powers and duties."

House Bill No. 188, Printer's No. 77, entitled "An act relating to the admissibility in evidence and the proof of official records, documents and proceedings both domestic and foreign and of copies thereof and extracts therefrom, and certificates in reference thereto."

House Bill No. 247, Printer's No. 49, entitled "An act to amend the title and the act approved the sixth day of April one thousand nine hundred forty-five (P. L. 164) entitled 'An act authorizing and empowering minors seventeen years of age or older to contract for and to make loans in accordance with the provisions of the act of Congress known as the "Servicemen's Readjustment Act of 1944" or any agency of the Commonwealth hereafter created, and saving and relieving the parents, guardians and trustees of such minor from any liability therefor, unless joining therein' by extending the provisions thereof to include certain adults and empowering the minor spouses of such persons to join in the execution of certain contracts and validating the actions of minor spouses of such adults in heretofore joining in the execution of any such contracts under certain conditions."

House Bill No. 484, Printer's No. 73, entitled "An act to further amend subsection (a) of section 704 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled 'An act concerning game and other wild birds and wild animals and amending, revising, consolidating and changing the law relating thereto' by permitting the use of semi-automatic shotguns for the hunting and killing of small game predators and unprotected birds."

House Bill No. 555, Printer's No. 97, entitled "An act to amend Section 1704 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school systems including certain provisions applicable as well to private and parochial schools, amending, revising, consolidating and changing the laws relating thereto' by clarifying the powers of joint school committees in managing the affairs of joint schools or departments."

House Bill No. 655, Printer's No. 108, entitled "An act to amend Section 508 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending, revising, consolidating and changing the laws relating thereto' by requiring a record vote of school directors on the adoption of the annual budget."

House Bill No. 719, Printer's No. 114, entitled "An act making a deficiency appropriation to the Department of Welfare to reimburse State-aided hospitals for part of the cost of training student nurses in approved schools of nursing."

House Bill No. 59, Printer's No. 22, entitled "An act to further amend section 15 of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207) entitled 'An act providing when, how, upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates, sewer rates and lighting rates for the procedure upon claims filed therefor, the methods for preserving such

liens and enforcing payment of such claims, the effect of judicial sales of the properties liened, the distribution of the proceeds of such sales, and the redemption of the property therefrom, for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed within six months before the passage of this act, and for the procedure on tax and municipal claims filed under other and prior acts of Assembly' changing the procedure in re-living municipal claims and reinstating the lien of certain claims."

House Bill No. 276, Printer's No. 71, entitled "An act to further amend the act approved the fifth day of June one thousand nine hundred forty-seven (P. L. 458) entitled as amended 'An act creating as bodies corporate and politic "Parking Authorities" in cities of the first, second, second A and third classes prescribing the rights, powers and duties of such authorities authorizing such authorities to acquire, construct, improve, maintain and operate parking projects to conduct research of the parking problem and to establish a permanent coordinated

system of parking facilities, and to borrow money and issue bonds therefor, providing for the payment of such bonds and prescribing the rights of the holders thereof, conferring the right of eminent domain on such authorities empowering such authorities to enter into contracts with and to accept grants from the Federal Government State political subdivisions of the State, or any agency thereof, exempting the property and securities of such parking authorities from taxation and conferring exclusive jurisdiction on certain courts over rates' by extending the provisions of the act to boroughs and townships of the first class."

ADJOURNMENT

Mr. SMITH. Mr. Speaker, I move that this House do now adjourn until Monday, April 30, 1951, at 3:30 p. m. Eastern Standard Time.

The motion was agreed to, and (at 4:58 p. m.) the House adjourned.

Legislative Journal.

Session 1951.

139th of the General Assembly.

Vol. 32.

HARRISBURG, PA., MONDAY, APRIL 30, 1951.

No. 41.

SENATE

MONDAY, April 30, 1951.

The Senate met at 2:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

PRAYER

The Chaplain, Rev. HARWOOD C. BOWMAN, JR., Pastor of St. Paul's Episcopal Church, Kittanning, Pennsylvania offered the following prayer:

Let us pray. O Eternal Lord God, who holdeth all souls in light, vouch-safe, we beseech Thee, our church a paradise and on earth Thy light and Thy peace. Grant that we, following the good example of those who have served Thee here and are now at rest, especially Thy servant Helene, may at last enter into Thy unending joy, through Jesus Christ, our Lord.

Let us pray also for William J. Ridge. O God, whose mercies cannot be numbered, accept our prayers on behalf of the soul of Thy servant departed, William Ridge, and grant him an entrance into the land of light and joy in the fellowship of Thy saints, through Jesus Christ our Lord. Amen.

The grace of our Lord Jesus Christ, and the love of God and the fellowship of the Holy Ghost be with us all evermore. Amen.

REVEREND BOWMAN. Gentlemen of the Senate:

Our Governor, the First Lady of the State, and their two sons have been uppermost in our hearts and prayers this week. I would pay tribute to them now.

When Judge Fine was running in the primary last fall, I had the pleasure of meeting him in Kittanning together with his beloved wife, Helene. Judge Fine spoke at the time his character and reputation were being attacked the strongest. I well remember his words. He said in effect:

When I was Judge, I was respected. My character was unassailable. When I became a candidate for nomination, my character somehow changed overnight. My two sons, who the week before respected their father, now came to me to ask if what they had heard about their daddy in school was true. I had entered the arena of politics.

Gentlemen, a political race is one thing; a political arena is another. A race is clean; an arena is a place of blood.

Strange, how prophetic were Judge Fine's words that night, for he had indeed entered the arena—the arena where the blood of his dearest possession was to be spilled.

Helene Fine is a heroine of this State just as surely as

if she had died in the Armed Forces of our Country. Her life has been given in service to the State of Pennsylvania. Governor Fine has paid dearly for his office.

This Senate can do no less than to serve him and to serve this State as well.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. WADE, further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 30, 1951.

Mr. WOLFE. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 30, 1951.
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as notaries Public, for terms of four years to compute from the dates shown:

To compute from date of confirmation.

ALLEGHENY COUNTY

Miss Lois Gertrude Geib, Pittsburgh, 244 4th Ave.
S. P. Gill, Pittsburgh, 437 Grant St.
Miss Rosemary Loeffler, Pittsburgh, 2327 Grant Bldg.

BUTLER COUNTY

Erwin A. Marsch, Jr., Butler Twp., Butler.

HUNTINGDON COUNTY

Mrs. Helen B. Peterson, Tell Twp., Blairs Mills.

LUZERNE COUNTY

Miss Jule Lenahan, Wilkes-Barre.

PHILADELPHIA COUNTY

John B. Haughey, 5123 Lancaster Ave.
Mrs. Inez Hutchison, 1100 Lincoln Liberty Bldg.
Miss Catharine M. McBrearty, 42 S. 15th St.

SOMERSET COUNTY

William A. Davis, Windber.

WASHINGTON COUNTY

Miss Sophia Lichy, Monongahela.

WESTMORELAND COUNTY

Raymond J. Blair, Latrobe.
Robert H. Long, Jr., Greensburg.

YORK COUNTY

Miss Kathryn R. Keesey, York.

To compute from the dates set opposite their names

LYCOMING COUNTY

George W. Kehrner, Williamsport, 4-21-51.

McKEAN COUNTY

Miss Rita K. Murphy, Bradford, 5-3-51.

PHILADELPHIA COUNTY

Harry R. McKeon, 7312 N. 21st St., 5-5-51.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 30, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as notaries Public, for terms of four years to compute from the dates shown:

To compute from date of confirmation.

ALLEGHENY COUNTY

Robert A. Baker, Pittsburgh, 239 Shady Ave.
Jack Cinkan, Pittsburgh, 934 Morrison Ave.
Louis Cosnotti, Braddock.
John Dolce, Pittsburgh, 7127 Hamilton Ave.
Miss Sara Doole, Pittsburgh, 5th Floor Chamber of Commerce Bldg.
Howard I. Hausman, Pittsburgh, 525 Fifth Ave.
Miss Irene Loomis, Bridgeville.
Mrs. Lillian A. Michel, Pittsburgh, 3415 Forbes St.
Mrs. Sara B. Miller, Pittsburgh, 5855 Alderson St.
Byron B. Null, Pittsburgh, 51 Terminal Way.
Miss W. E. Piekarski, Pittsburgh, 215 N. Highland Ave.
Frank A. Speney, McKeesport.
Miss Marie T. Talamo, Pittsburgh, 330 Grant St.
Mrs. Alice R. Volz, Pittsburgh, 1204 Linden Pl.
Mrs. L. S. Weaver, Ben Avon.
Miss Elizabeth E. Young, Pittsburgh, 1838 Oliver Bldg.

ARMSTRONG COUNTY

Richard L. Custred, Cowanshannock Twp., Yatesboro.

BEAVER COUNTY

Mrs. Olga H. Kobsik, Aliquippa.
George W. Roberts, Midland.

BERKS COUNTY

Earl N. Schmehl, Reading.

CHESTER COUNTY

Delbert DeHaven, West Chester.
C. Ralston Hatfield, Coatesville.

CLEARFIELD COUNTY

Richard C. Anderson, DuBois.

DAUPHIN COUNTY

Miss Janet P. Finley, Harrisburg.
Frederick Patterson, Harrisburg.

DELAWARE COUNTY

Adolf W. Boysen, Upper Darby Twp., Upper Darby.
Miss Anna M. Brezza, Chester.
Michael D. Klimchuk, Trainer.
Miss Rachel C. Rowles, Chester.
Mrs. Ruth Russell, Lower Chichester Twp. Linwood
Clyde S. Stewart, Upper Darby Twp., Upper Darby.

FAYETTE COUNTY

Miss Felicia P. Capello, German Twp., McClellandtown.

INDIANA COUNTY

Mrs. Doris R. Hart, Saltsburg.

LACKAWANNA COUNTY

Bernard H. Gorelick, Moosic.
Mrs. Margaret C. Weibel, Scranton.

LANCASTER COUNTY

Charles P. Russo, Lancaster.

LEHIGH COUNTY

Mrs. Jeanette M. Heilman, South Whitehall Twp., Allentown.

LUZERNE COUNTY

Walter A. Cummings, Wilkes-Barre.
Anthony James DeScipio, Butler Twp., Freeland.
Mrs. June B. Williams, Hazleton.

MERCER COUNTY

S. A. Gillespie, Greenville.
William C. Woodworth, Jamestown.

MONTGOMERY COUNTY

Mrs. Constance Wasser, Norristown.

PHILADELPHIA COUNTY

Miss Margot I. Ahern, 1528 Walnut St.
Samuel Blank, 1129 Bankers Securities Bldg.
George Braeunig, 5126 N. 5th St.
S. H. Brown, Jr., 1603 Vine St.
Joseph J. Curreri, 2110 Jackson St.
Benjamin Edelman, 517 S. 4th St.
Frederic H. Emmett, 710 S. Washington Square.
Albert Gregory, 3511 Welsh Rd.
Mrs. Adella Byrd Harper, 321 E. Upsal St.
Miss Flora C. Iannucci, 2300 Carpenter St.
William G. Kinkaid, 423 S. 16th St.
John J. Stapleton, Jr., 6539 Elmwood Ave.
Harvey F. Stutzman, 801 Market St.
Samuel Toub, 6300 Market St.
Mrs. Eleanor L. Wieder, 1417 Sansom St.

SCHUYLKILL COUNTY

John F. Dowd, Mahanoy City.
Miss Margaret M. Ziegler, Pottsville.

VENANGO COUNTY

Harry G. Freeman, Oil City.
Mrs. Hazel V. Hutchison, Clintonville.

YORK COUNTY

Carl F. W. Hespenheide, Jacobus.

To compute from the dates set opposite their names

LUZERNE COUNTY

Miss Kay H. Connor, Wilkes-Barre, 5-5-51.

LEHIGH COUNTY

C. Hartline, Bethlehem, 5-6-51.

PHILADELPHIA COUNTY

Mrs. Edythe Ageldinger, 121 S. Broad St, 5-6-51.
Frank Pepe, 1237 Wolf St., 5-6-51.

LEBANON COUNTY

Aaron C. Stager, Lebanon, 5-7-51.

LUZERNE COUNTY

Mrs. Marion A. Lee, Dallas, 5-7-51.

DAUPHIN COUNTY

Homer C. Bradley, Harrisburg, 5-8-51.

ALLEGHENY COUNTY

John J. Cazenave, Pittsburgh, 5936 Baum Blvd., 5-12-51.
Miss Helena R. Corsello, Pittsburgh, 3712 Brighton Rd., 5-12-51.
Leonard R. Dahlem, Pittsburgh, 137 Water St., 5-12-51.
Robert W. McNeill, Pittsburgh, 900 W. North Ave., 5-12-51.
Mrs. Edith G. Singer, Pittsburgh, 1923 Murray Ave., 5-12-51.

ERIE COUNTY

Mrs. Bertha L. Denning, Erie, 5-12-51.

LACKAWANNA COUNTY

Thomas M. Nolan, Scranton, 5-12-51.

MONTGOMERY COUNTY

Miss Anna E. Tinsman, Lower Merion Twp., Ardmore, 5-12-51.

PHILADELPHIA COUNTY

George A. Gehring, 1802 Sedgley Ave., 5-12-51.

SCHUYLKILL COUNTY

Mrs. Rose Maff, Rahn Twp., Tamaqua, 5-12-51.

ALLEGHENY COUNTY

Jasper R. Glover, Pittsburgh, 7107 Reynolds St., 5-13-51.
William M. Patton, McKees Rocks, 5-13-51.

BERKS COUNTY

Miss Margaret E. McCullough, Reading, 5-13-51.
Harry E. Salzmann, Wyomissing, 5-13-51.

INDIANA COUNTY

Miss Margaret R. Learn, Indiana, 5-13-51.

PHILADELPHIA COUNTY

Ernest R. Artur, 2123 Orthodox St., 5-13-51.
Joseph A. Magrath, 231 Chestnut St., 5-13-51.
A. H. Morris, Jr., 11 N. Juniper St., 5-13-51.
Louis Saltzman, 1528 Walnut St., 5-13-51.

ALLEGHENY COUNTY

M. R. Armstrong, Pittsburgh, 2500 First Nat'l Bank Bldg., 5-14-51.

CAMBRIA COUNTY

F. M. Farabaugh, Carrolltown, 5-14-51.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 30, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the dates shown:

To compute from date of confirmation

ALLEGHENY COUNTY

Mrs. Mazie C. Kellum, Pittsburgh, 412 Bakewell Bldg.
Miss Mary E. McHugh, Pittsburgh, 326 Emerson St.
Louis T. Schubert, Pittsburgh, 3941 California Ave.

ARMSTRONG COUNTY

Richard B. Devereaux, Freeport.

BEAVER COUNTY

Mrs. Ruth H. Erzinger, Beaver Falls.

BERKS COUNTY

John W. Stover, Reading.

DELAWARE COUNTY

Melvin Feinberg, Chester.
John W. Patton, Morton.

FRANKLIN COUNTY

Ralph H. Maun, Peters Twp., Lemasters

GREENE COUNTY

Mrs. Josephine K. Blair, Waynesburg.

JEFFERSON COUNTY

Miss Ann Duke, Punxsutawney.

LAWRENCE COUNTY

M. E. Alexander, New Castle.
William E. Watkins, New Castle.

MONTGOMERY COUNTY

Samuel S. Davidson, Jenkintown.

PHILADELPHIA COUNTY

Miss Helen Arrow, 2157 Magee Ave.
Mrs. Anne W. Conlan, 1515 Packard Bldg.
Edward J. Handel, 6621 Tackawanna St.
William Lichtenstein, 2025 W. Montgomery Ave.
Domenic J. Malatesta, 6265 Cottage St.
Walter E. Mauger, 4330 Torresdale Ave.
Mrs. Mary E. Ruff, 1918 Ashley St.
Edward H. Smyrl, Room 322, Witherspoon Bldg.

SCHUYLKILL COUNTY

Foster Shoemaker, Ashland.

WASHINGTON COUNTY

R. Kenneth Gessler, Canonsburg.

To compute from the dates set opposite their names

ALLEGHENY COUNTY

S. S. Klein, Pittsburgh, 814 Brookline Blvd., 4-30-51.

BERKS COUNTY

Mrs. Dorothy E. Hornberger, Reading, 5-8-51.

PHILADELPHIA COUNTY

Ernest Berry, 6066 Ridge Ave., 5-8-51.

YORK COUNTY

Boyd W. Arnold, Dillsburg, 5-8-51.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. MOORE, That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stevenson.
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner.
Chapman,	Leader,	Robinson,	Walker.
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko.
Freud	McMenamin,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

MEMBERS OF COUNTY BOARDS OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 30, 1951.

To the Honorable, The Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of County Boards of Assistance:

CARBON COUNTY

William T. Longsdorf (Republican), Palmerton, from January 13, 1950, until December 31, 1952, and until his successor is duly appointed and qualified.

George H. Mitten (Republican), Lansford, from January 13, 1950, until December 31, 1952, and until his successor is duly appointed and qualified.

CENTRE COUNTY

John Curtin, Sr. (Republican), Bellefonte, from July 14, 1950, until December 31, 1952, and until his successor is duly appointed and qualified.

Rev. Clarence C. Reimer (Republican), West Lamb Street, Bellefonte, to serve until December 31, 1951, and until his successor is duly appointed and qualified, to fill a vacancy.

CLARION COUNTY

Edgar Dickey Stewart (Republican), East Brady, from July 10, 1950, until December 31, 1951, and until his successor is duly appointed and qualified.

Archie L. Whisner (Republican), Clarion, from January 1, 1951, until December 31, 1953, and until his successor is duly appointed and qualified.

CRAWFORD COUNTY

George M. Hummer (Republican), Titusville, from January 1, 1950, until December 31, 1952, and until his successor is duly appointed and qualified.

FRANKLIN COUNTY

Mrs. Corynn W. Ervin (Democrat), Waynesboro, from May 10, 1950, until December 31, 1951, and until her successor is duly appointed and qualified.

Arvid E. Minnich (Republican), Greencastle, from January 1, 1951, until December 31, 1953, and until his successor is duly appointed and qualified.

MERCER COUNTY

Rev. Eugene Liggitt (Republican), 804 Superior Street, Grove City, to serve until December 31, 1953, and until his successor is duly appointed and qualified, vice G. G. Forquer, Grove City, whose term expired.

MIFFLIN COUNTY

Mrs. Catherine Saxton (Republican), Lewistown, from April 26, 1950, until December 31, 1952, and until her successor is duly appointed and qualified.

Jay M. Riden (Republican), Lewistown, from April 26, 1950, until December 31, 1952.

James A. Dalton (Democrat), Lewistown, from April 26, 1950, until December 31, 1952, and until his successor is duly appointed and qualified.

D. Grant Arnold (Republican), Reedsville, from January 1, 1951, until December 31, 1953, and until his successor is duly appointed and qualified.

Gerald Wilson (Republican), Lewistown, from January 1, 1951, until December 31, 1953, and until his successor is duly appointed and qualified.

JOHN S. FINE.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 30, 1951.

To the Honorable, The Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

Carl K. King, 105 Pine Street, Punxsutawney, Jefferson County, for appointment as Justice of the Peace in and for the Borough of Punxsutawney, Jefferson County, until the first Monday of January 1952, vice Diltz S. Gourly, resigned.

Mrs. Martha D. Pearce, 63 Center Avenue, Plymouth, Luzerne County, for appointment as Justice of the Peace in and for the Borough of Plymouth, Luzerne County, until the first Monday of January 1952, vice John K. Pearce, deceased.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 30, 1951.

To the Honorable, The Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

J. Arthur Updegrove, Keystone Street, Muir, Schuylkill County, for appointment as Justice of the Peace in and for the Township of Porter, Schuylkill County, until the first Monday of January 1952, vice Elmer A. Keiser, resigned.

John F. Anderson, Jerome, Somerset County, for appointment as Justice of the Peace in and for the Township of Conemaugh, Somerset County, until the first Monday of January 1952, vice Gordon Mathias, deceased.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 30, 1951.

To the Honorable, The Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Oren G. Umholtz, Star Route, Valley View, Schuylkill County, for appointment as Justice of the Peace in and for the Township of Hubley, Schuylkill County, until the first Monday of January 1952, vice R. O. Umholtz, deceased.

JOHN S. FINE.

COMMUNICATIONS FROM THE GOVERNOR

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVED AND SIGNED SENATE CONCURRENT
RESOLUTION RECALLING FROM THE GOVERNOR
SENATE BILL No. 68, SENATE BILL No. 366
and SENATE BILL No. 318

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 26, 1951.

To the Honorable, The Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution recalling from the Governor, for the purpose of further consideration, the following bills:

Senate Bill No. 68, Printer's No. 121

Senate Bill No. 366, Printer's No. 104

Senate Bill No. 318, Printer's No. 138

Accordingly, the original bills are herewith returned.

JOHN S. FINE.

The PRESIDENT. The bills will be laid on the table.

APPROVED AND SIGNED SENATE BILL No. 217,
PRINTER'S No. 40

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 20, 1951.

To the Honorable, The Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 217, Printer's No. 40, entitled "An Act assenting to the provisions of the act of Congress entitled 'An act to provide that the United States shall aid the States in fish restoration and management projects and for other purposes' approved August ninth one thousand nine hundred and fifty conferring certain powers and duties on the Pennsylvania Fish Commission."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 16,
PRINTER'S No. 82

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 19, 1951.

To the Honorable, The Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 16, Printer's No. 82, entitled "An Act to further amend clauses six seven twenty

and twenty-three of Section two of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engagng in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by exempting from the provisions thereof transportation of pulpwood or chemical wood from woodlots.

JOHN S. FINE.

HOUSE MESSAGES

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 77

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 77, entitled:

An Act to further amend Section 319 of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by changing the employer's right of subrogation.

HOUSE BILL FOR CONCURRENCE

He also presented for concurrence bill of the House, as follows:

House Bill No. 840, entitled:

An Act imposing an income on residents of Pennsylvania as herein defined including trust and estates and on income of nonresidents derived from property, business or other sources in Pennsylvania; defining taxable income and requiring filing of returns thereof; providing for the assessment, collection and lien of said tax; providing for administration and enforcement of the act by the Department of Revenue, conferring powers and imposing duties on certain persons, fiduciaries, partnerships, associations, corporations, political subdivisions, State officers, employes and departments; saying certain local taxes; and imposing penalties.

Which was committed to the Committee on Finance.

BILLS SIGNED

The President (Lieutenant-Governor Lloyd H. Wood) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 120, entitled:

An Act to further amend the act approved the fifth day of August, one thousand nine hundred forty-one (P. L. 803) entitled as amended "An act providing for the creation, maintenance and operation of a county employes' retirement system in counties of the fifth, sixth, seventh and eighth class; imposing certain charges on counties, and prescribing penalties," by further defining county employ, substituting the chief clerk for the auditor as a member of and secretary to the board in certain cases and extending the period in which a certain option may be exercised.

House Bill No. 202, entitled:

An Act to further amend Section 2445 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "First Class Township Law," by authorizing the issuance of non-debt revenue bonds for the alteration, addition to or enlargement of existing sewers, sewer systems and sewage treatment works and the pledging of revenue derived from the existing system in payment of such bonds.

House Bill No. 221, entitled:

An Act to reenact and amend the title of, and the act, approved the twenty-third day of May, one thousand nine hundred forty-nine (P. L. 1676), entitled "An act to provide revenue in school districts of the first class by imposing a temporary tax upon certain classes of personal property; providing for its levy and collection; conferring and imposing powers and duties on the county assessing authority, board of revision of taxes, receiver of school taxes, school treasurer, board of public education in such districts, and courts; providing for compensation to certain officers and employes; and imposing penalties," by continuing the provisions thereof for the year one thousand nine hundred fifty-two and succeeding years; and deleting certain obsolete provisions.

House Bill No. 602, entitled:

An Act to reenact and amend the title and the act, approved the twelfth day of May, one thousand nine hundred forty-three (P. L. 259), entitled, as amended "An act providing for the payment by the State Treasurer, of one-half of the amount of the tax on premiums paid

by foreign casualty insurance companies, to the treasurers of the several cities, boroughs, towns and townships, and for the payment thereof into police pension funds, and in certain cases into the Municipal Employes' Retirement certain other cases into the State Employes' Retirement System, and for Pension Annuity Contracts, and in Fund, for certain purposes," by extending the benefits of the act to certain county police pension funds.

Whereupon,

The President (Lieutenant-Governor Lloyd H. Wood) in the presence of the Senate signed the same.

SENATE BILL No. 77 TAKEN FROM TABLE

SENATE INSISTS UPON ITS NON-CONCURRENCE IN THE AMENDMENTS MADE BY THE HOUSE TO
SENATE BILL No. 77

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 77, entitled:

An Act to further amend Section 319 of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," by changing the employer's right of subrogation.

and move that the Senate insist upon its non-concurrence in the amendments made by the House and a committee of conference on the part of the Senate be appointed.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

COMMITTEE OF CONFERENCE APPOINTED
ON SENATE BILL No. 77

The PRESIDENT. The Chair announces on behalf of the President pro tempore the appointment of Messrs. BERGER, WATSON and ROSENFELD, as a committee of conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to Senate Bill No. 77.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON
SENATE BILL No. 18

Mr. WOLFE. Mr. President, I submit the report of the Committee of Conference on Senate Bill No. 18, entitled:

An Act to amend Section 5 of the act approved the eleventh day of June one thousand nine hundred forty-seven (P. L. 565) entitled "An act providing compensation to certain persons who served in the military or naval forces of the United States or of any of her allies during World War II providing the method of making payment to representatives of persons who because of death or incapacity cannot personally receive compensation imposing certain duties on the Adjutant General making an appropriation and providing penalties" by extending the time during which applications may be filed for veterans' compensation.

The PRESIDENT. The report will lie over for printing under the rules.

REPORT FROM COMMITTEE

Mh. STEVENSON, from the Committee on Local Government reported as amended, House Bill No. 700, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by further defining clarifying adding to and otherwise changing the laws relating to the affairs of townships

BILLS INTRODUCED AND REFERRED

Messrs. McPHERSON and CROWE read in place and presented to the Chair Senate Bill No. 532, entitled:

An Act to further amend subsection (2) of Section 13 of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by providing an additional State annuity on retirement for superannuation.

Which was committed to the Committee on State Government.

Mr. STEVENSON read in his place and presented to the Chair Senate Bill No. 533, entitled:

An Act concerning contributions among joint tortfeasors; defining the rights and duties of contribution in such cases; making uniform the law with reference thereto and repealing certain acts.

Which was committed to the Committee on Judiciary General.

Messrs. WAGNER and HARE read in place and presented to the Chair Senate Bill No. 534, entitled:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania, providing for graded and graduated income taxes and for exemptions therefrom.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

Mr. LETZLER read in his place and presented to the Chair Senate Bill No. 535, entitled:

An Act to amend Section 784 of the act, approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by extending the authority of school districts to lease property from the State Public School Building Authority.

Which was committed to the Committee on Education.

Mr. YOSKO read in his place and presented to the Chair, Senate Bill No. 536, entitled:

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose, authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by redefining the powers and duties of the State Public Assistance Board, requiring all applications for public assistance to be made under oath, requiring periodic statements by certain persons receiving public assistance of continuing eligibility therefore; requiring periodic investigations of continued eligibility for public assistance by local boards and the department and requiring the cooperation of the Pennsylvania State Police therein and prescribing additional penalties.

Which was committed to the Committee on Public Health and Welfare.

He also read in his place and presented to the Chair, Senate Bill No. 537, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by abolishing the State Board of Public Assistance, creating the State Public Assistance Board, prescribing the membership thereof and its powers and duties.

Which was committed to the Committee on Public Health and Welfare.

He also read in his place and presented to the Chair, Senate Bill No. 538, entitled:

An Act to add subsection (d) to Section 3 of the Act, approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045), entitled, as amended "An act relating to the support of indigent persons; providing for the support of such persons by certain relatives, and for recovery of public moneys expended for care and assistance from the property and estates of such persons; providing for guardians of the person and property of such persons; providing for the arrest and seizure and sale of the property of deserters; and providing procedure," by requiring agreements to

support by relatives liable for support of indigent relatives on public assistance to be reduced to writing and authorizing courts to make support orders based on such agreements upon failure to comply therewith; and prescribing penalties for noncompliance with such court orders.

Which was committed to the Committee on Public Health and Welfare.

Mr. ROSENFELD read in his place and presented to the Chair, Senate Bill No. 539, entitled:

An Act making an appropriation to the Berean Manual Training School at Philadelphia, Pennsylvania, for the purpose of the maintenance of said school.

Which was committed to the Committee on Appropriations.

Mr. MAHANY read in his place and presented to the Chair, Senate Bill No. 540, entitled:

An Act providing for a referendum to determine the will of the electorate on permitting the sale of colored oleomargarine as such.

Which was committed to the Committee on Agriculture

Mr. LANE read in his place and presented to the Chair, Senate Bill No. 541, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of California State Teachers College, to acquire tracts of land for the use of California State Teachers College; and making an appropriation therefor.

Which was committed to the Committee on State Government.

He also read in his place and presented to the Chair, Senate Bill No. 542, entitled:

An Act to amend the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1120), entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad to man locomotive trains, and other self propelled engines or machines with competent employees; to provide the least number of men that may be employed on locomotive trains, and other self propelled engines or machines; to provide the qualifications of certain employees; and to provide a penalty for the violation thereof, and the enforcement thereof by the Public Utility Commission," by further regulating the size of locomotive crews.

Which was committed to the Committee on Labor and Industry.

He also read in his place and presented to the Chair Senate Bill No. 543, entitled:

An Act to further amend the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 594), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction, of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," by adding a new route in Washington County.

Which was committed to the Committee on Highways.

PETITIONS AND REMONSTRANCES

Mr. DENT. Mr. President and Members of the Senate, I have received over the last two weeks a great deal of mail and telephone calls relating to one of the most important subjects during this Session of the Legislature; namely, the so-called broadening of the tax base. The reason I rise at this moment is because sooner or later—it looks to me that it will be much later than sooner—we must adjourn this Session of the Legislature. I am so fearful that we may get to the point where we lose our patience and our endurance, and may decide to pass this legislation or at least vote upon it without a public hearing.

Mr. President, I have in my possession literally thousands of postal cards and letters which I can bring to the Senate for review, if necessary, requesting public hearings. This afternoon we had a demonstration of what happens when we refuse public hearings. A group in the Senate fought for public hearings on the so-called Loyalty Bill, and they were denied these hearings. So, we were put into the position of voting for the legislation, not knowing all of the ramifications of the proposed act. The act was passed by the Senate and the House held a semi-public hearing, as I understand it, this afternoon and from what I hear the bill that caused so much commotion in the Senate is as dead as the proverbial dodo bird.

Mr. President, the Senate ought not be asked to vote for legislation of a controversial nature that has many angles and facets to it, that requires a great deal more scrutinization than we can possibly give it in the three daily readings that we give legislation. This question of a public hearing involves a great fundamental. The administrative offices of the Commonwealth, relying upon the figures given by Doctor Logan, the Budget Director, have said that we need an additional \$163,000,000 for the coming biennium to meet the cost of State government, including mandated increases. Those of us who have tried to make a study of the proposed budget feel that there is no need at this time for the additional new taxes. We have based this information of ours, or this analysis of ours, rather, upon the information contained within the budget itself. We have not reached into the clouds for any figures, we have not made a pot-shot guess at it or tried to make a political maneuver out of it.

I want to say to the Members of the Senate that a very interesting incident happened on Friday of last week in the Federal Congress that ought to give every man in this Senate his cue in voting for or against the increased budget expenses. The Federal Congress cut the departmental appropriations a flat ten per cent; the twenty-seven governmental departments in Washington were cut a flat ten per cent by the Congress, against the desires of the Chief Executive, against the recommendations of their Budget Directors, and they based their argument for the cut entirely upon the same premise that we are basing our demands here in Pennsylvania, the bloated State pay rolls. In cutting ten per cent, they cut ten per cent from the Atomic Energy Commission, the most vital of all the departments in Washington. They cut ten per cent from the Veterans Administration. In Harrisburg we have been promised, over the years, economy and economy and economy, but to date can anybody

tell me where there have been any cuts in departmental expenditures?

I say that a public hearing, and I mean a public hearing, will develop for us the reaction of the various groups of our citizens, those who must pay the tax and those who are interested in the economies of government. Sooner or later a start must be made. Let us not argue the point in this public hearing as to whether a sales tax, or an income tax or whatever type of tax is the proper tax. Let us argue the point on the basis of whether the money that is to be raised is needed.

Mr. President, just to give you an illustration of how this works, I have taken the simplest figures that I can find, and I see that using the 1949 income of the State of Pennsylvania—I am not using the inflated income of 1950 or 1951 or 1952—from all indications our income in Pennsylvania, incidentally from the statements contained in the paper over the week-end, show that the income in Pennsylvania has gone up an average of six dollars a week per worker, and that we have something like three hundred fifty-eight thousand more men working than we had at this time last year, and yet using the figures of 1949, and based on a half per cent collection, the income tax proposed by the administration will raise a minimum of one hundred sixty-eight million dollars.

Now, Mr. President, how can we justify our position before the people of the Commonwealth if we accept this budget director's figures of \$119,000,000, and there is not a figure in the entire list of publications that I have had the privilege to look through that can justify the figure of \$119,000,000, using Federal income tax figures, using Federal figures on the number of persons working and the average work week wage in Pennsylvania, using the gross income in the Commonwealth of individuals prior to tax by the Federal Government. I have tried every formula and, perhaps, the fact that I never had the chance to study logarithms has dealt me a foul blow, because simple arithmetic shows me somebody is cheating about forty million dollars in the estimates on the income tax, if it is passed in Pennsylvania, but that is nothing. Just at this moment the Legislature can, if it so desires, go over to the Auditor General's office; they can, if they so desire, get the figures on the capital stock franchise tax and the corporate net income tax. For your information, your corporate net income tax is running about sixty per cent over the estimates made by Logan. Your capital stock franchise tax is running approximately forty per cent and if this continues, instead of raising two hundred twenty million dollars under your corporate net income tax for the coming biennium, you will run close to three hundred fifty million dollars.

In my analysis of the budget, and acting only upon the information I find within the budget, I find that two hundred and fifty million dollars, or one hundred million less than the possible peak income from this tax, would still give us thirty million dollars more than what Mr. Logan says we will have. Taking into consideration the non-recurring appropriations of the Commonwealth, such as fifteen million dollars for public housing, sixty million dollars for public relief, sixteen million dollars for your Schuylkill River Project, and, incidentally, speaking of that, I have information within my desk right here that shows that in the Department of Forests and Waters to

date there is an unexpended balance of over seven million dollars which is greater than the appropriation asked for in the next two bienniums.

Mr. President, we are not in a position to vote for an increased tax base or a new tax base in Pennsylvania knowing these facts, and any Member of the Senate can get the same facts that I have been able to get together if they will take a few minutes of their time and look into it. I have tried on many an occasion to show exactly what happens to increased budgets, and today, for the benefit of the Senate, I am going to give you an illustration of what is happening in Pennsylvania, and it has happened in the Federal Government. Two wrongs do not make a right. It has happened in many of the local communities, and I am proud to say at this time that the report of the Pennsylvania Economy League, February, 1951, dealing with Westmoreland County has this to say. It is headed, "The County Reverses the Trend," and I am proud to read this, because my county, which I believe to be a fairly decent place to live in, and with fairly decent citizens, and with its share of churches and Christians, has been much maligned in the past six months by persons who for their own particular reasons have some axes to grind, but looking at the County as it is run by the administrators of that county, let us listen to this:

"In this news letter, this League reports on a county budget that carries good news for the taxpayer. We are inclined to be incredulous these days at the thought of any agency of government reducing taxes, yet the county commissioners were able to do so without cutting services and without endangering the county's future financial position. The fiscal affairs of the county have been well managed"—but this is the item that I think you ought to hear—"the element in the budget which makes the tax reduction possible is the more realistic estimate of collections which has been used. Past budget estimates have used an estimate of only eighty per cent of collection of the tax duplicate. Collections of real estate taxes, although experience has produced an invariably higher figure, the 1951 budget used is an expectation of 85 per cent collection, which is still under the actual yield which will come to the county treasury."

Now, Mr. President, that is the crux of my whole argument before the Senate for the past eight years. You cannot underestimate your revenues, overestimate your budgetary needs and then come in with a fake surplus for political purposes. Whether you do it or whether we do it, it is morally wrong. It is economically unsound and it is a condition that must be stopped sooner or later.

Mr. President, here is how it works. We underestimate the income so towards the end of the biennium we have anywhere from—the figures are right here, taken right from the books printed by the State and handed to each Senator—the figures run from sixty-three million to two hundred and fourteen million dollars over and above the estimates. So, along comes an election, and you have all this fat lying there. So, the best thing to do is to fry the taxpayers in that fat, and that is what is done. Immediately every department starts putting cousin Joe, Sister Sue and Aunt Emmy on the pay roll. They get on the pay roll, and then the election is won. After the election is won, the new department head comes in, or

the same department head, and when he sets up his budget for the next biennium he says, "Well, this is what I spent the past biennium. I have to have that much anyway." So, these added little jobs that have been placed on become permanent. Then, the budget necessarily is swelled for the next two years to take care of this bloated condition and that goes on and on every two years, and we raise our budget in Pennsylvania from four hundred and eighty-six million dollars to one billion two hundred and fifty-three million dollars. Sure, there are other circumstances that come into the picture. Sure, we have gone into an immense building program, but taking that into consideration we have still over a quarter of a billion dollars of fat in our pay rolls in Pennsylvania and in our underestimates of the budgetary revenues of this Commonwealth.

Now, Mr. President, I do not say that that is a fault that condemns the individual Members of the Senate, because I, too, have served in the majority, and I know how the hammer swings and I know how the sickle cuts, and so for fear of having Aunt Emmy and Sister Sue and Cousin Joe taken from the pay roll, you go along, but you can only go along so far. You cannot go along forever, and at this point I just want to give a few words of advice to a group in Pennsylvania whom I have always held in high esteem. I mean the school teachers as they belong to an organization called PSEA.

I received a letter the other day, signed by a man by the name of Lumley, who, as I understand it, is President of this organization. He has gone to great length to point out to the school teachers of Pennsylvania that the Democrats voted against the tax bill, and he has gone to such a great deal of expense to put down the names and the addresses of all these individuals. Then, in Legislative Letter IX—I haven't seen the first eight, and I am sorry I did not look at them because they were all about the same tenure as this. It might have changed my opinion about certain people I have respected over the years and whom I want to continue to respect if I may be allowed to. He goes on to say in this letter—just for the information of the Senate, this is the kind of pressure that causes new taxes to be placed upon the books. Speaking for the Association he says:

"Except for one Mr. Swartz"—and incidentally Mr. Swartz, I understand from the tenure of this letter, has lost caste because he voted against the tax bill—"Except for one Mr. Swartz, a Republican from Dauphin County, the speeches in opposition were by members of the minority party, the Democrats. These speeches were very interesting. It appeared as one listened that they were debating whether or not the teachers of Pennsylvania have a right to express a position on this legislation as much as they were debating the provisions of the bill. In open debate on the floor at one point, the minority leader, Mr. Andrews, criticized the executives of the PSEA. Recurring also were comments by a number of those who spoke against the bill that the teachers back home did not know—they were following blindly what they were told to do and were not familiar with the issues involved.

"It was stated that our support was based on partisan politics. May we say that we did not make the decision of the minority party to oppose this legislation."

Mr. President, I want to say this to this gentleman, Mr. Lumley, and I say it in all sincerity to him, he is wanting and requesting in the name of the teachers of Pennsylvania that we increase taxes in this State one hundred sixty-three million dollars this year; and he is giving the people of Pennsylvania the idea that the teachers are going to get this money. When the pop tax was passed, this same group insisted that the Legislature pass the pop tax, and the increased taxes on cigarettes and beer and all the other items, one hundred forty-four million dollars worth of new taxes under Duff, because the teachers had to have that money. I ask a simple question now. Out of the increase of eight hundred million dollars in the past fourteen years in Pennsylvania in the biennial budget, how much have the school teachers received? Why don't he tell the teachers how much they are going to receive out of the one hundred sixty-three million dollars?? I cannot find anything in this budget other than the mandated increases which the Legislature passed. If there is a deal, if there is a deal that if this bill gets through, if somebody in the front office has made a deal with the schoolteachers' leaders that they are going to get more money, tell us about it, and I want to tell Mr. Lumley this. There is not a Democrat in the House or the Senate that thinks the teachers are overpaid. There is not a Democrat in the House or Senate who has not voted time after time to give the teachers every advancement they have had in Pennsylvania, and I take particular pride that I was a member of this body when we voted for the greatest advancement ever given to the teachers since I have been here, the passage of the Tenure Act to protect them from politically minded school directors. We have voted one hundred per cent for the welfare of the teacher and we resent the slurring remarks and the uncalled for type of language used by this person in describing an honest vote by men who believed in what they were doing. He resents being criticized on the floor of the House. Gentlemen, maybe the day will come when I will live through a twenty-four hour day without being criticized for something, and maybe Mr. Lumley has had it too soft. Maybe he has not been criticized enough. I will criticize him openly for supporting this income tax because it is not needed. He is a teacher as I understand it. Then, why doesn't he study arithmetic? Plain, simple eighth grade arithmetic is all I had, but I can add the figures in this budget and come out with a surplus, and so can anybody else in this Senate, and so can Mr. Lumley, and so can every schoolteacher in the State of Pennsylvania.

Mr. President, we have tried time and time again to prove that pressure groups are perhaps the most dangerous new development in political government. I mean pressure groups of a different nature than the old time whiskey-drinking lobbyist. I mean these smooth, intelligent, well-dressed pressure groups that represent the various people whom we vote to put into office or into position. The Senate, for instance, could have a pressure group of its own. Sam Neff could be elected the business agent, and I am sure that Elmer Holland would be a darn good relations man for it. He could save us money, and we as a pressure group then could pressure the Governor and say, "Look, Governor, if you do not give us five thousand dollars a year, we will not pass any bills for you." That is what happens here. If you do not kneel down and do what

the schoolteachers want you to do, they will vote against you, according to Mr. Lumley, and that goes for all the branches. I am going down through the line; I have lived long enough now that it doesn't matter too much any more. I mean, the pressure groups from the county commissioners and the treasurers, and all the rest of us. Let us become a pressure group and get away from this fifteen hundred dollar a year servant boy job that we have maintained for years.

Mr. President, back home they say to me—well, I think the nearest and best description I ever had of the Senate was an old Russian back home who came to me right after I was elected the first time and he said to me, "John, what do you say you give my boy, Pete, a job like you have in Harrisburg, riding a motorcycle?" I think that is the best description of the job we have down here. That is what this citizen thought it was, that I was in Harrisburg riding a motorcycle. I know that for the last seventeen years I have been on a merry-go-round, but it was not exactly a motorcycle.

Mr. President, if this Session goes home and passes an income tax in the face of the figures, in the face of the figures that are here for everybody to examine—and I will right at this moment challenge, and I am not very good at this, but I will challenge Mr. Logan if he so desires to a public debate in the Forum on the question of his figures and my figures on the need of this budget; if he is wrong, we will not pass the tax, and if I am wrong, I will resign from the Senate. That is how much I believe that I am right in my figures and my stand upon the income tax at this time. He has all the resources, he has all the figures, all the accountants, all the brains of the Commonwealth at his disposal, and I have nothing but my convictions, but I stand here and tell you forty-nine Members of the Senate that if you pass this income tax, if you do not have public hearings, if you do not delve into this thing, that you are putting upon the people of Pennsylvania an injustice that you will live to rue. You just cannot simply say, as Mr. Lumley says, that we are for broadening the tax base. You just cannot simply say that and excuse yourselves. Schoolteachers, bricklayers, hod carriers, State Senators, no citizen has a right to pass this type of legislation which can become a permanent chain, dragging progress down in this Commonwealth for the coming generation without studying every word and every figure contained in the budget.

Mr. President, I have talked to men as of recent date who are fearful of the end results of passing this legislation, and I want to say to you that the end results may not only be economic in nature, the end results may also be political in nature. I cannot see any party coming into power—and I say this advisedly—I cannot see any party coming into power and wiping such a lucrative tax base from the books, although I stand here and say to you that if you pass this tax bill, I will go before the Democratic Policy Committee and with every ounce of persuasion at my command I shall try my best to have them include in their platform a repeal of this vicious tax from the statute books as their main plank in their state platform.

For instance, what are you going to do—I might ask Mr. Lumley this since he is so interested. A few years back he came to us and asked us to pass 481 to broaden the tax base for the communities to tax everything. I do

not want to take the time to get it, but I have a record here put out by the State Department. No figures are taken out of the clouds. This is something that is printed right here. The Secretary of Internal Affairs printed a book and he shows one community with forty-two different taxes. In fact, in Fayette County a little township called Bullsken Township just passed a few taxes a couple weeks ago. It was carried in the newspaper; five cents on a round of golf. Of course, that is an easy one to sell. You can tell the boys in the rool room that they do not have to pay, that the rich man pays. Five cents on a round of golf, one per cent on all real estate transfers, one per cent on all mercantile transactions of a retail nature, and a half per cent on all mercantile transactions of a wholesale nature; ten per cent on all advertising except newspapers, and I think it is ten per cent on all amusements and sporting events, including bingo. This township passed these taxes under a bill that we intelligent men passed, and this same group said that they had to have it for schoolteachers' salaries. These are passed by the township commissioners, supervisors. That is not going into the school fund.

The first tax that our town placed upon the books was an income tax. Back home we have a half per cent income tax or wage tax now, Mr. President, from the city government, and we have a half per cent coming on this year from the school board in my community, we have a tax from the Federal Government which I have heard so much about from Senator Byrd and some of the boys and now we have another one coming up from Pennsylvania.

Well, now I will tell you something and I am serious about this. It used to be that a fellow could earn a living by digging ditches. He will have to have more education now to figure out how he is earning that money and know what he is doing with it, and who he owes it to, and if he has that much education he would be a fool to dig ditches. Where are we going to get ditch diggers? A fellow who is that smart to figure out these taxes does not have to dig ditches. He is too smart to dig ditches if he is intelligent enough to figure out a half per cent for this community or that community. The funny thing about it is if you live in Community A, and you work in Community B, Community A has a one per cent tax on, and Community B has a half per cent tax on. You collect the tax from one community, divide the two and give it back to the other community, and then it gives it back to your home community. Why, of all the nutty things that was ever passed, and we ought to take the credit for being prize boobs, and I predict the day will come when 481 will be the object of a great deal more criticism than what it is now. You just cannot do it. Yes, you can do it. You have got thirty votes, but I remember not too long ago when you had thirty-five and I will live to see the day when you will not have fifteen. It will come because that is the way you dissipate. You dissipate your political strength.

Some say we are doing it in Washington. If we are doing it, then according to, what I have read in the newspapers and heard on the radio, we are doing it by the same method you are employing in Pennsylvania. The only difference is that in Washington when Mr. Taft makes a speech about the budget, the newspapers all print it out in big print, and they give him all the publicity, but we

can stand here and bellow until the cows come home and once in awhile some of the papers say some one protested it.

Mr. President, one of the most interesting things to me, and I think it was a compliment and I took it as such, I read an editorial in a large paper recently, and then I read one of my speeches on the Senate Floor, and I will be darned if they just hadn't stolen my speech. They did not give me a by-line, but that is all right, but the idea was what I believe in, the sentiment I stressed, and that sentiment was that there ought to be public hearings to determine the need, to determine the honesty of the estimates. If you do not need it you ought not to pass it, and if you do need it, I will vote for it. What fairer and squarer proposal could you get from anybody?

Mr. WALKER. Mr. President, I know that the gentleman from Westmoreland does not want to debate the tax program at this point for several reasons, most of which are very obvious to him. I would like in a few short remarks of about forty thousand words to reply to the gentleman.

Mr. President, I do not want to say a word on the floor of this Senate that would suggest directly or indirectly that I am in favor of public hearings. Mr. President, I would just like to refer the gentleman from Westmoreland to the Legislative Journal of March 26, wherein I very carefully and explicitly over and over and over made suggestions with regard to public hearings. I am very happy to get the support of the gentleman from Westmoreland on that.

As the gentlemen of the Senate know, and I am sure by this time all Capitol Hill knows, and I am certain that ninety-nine per cent of the people in Pennsylvania know because there are no secrets on Capitol Hill, Mr. President, the Finance Committee of the Senate is holding a meeting tomorrow at nine o'clock, at which time things will be discussed. The gentleman from Westmoreland is a member of that committee and so am I, and I imagine that at that Finance Committee meeting there is a grave danger that something might be said about the tax program, and maybe the things he discussed will be discussed, but, Mr. President, I know that the gentleman from Westmoreland does not want to create the impression that he was the godfather and the originator of the suggestion on the floor of the Senate that this present tax program he subjected to an inquiry, because as much as I object to winning purple hearts in political arenas, I still would like to remind the gentleman from Westmoreland that I made the statement on the floor of this Senate; it is in the Legislative Journal, it is still there to be read, and I do hope that the gentleman from Westmoreland will be at the committee meeting tomorrow. He talks about being criticized and he hopes that someday he will go through one day without being criticized. I do not want to spoil his record for today. Mr. President, he has one sore foot, and I sure do not want to tramp on the other, and I want to say to the gentleman from Westmoreland that in spite of his sore foot I do not want to aggravate his injuries. If he will just contain his patient enthusiasm until the meeting tomorrow it may be that the results obtained and the conclusions arrived at a majority of the Finance Committee will meet with his wholehearted support, and it may be that what's more he will be speaking

for the Minority and directing the Majority.

Mr. HOLLAND. Mr. President, when the Senate agreed to have a two weeks recess at the beginning of the Session, I submitted a resolution asking that the Senate during those two weeks should hold public hearings with the different bureau heads, and at these hearings find out how the money was being spent and how much more was being spent that should not be spent. I pleaded at that time, and at a little later date in a heated debate in this Senate, the Majority Leader spoke out and said to me in public that he was for a public hearing.

Now, Mr. President, we talk about hearings in the Finance Committee. First of all, I do not think there is anyone in this Senate that is capable, without having outside help of certified public accountants, of going over this budget in an intelligent manner. I think that the Senate is handicapped by not having outside sources to consult with them and advise them, and I would like to go back a little bit into the days of Governor Sproul and Governor Pinchot. A lot of Members, including Mr. Taylor, remember Governor Pinchot; Senator Wade remembers Governor Pinchot, Mr. Diehm remembers Pinchot, and Mr. Walker remembers Pinchot because he had a position under Pinchot. I remember Pinchot because my wife acted as Secretary to Mrs. Pinchot, and I supported the Pinchot administration, I must confess, myself, but if you remember at that time under Governor Sproul they secured the services of Main and Company, and after they secured these services of Main and Company, they made a complete audit of all the departments of government. They found that we were being cheated and a lot of money, millions of dollars, was being misspent and under Pinchot there was another audit made by Main and Company, and under Governor Fisher, Main and Company was brought into the picture again, and under Governor Fisher we gave power to Main and Company to install the present budget we are now using.

Mr. President, the time has come when we must have Main and Company again, and I think Main and Company should be brought into this picture, because I think they are in a position to save millions of dollars for the taxpayers of Pennsylvania. They know all the indexes of business. Everyone knows that the capital stock tax and the corporate net income tax is going to show a big surplus, and if it does not show a surplus we should have one of the biggest investigations that ever was held on this Hill by the Attorney General to see who is cheating on the State Government. Even the Federal Government uses an index at the present time showing the index of improvement in 1949-1950. Using that index of increased earnings, they find that they have at this time two and one-half billion dollars more money than they had estimated in the entire year. So, therefore, our estimates made by Mr. Logan in the last Session are considerably less than the amount of monies that the corporate net income tax should be and the capital stock tax should be, and I suggest—in fact, I am going to introduce tomorrow a resolution demanding that the Senate hire the services of Main and Company, one of the finest certified public accountants in the State and one that the Republican used time and time again, one which they are using in Pittsburgh to check up on their valuable business, and I believe that we should then let us leave things as they are until they can give us

a report and if they do, instead of adding taxes we will cut taxes.

Mr. President, let me read for you an editorial in the Pittsburgh Press of April 18:

"If Governor Fine gets the State income tax he is pressuring the Legislature to pass, you can make several solid 100-per-cent-right predictions.

"For one thing, that tax will grow, and grow and grow. Starting out at a modest rate of one-half of one per cent, it can go as high as the State tax-users want it—once it's on the books.

"And, at the same time, the State budget will grow and grow. The only limit on public budgets, generally, is the ability and the willingness of the taxpayers to put up the money.

"Open up a lush new field of taxation for the tax-users, and it's a case of 'Clap hands, here comes Charley'—at the taxpayer's expense. Any idea of economy—a word not very well known in Harrisburg, anyway—goes out the window.

"The most significant feature of this Fine income tax is that it's the beginning of an attempt to shift the burden of taxation in Pennsylvania.

"Historically, business has paid the main burden of taxation in the State. The depression changed that somewhat. The 'emergency' taxes of 1935 (which, by the way, still are with us) were levied both on business and on people.

"If the State income tax once gets on the lawbooks, we'll be taking a long, long step toward shifting the burden from business to people."

Mr. President, this is not a Democratic paper speaking. Mr. President, this is the paper that supported Governor Fine in the last election, and also Senator Duff.

"As evidence of that, G. Mason Owlett, president of the Pennsylvania Manufacturers' Assn. and crown prince to old Joe Grundy, was an early and whole-hearted supporter of the Fine income tax.

"Maybe there's something to the idea that we shouldn't tax business too heavily, that full employment is better than low personal taxes, and that we ought to attract new industries by light tax treatment.

"But if that's what Governor Fine is shooting at, let's hear about it. Let's have the whole thing threshed out in public hearings. Let's give everybody who wants it a say on the issue. Let's consider it as a tax shift, instead of just another tax.

"Mr. Fine's other arguments in favor of his income tax don't hold much water. He claims he needs it to fill out his \$1,220,000,000 budget. But he doesn't want the Legislature to search for the economies that undoubtedly could be found in that budget.

"His estimates of revenue from existing taxes are suspiciously low, despite the experience of the Federal Government in finding itself with a surplus, instead of an expected deficit, because of bigger tax payments.

"Mr. Fine's budget also is loose enough that he can recommend dropping the soda pop tax (29 million dollars in two years) and estimate a balance of 33 million dollars at the end of the fiscal period. That doesn't sound like poverty to us.

"The Governor also views his income tax as another

help in fighting inflation. Much more of that kind of help and we'll be looking around for ways to increase purchasing power."

Mr. President, may I say to the Majority Leader, that tomorrow when I present the resolution asking that Main and Company make a careful audit of the entire budget of the the different departments, I am going to ask the Majority Leader to join with me in trying to bring economy or at least no new taxes in Pennsylvania, and I am assured from the knowledge that I have received from some other public accountants in Pennsylvania and men who are acquainted with the business cycle and the corporate net incomes in Pennsylvania, that can be very easily done without any new taxes. I think we owe it to the people of Pennsylvania to air these in public hearings, to find out who are padding the pay rolls.

Mr. President, six weeks ago I asked the Department of Property and Supplies to give me a list of the automobiles that were being used on the Hill, and by whom and who were the drivers using them. I understand that they are using the whole State Police Department to act as chauffeurs for automobiles. I have also asked to have an accounting made of the expenses used in travel in Pennsylvania, both in the State and outside the State in the last two years. I have not received any report of that. I think it is a fine thing when the Department of Property and Supplies cannot give that immediately. They certainly should have a list at least of the automobiles they hold in the State name, and who are using them. I have also been told that this request is on the Governor's desk, both requests, and he refuses to leave the requests be granted by the Department head. As a Senator elected to represent my district, I am going to demand that the Governor release those requests so the Department head can give a Senator what he asks for and what he is elected to find out.

SENATE CONCURRENT RESOLUTION

RETURNING TO THE GOVERNOR SENATE BILLS

Nos. 68, 366 and 318

Mr. WALKER offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 30, 1951.

Resolved, (if the House of Representatives concur) that Senate Bills Nos. 68, 366 and 318, Printer's Nos. 121, 101 and 138, respectively, be returned to the Governor without amendment.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

SENATE RESOLUTION

ACTING CHIEF CLERK OF THE SENATE APPOINTED

Mr. TAYLOR offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 30, 1951.

Resolved by the Senate of the General Assembly of the Commonwealth of Pennsylvania, that due to the death of William J. Ridge the Chief Clerk of the Senate, that Vera L. Froberg, be designated Acting Chief Clerk of the Senate, to act as fully in respect to all the duties of said office as the Chief Clerk might have done had he been personally present; said authority to continue until

a successor to William J. Ridge has been appointed or until further action by the Senate.

SENATE CONCURRENT RESOLUTION

TIME OF NEXT MEETING

Mr. ROBINSON, offered the following resolution, which was twice read, considered and agreed to:

In the Senate, April 30, 1951.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week it reconvene on Monday, May 7, 1951 at two o'clock, p. m., E.S.T.; and when the House of Representatives adjourns this week it reconvene on Monday, May 7, 1951 at three-thirty o'clock, p. m., E.S.T.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

SENATE RESOLUTION

TRIBUTE TO THE LATE WILLIAM J. RIDGE AND CONDOLENCE OF THE SENATE EXTENDED TO WIDOW AND CHILDREN

Mr. BERGER offered the following resolution which was twice read, considered and agreed to:

In the Senate of Pennsylvania, April 30, 1951.

Whereas, William J. Ridge was born in Covington, Tioga County, Pennsylvania, August 20th, 1892, the son of Sherman and Ann Post Ridge. He passed away at his home in Covington on April 26, 1951, leaving to survive him his wife, Mrs. Hazel Winifred Johnson Ridge and three children, a son, Thomas Ridge of Wellsboro, and two daughters, Mrs. Allen Jones of Wellsboro and Mrs. J. Fred Husted of Wellsboro.

Whereas, William J. Ridge has given a lifetime of service to the people of Tioga County and the Commonwealth of Pennsylvania. He was educated in the Covington Schools and Allen's business college; has served as Inheritance Tax Appraiser and Investigator for the Commonwealth of Pennsylvania in Covington, from 1928 to 1938; was Secretary of the Tioga County Republican Committee; was in the produce and real estate business in Covington for fifteen years and was a distributor for the Standard Oil Company and the owner of the Putnam Oil Company of Covington. He has been active in Republican party politics all his lifetime and a stalwart leader of the party in what is commonly called the Northern Tier Counties of Pennsylvania.

Whereas, In 1939 the Senate of Pennsylvania honored him by electing him as the Chief Clerk of the Senate of Pennsylvania. He was re-elected to successive terms in 1941, 1943, 1945, 1947, 1949 and 1951 and served in that office until he died on April 26, 1951. The legislators and the public learned to know him as a faithful and able public servant. He distinguished himself in all the offices he has held and as Chief Clerk of the Senate of Pennsylvania his application to duty and the faithful discharge of his responsibilities won him the commendation of this august body.

Whereas, His host of friends loved Bill Ridge and it has been well said that anyone in trouble that turned to him never came away empty-handed.

Therefore Be It Resolved, that we extend to his widow and children our deepest and most profound sympathy, knowing that they know as we in the Senate and all his friends know that Bill Ridge's life was of great service to his fellowmen.

And Be It Further Resolved, that a copy of this Resolution, duly attested, be forwarded to his wife, Mrs. Hazel Winifred Johnson Ridge, and his children, Thomas Ridge of Wellsboro, Mrs. Allen Jones of Wellsboro and Mrs. J. Fred Husted of Wellsboro.

RESOLUTION REFERRED TO COMMITTEE

URGING THAT THE DEPARTMENT OF PUBLIC ASSISTANCE ARRANGE CONFERENCES TO FORMULATE PLAN TO EMPLOY THOSE UNEMPLOYABLES ON PUBLIC ASSISTANCE ROLLS

Mr. LOSKO offered the following resolution which was twice read and referred to the Committee on Rules:

In the Senate, April 30, 1951.

Whereas, the report of the Joint State Government Commission relative to the administration and activities of the Department of Public Assistance of the Commonwealth of Pennsylvania indicates that there are numerous employables on the Public Assistance rolls, and

Whereas, because of the National Emergency, all types of industry as well as employers are in need of and are seeking employees, and

Whereas, it is the desire of the Legislature that Public Assistance expenditures be curtailed to a minimum, and

Whereas, this end can be accomplished to some degree if employment can be found for those employables now on the Public Assistance Rolls,

Be It Therefore Resolved that the Department of Public Assistance arrange a conference with Public Relations Representatives or Personnel Directors of industry for the purpose of formulating a plan to employ those employables now on the Public Assistance Rolls, and

Be It Further Resolved that in preparation for this conference, the Department of Public Assistance prepare an area breakdown of employables on the Public Assistance rolls indicating the name, address, sex, age, marital status and employment abilities of those presently receiving Public Assistance to determine which of the employers can absorb those employables currently on the Public Assistance Rolls.

NOMINATION BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

ALDERMAN, SEVENTH WARD, CITY OF ALTOONA

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 30, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Kenneth H. Isenberg, 219 Howard Avenue, Altoona, Blair County, for appointment as Alderman in and for the Seventh Ward of the City of Altoona, Blair County, until the first Monday of January, 1952, vice W. I. Isenberg, deceased.

JOHN S. FINE.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 201, as follows:

An Act to amend Section 1705 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by au-

thorizing investment of sinking fund moneys in deposits insured by the Federal Deposit Insurance Corporation and in shares of Building and Loan or Federal Savings and Loan Association insured by the Federal Savings and Loan Insurance Corporation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1705 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" as reenacted by the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1955) is hereby amended to read as follows

Section 1705 Sinking Fund Regulations and Investments It shall be the duty of the board of commissioners to cause accounts of the sinking fund and other accounts relating to the indebtedness of the township to be kept and to see to the proper application and superintend the investment of moneys therein in accordance with law The commissioners shall meet as often as may be necessary and keep a record of the proceedings The board of commissioners shall not direct the investment of any moneys to the credit of the sinking fund except in loans of the township the loans of the Commonwealth [or] the loans of the United States [and the] or in deposits in banking institutions or in shares of building and loan associations or Federal Savings and Loan Associations the deposits or shares of which are insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporations respectively and which deposits or shares shall at no time exceed the maximum amount so insured The income derived from such investments or on any bank balances credited to the sinking fund shall be credited and applied only to the sinking fund

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 201

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 201.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stevenson.
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

THIRD READING CALENDAR

BILL POSTPONED

Mr. WALKER. Mr. President, I move that House Bill No. 99, on third reading, entitled:

An Act to improve and extend by reciprocal legislation the enforcement of duties of support and to make uniform the law with respect thereto.

be placed on the Third Reading Postponed Calendar.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 176, on third reading, entitled:

A Supplement to the act approved the twelfth day of June, one thousand nine hundred thirty-one (P. L. 575) entitled "An act providing for joint action by Pennsylvania and New Jersey in the development of the ports on the lower Delaware River, and the improvement of the facilities for transportation across the river; authorizing the Governor, for these purposes, to enter into an agreement with New Jersey; creating the Delaware River Joint Commission and specifying the powers and duties thereof, including the power to finance projects by the issuance of revenue bonds; transferring to the new commission all the powers of the Delaware River Bridge Joint Commission; and making an appropriation," authorizing the Governor on behalf of the Commonwealth of Pennsylvania to enter into a supplemental compact or agreement with the State of New Jersey amending Articles I, II, IV, XI and VII of, and adding Article XIII, to the compact and agreement between the Commonwealth of Pennsylvania and the State of New Jersey, authorized and made pursuant to the act herein supplemented, by changing the name of The Delaware River Joint Commission to The Delaware River Port Authority, and the method of appointment of commissioners; removing the present Pennsylvania members of the commission, extending the jurisdiction, powers and duties of the Delaware River Port Authority and defining such additional jurisdiction, powers and duties; to take effect upon the enactment of substantially similar legislation by the State of New Jersey embodying the supplemental agreement between the two States in this act set forth and authorizing the Governor to apply on behalf of the Commonwealth to the Congress of the United States for its consent thereto.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 235, as follows:

An Act to further amend Section 814 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers

mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by allowing motor vehicles to be equipped with certain warning apparatus approved by the secretary

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 814 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 310) is hereby further amended by adding after subsection (b) thereof a new subsection to read as follows

Section 814 Horns and Warning Devices

* * * * *

(c) Every motor vehicle may be equipped with a safety device which may be attached to a siren or other instrument to warn the public of attempted robbery or burglary. The operation of the device shall automatically cut off the ignition of the vehicle so that it cannot proceed in traffic until the siren or instrument has been shut off. Such apparatus shall be approved by the secretary

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stevenson.
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neft,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 324, as follows:

An Act to further amend Section 102 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 90) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by defining "monotrailer" and extending to apply to monotrailers the provisions of said act applicable to trailers.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 102 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the eighteenth day of May one thousand nine hundred forty-nine (P. L. 1412) is hereby further amended by adding after the definition of "Metal Tires" a new definition and amending the definitions of "Semi-trailer" and "Trailer" to read as follows

Section 102 Definitions The following words and phrases when used in this act shall for the purpose of this act have the meanings respectively ascribed to them in this section except in those instances where the context clearly indicates a different meaning

* * * * *

"Monotrailer" Every vehicle of the trailer type so used that part of its own weight and load is carried by a towing truck tractor and the remaining load is carried by a free following vehicle with two axles not less than nine feet apart so constructed as not to be in a fixed position but at all times conforming to the movement of the towing truck tractor

* * * * *

"Semi-trailer" Every vehicle of the trailer type except montrailers so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests upon or is carried by another vehicle

"Trailer" Every vehicle without motive power designed to carry property or passengers or designed and used exclusively for living quarters wholly on its own structure and to be drawn by a motor vehicle including montrailers. Provided That wagons and agricultural machinery drawn by motor vehicles for the transportation of the agricultural products of the owner of such wagons or machinery or returning from such transportation shall not be included within such definition and no fees shall be required to operate such vehicles on the public highways

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30

Bane,	Haluska,	McPherson, Jr.	Stevenson.
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko.
Freed,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 404, on third reading entitled:

An Act to add Clause (15) to Section 14 of the act, approved the twenty-fourth day of April, one thousand nine hundred forty-seven (P. L. 89), entitled "An act relating to the form, execution, revocation, operation, and interpretation of wills; to nuncupative wills; to the appointment of testamentary guardians; to elections to take under or against wills and the procedure in reference thereto," by providing for a rule of construction with respect to cemetery lots owned by a testator or in which he has a right of interment.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 453, as follows:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their

construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by changing or deleting certain routes in Westmoreland County

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following routes established by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State Highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" and its amendments are hereby deleted as indicated or amended to read as follows

[Route 64023 Beginning at Route 64024 .5 mile west of Sloan's] [School and extending in a northerly direction by way of Pleasant Valley School and intersecting Route 348 at Pleasant View School in Westmoreland County a distance of about 2.5 miles]

[Route 64024 Beginning at Route 69 .75 mile north of Mamont and extending in a northeasterly direction down Beaver Run to Route 348 in Westmoreland County a distance of about 3.3 miles]

[Route 64025 Beginning at Route 64024 near Sloan's School and extending in a southeasterly direction to Route 228 in Westmoreland County a distance of about 0.6 mile]

Route 64036 Beginning at Route 187 near the west borough line of Export and extending northerly and northeasterly by way of [an improved road and] Franklin School to Route [64184] 69 beginning again on Route [64184 near the same point and extending easterly across Route 69 about .5 of a mile north of Montgomery School] 348 Spur thence extending in an easterly direction [along Thorn Run crossing Spur Route 348] to Route 228 near Waukena in Westmoreland County a distance of about [11.86] 8.1 miles

[Route 64253 Beginning at a point on Route 64183 about 0.4 of a mile north of its intersection with Route 64035 thence in a westerly] [and northwesterly direction through Salem Township to a point on Route 64036 in Westmoreland County a distance of about 2.1 miles]

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stevenson.
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko.
Freed,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 459, entitled:

An Act to further amend Section 1101 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by authorizing the payment of bounties for the destruction of rattlesnakes.

And said bill having been read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. WOLFE. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 1, last line of Title, by inserting after the word "rattlesnakes" the following "and copper-head snakes."

Amend Sec. 1 (Sec. 1101), page 2, line 18, by inserting after the word "rattlesnake" the following "or copper-head snake."

Amend Sec. 1 (Sec. 1101), page 3, line 7, by inserting after the word "rattlesnake" the following "and copper-head snakes."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. WOLFE. Mr. President, I ask unanimous consent that Senate Bill No. 459, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 464, as follows:

An Act to add Section 17.1 to the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act

exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" by regulating the amendment of article of incorporation and providing for fees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for services of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" is hereby amended by adding after Section 17 thereof a new section to read as follows

Section 17.1 Amendment of Articles of Incorporation Authorized Any domestic fraternal benefit society subject to the provisions of this act in the manner hereinafter provided may amend its articles of incorporation for any purposes not inconsistent with the provisions of this act Provided however That such society at its option may change the location of its principal office in the manner prescribed in section thirty-seven of this act

First Before articles of amendment are filed with the Secretary of the Commonwealth a resolution authorizing the proposed amendment or amendments shall be adopted by the supreme legislative or governing body of the society at a regular or special meeting duly convened in the manner prescribed in its constitution and laws for making amendments to its constitution or laws The resolution shall contain the language of the proposed amendment or amendments by providing that the original articles of incorporation and all amendments thereto if any shall be amended so as to read as therein set forth in full or that any provision thereof shall be amended so as to read as therein set forth in full or that the matter stated in the resolution be added to or stricken from the articles of incorporation

Second Articles of amendment shall be executed in duplicate under the seal of the society and signed and attested by at least two duly authorized officers thereof and shall set forth

(1) The name of the society and the address including street and number if any of its principal office

(2) The act of Assembly under which the society was formed the date when the Governor approved the articles of incorporation and caused letters patent to issue the dates and places where the original articles of incorporation were recorded and a reference by book and page number to the particular record books kept in the office of the Secretary of the Commonwealth and in the office of the county recorder of deeds respectively wherein the original articles of incorporation were recorded Provided however that in the event the society was incorporated by a decree of court then and in such case the articles of amendment shall set forth the name and location of the court the court term and number of the case the date when the court signed the decree of incorporation and the date when and place where the original articles of incorporation were recorded and a reference by book and page number to the particular record book kept in the office of the county recorder of deeds wherein the original articles of incorporation were recorded

(3) The time and place of the meeting of the supreme legislative or governing body of the society and the total

vote for and against by which the resolution authorizing the articles of amendment was adopted which approval vote shall be not less than the vote required to amend the constitution and laws of the society

(4) The text of the resolution

Third If a proposed amendment to the articles of incorporation is for the purpose of changing the corporate name the society shall first make application to the Secretary of the Commonwealth for the registration of the proposed new corporate name The application shall set forth the name of the society and the address including street and number if any of its principal office the date on which the Governor approved the articles of incorporation and caused letters patent to issue the act under which it was incorporated and the new corporate name which the society desires to use Provided however That in the event the society was incorporated by a decree of court then and in such case the application shall set forth the name of the society and the address including street and number if any of its principal office the name and location of the court the court term and number of the case the date on which the court signed the decree of incorporation the act under which the society was incorporated and the proposed new corporate name which the society desires to use If the Secretary of the Commonwealth finds that the proposed new name is available for corporate use he shall register and reserve the name for a period of six months (6) months and shall issue to the society a certificate that the proposed new corporate name has been duly registered If the proposed new name is not available for corporate use the Secretary of the Commonwealth shall refuse to register such name and shall forthwith notify the society of this fact Upon application of any party interested either for or against the proposed amendment to the articles of incorporation the Secretary of the Commonwealth shall include in any certificate issued by him under this section any information desired as to the names registered with the Department of State

Fourth The articles of amendment executed in duplicate as aforesaid and in the case of a proposed change of the corporate name the certificate from the Secretary of the Commonwealth relating to the registration of the proposed new corporate name shall be filed by the society with the Secretary of the Commonwealth at the time mentioned in the advertisements as hereinafter provided

Fifth The society shall advertise its intention to apply for approval of the articles of amendment in the same manner with respect to the newspapers designated and the number of insertions of the advertisements therein as is prescribed in this act with respect to notice of intention to apply for articles of incorporation and shall set forth briefly

(1) The name of the society and the address including street and number if any of its principal office

(2) A statement that the application is to be made under the provisions of this act

(3) The character and nature of the proposed amendment

(4) The date on which the articles of amendment will be filed in the office of the Secretary of the Commonwealth which shall be not less than five days after the advertisements appear and also the time thereafter for filing which shall not be more than fifteen (15) days for filing objections with the Insurance Commissioner to said proposed amendments

Sixth The Insurance Commissioner shall consider the proposed articles of amendment and may make such examination and require such further information as he deems advisable In case any objections are filed he shall fix a time for a hearing of which at least five days' notice shall be given to the society and to the objectors If the Insurance Commissioner shall be satisfied that the society has complied with the provisions of this section he shall certify the same on the articles of amendment in duplicate and submit the same to the Attorney General for examination and if found by the Attorney General to be in accordance with the provisions of this act and not inconsistent with the Constitutions of this Commonwealth

and of the United States he shall certify the same on the articles of amendment in duplicate with his approval endorsed to the Governor

Upon receipt of such articles of amendment in duplicate certified and approved as aforesaid the Governor shall in case he approved the same endorse his approval thereon in duplicate and forward the same to the Secretary of the Commonwealth who shall cause the articles of amendment aforesaid together with the proceedings had thereon to be recorded in a book kept for that purpose

The Secretary of the Commonwealth shall return one counterpart of said articles of amendment with all endorsement thereon to the society which shall have the same recorded in the recorder's office of the county in which the principal office of said society is located Provided however That in the event the society was incorporated by a decree of court then and in such case the society shall file its said counterpart of the articles of amendments after recording the same in the county recorder's office aforesaid among the records of the court which incorporated the society

The Secretary of the Commonwealth shall certify the other counterpart of said articles of amendment with all endorsements thereon and file the same in the office of the Insurance Commissioner and certified copies of the same may be used in evidence for or against the society with the same effect as the original

Seventh The Insurance Commissioner shall charge and collect fees as follows For filing articles of amendment twenty-five dollars for each copy thereof forty cents per folio and one dollar for certifying the same The Secretary of the Commonwealth shall collect such fees as are due and payable for like or equivalent services All fees collected shall be transmitted daily into the State Treasury Department of Revenue

Eighth The provisions of this section shall be severable and if any of the provisions shall be held to be unconstitutional the decision of the court shall not affect the validity of the remaining provisions of this section It is hereby declared as a legislative intent that this section would have been adopted by the General Assembly had such unconstitutional provisions not been included therein

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stevenson.
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DISilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko.
Freed,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 479, as follows:

An Act to add subsection (e) to section 501 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by providing for an open season for hunting deer with bows and arrows requiring a special license herefor and fixing fees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 501 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" is hereby amended by adding at the end thereof a new subsection to read as follows

Section 501 Open Seasons

(e) Open Season For Hunting Deer with Bows and Arrows In each year in which there is an open season for hunting deer there shall in addition be an open season for hunting deer with bows and arrows exclusively unless otherwise declared by resolution of the commission the duration and time of such additional open season together with the sex and description of the deer which may be lawfully killed shall each year be fixed by the commission During any such additional open season it shall be unlawful to hunt for kill or attempt to kill any deer without a special license as hereinafter prescribed or with any weapon other than a bow and arrow or with any bow other than a long bow controlled without aid of mechanical means or with any arrow with any explosive in the head or shaft

No person shall hunt for or kill any deer during such additional open archery season with bow and arrow without first having secured a hunting license and in addition thereto a special archery license from the Department of Revenue the fee for which is hereby fixed at two dollars Such special license shall be attached to the hunter's license certificate for the current year and shall be countersigned in ink diagonally across its face by the licensee before hunting in the open season herein provided for Any person securing a special archery license under the provisions of this subsection shall also be entitled to hunt for and kill game of any kind during a lawful open season with bow and arrow on the special archery preserves provided for under section nine hundred thirty-six without securing the special permit required in that section and any person securing the special archery preserve permit under the provisions of section nine hundred thirty-six shall be entitled to hunt for and kill deer with bow and arrow during the additional open archery season provided for in this subsection without securing the special archery license herein provided for

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

(During the calling of the roll the following occurred:)

Mr. STIEFEL. Mr. President, I voted in the affirmative, but there is one defect in this bill. It does not provide for a Sherwood Forest in Pennsylvania.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barr,	Holland,	McMenamin,	Snowden,
Barrett,	Kephart,	McPherson, Jr.	Stevenson,
Berger,	Kessler,	Meade,	Stiefel,
Blass,	Lane,	Neff,	Taylor,
Byrne,	Leader,	Pechan,	Toole,
Chapman,	Letzler,	Robinson,	Wade,
Crowe,	Mahanay,	Rosenfeld,	Wagner,

Dent,
Diehm,
DiSilvestro,
Haluska,

Mallery,
McCreesh,
McGinnis,

Ruth,
Scarlett,
Silver,

Watkins,
Wolfe,
Wood,

NAYS—9

Bane,
Fleming,
Freud,

Hare,
Peelor,

Proper,
Walker,

Watson,
Yosko,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 480, entitled:

An Act relating to the discharge of joint, and several tortfeasors in certain cases.

And said bill having been read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. STEVENSON. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Sec. 1, page 2, by inserting between lines 6 and 7 the following:

In all cases where other tortfeasors are not discharged the claim against them shall be reduced in the amount of the consideration paid for the one tortfeasor's release, or in any amount or proportion by which the release provides that the total claim shall be reduced, if greater than the consideration paid.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL RECOMMITTED

Mr. STEVENSON. Mr. President, I move that Senate Bill No. 480, be recommitted to the Committee on Judiciary General, as amended.

Mr. CROWE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 510, as follows:

An Act to amend Section 4 of the act approved the tenth day of April one thousand nine hundred thirty-one (P. L. 23) entitled as amended "An act providing for the acceptance by the Commonwealth of a gift of lands from the American Petroleum Institute located on the left bank of Oil Creek in Oil Creek Township or Cherry Tree Township or both Venango County to establish and maintain a public museum and park as the Drake Well Memorial under the control and supervision of the Pennsylvania Historical Commission in cooperation with the Department of Forests and Waters and an ad-

visory board to be appointed by the American Petroleum Institute prescribing the powers and duties of the Commission relative to said memorial authorizing the employment of certain assistants and employes and for the payment of their salaries empowering the Department of Property and Supplies to acquire additional lands for such Memorial Park without cost to the Commonwealth and making an appropriation" by further providing for the acceptance of gifts of money and securities by the Drake Well Memorial Advisory Board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 4 of the act approved the tenth day of April one thousand nine hundred thirty-one (P. L. 23) entitled as amended "An act providing for the acceptance by the Commonwealth of a gift of lands from the American Petroleum Institute located on the left bank of Oil Creek in Oil Creek Township or Cherry Tree Township or both Venango County to establish and maintain a public museum and park as the Drake Well Memorial under the control and supervision of the Pennsylvania Historical Commission in cooperation with the Department of Forests and Waters and an advisory board to be appointed by the American Petroleum Institute prescribing the powers and duties of the commission relative to said memorial authorizing the employment of certain assistants and employes and for the payment of their salaries empowering the Department of Property and Supplies to acquire additional lands for such Memorial Park without cost to the Commonwealth and making an appropriation" as added by the act approved the first day of June one thousand nine hundred forty-three (P. L. 805) is hereby amended to read as follows

Section 4 The Pennsylvania Historical Commission is hereby authorized to cooperate with the Drake Well Memorial Advisory Board in carrying out the provisions of this act in order to make and preserve such memorial as a world center for research connected with the early history of the oil industry

The said Drake Well Memorial Advisory Board shall consist of seven members residents of Pennsylvania to be appointed by the American Petroleum Institute as soon as possible after the effective date of this act The first four appointees shall serve for a term of four year and the other three appointees shall serve for a term of two years and thereafter the term of all appointees shall be for a term of four years Said board shall act in an advisory capacity to the commission shall have power to make suggestions and recommendations to the commission for the improvement care maintenance preservations and enlargement of the said memorial Said board may accept gifts of money or securities for endowment purposes and for the purposes of maintenance improvement and enlargement of the Drake Well Memorial Park

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL POSTPONED

Mr. WALKER. Mr. President, I move that House Bill No. 512, on third read, entitled:

An Act to further amend subsection (b) of Section 4 of and to add Section 36.1 to the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050); entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors courts, and various officers of said political subdivisions; and prescribing penalties," by requiring taxing districts to pay the premiums on corporate bonds of the tax collector, in townships of the first class and further regulating the fixing of the compensation of elected tax collectors.

be placed on the Third Reading Postponed Calendar.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 516, on third reading, entitled:

An Act to further amend the act, approved the twenty-second day of June, one thousand nine hundred thirty-seven (P. L. 1987), entitled, as amended "An act to preserve and improve the purity of the waters of the Commonwealth for the protection of public health, animal and aquatic life, and for industrial consumption, and recreation; empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution; providing protection of water supply; providing for the jurisdiction of courts in the enforcement thereof; requiring the approval of the Attorney General for prosecutions thereunder; providing additional remedies for abating pollution of waters; imposing certain penalties; and repealing certain acts; authorizing the acquisition by purchase or condemnation, or otherwise, of easements and right of ways; the acquisition or construction of pipes, conduits, drains or tunnels by the Sanitary Water Board; and providing for payment of the costs thereof by the Commonwealth; authorizing the Sanitary Water Board to establish standards of purity and to determine the time for compliance with certain provisions of the act in certain cases and making it unlawful to open, reopen or continue operation of any coal mine, or to change any approved drainage or disposal plan without prior approval by the Sanitary Water Board," by increasing maximum time after notice for discontinuance of discharge or treatment of sewage or discharge of industrial waste.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 788, entitled:

An Act providing for the construction and equipping of the Pennsylvania Institution for Mental Defectives; providing for the acquisition of land; providing for the care, maintenance and control of inmates; imposing duties and conferring powers on the Department of Welfare and the Department of Property and Supplies.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WATKINS. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 1, lines 1 and 2 of title, by striking out the word "Institution" and inserting in lieu thereof: "School"; Amend Sec. 2, page 2, line 12, by striking out the word "Institution" and inserting in lieu thereof: "School"; Amend Sec. 3, page 3, lines 2 to 5, inclusive, by striking out all of said lines and inserting in lieu thereof: "the manner provided by law"; Amend Sec. 4, page 3, line 9, by striking out the words "one thousand nine hundred twenty-nine" and inserting in lieu thereof: "1929"; Amend Sec. 4, page 3, lines 18, 19 and 20, by striking out the words "The Commonwealth shall be" in line 18, and all of lines 19 and 20; amend Sec. 5, page 4, line 1, by striking out the word "Institution" and inserting in lieu thereof: "School"; Amend Sec. 5, page 4, line 4, by inserting after the word "hospitals" the following: "and institutions for mental defectives and epilepsy."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL POSTPONED

Mr. WALKER. Mr. President, I move that House Bill No. 788, as amended, on third reading, be placed on the Third Reading Postponed Calendar.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

SECOND READING CALENDAR

BILL POSTPONED

Mr. WALKER. Mr. President, I move that House Bill No. 231, on second reading, entitled:

An Act relating to mental health including mental illness, mental defect, epilepsy, and inebriety; and amending, revising, consolidating, and changing the laws relating thereto.

be placed on the Second Reading Postponed Calendar.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 296, entitled:

An Act to further amend the act, approved the nineteenth day of June, one thousand nine hundred thirty-one (P. L. 589) entitled, as amended "An act to promote the public health and safety, by providing for the examination and licensure of those who desire to engage in the occupation of barbering; regulating barber shops and barber schools, and apprentices and students therein; regulating compensation for service rendered; conferring certain powers and duties on the Department of Public

Instruction; and providing penalties," by changing the provisions as to fees charged apprentices and students, and as to the powers of municipalities, and transferring the administration of several provisions of this act to the State Board of Barber Examiners.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WOOD offered the following amendment:

Amend Sec. 1 (Sec. 3), page 4, line 7, by inserting a bracket before the word "or" where it appears the first time, and after the word "apprentice."

It was agreed to.

The section was agreed to as amended.

The second, third, fourth, fifth, sixth, seventh, eighth, ninth and tenth sections were read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. WOOD offered the following amendment:

Amend Title, page 2 line 2 from top by inserting after the word "municipalities" the following "removing the limitation on the payment of wages to apprentices."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to, as amended.

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 297, entitled:

An Act to further amend the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof, and the administrative departments, boards, commissions and officers thereof; including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the organization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions, and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," by creating the State Board of Barber Examiners as a departmental administrative board in the Department of Public Instruction.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 357, on second reading, entitled:

An Act to reenact revise and amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto."

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 379, entitled:

An Act to add Section 4.1 to the act approved the twentieth day of July one thousand nine hundred seventeen (P. L. 1143) entitled "An act relating to free public nonsectarian libraries and branch libraries within this Commonwealth providing for their establishment maintenance and regulation and for the maintenance and regulation of such free public nonsectarian libraries as may have been already established by the several counties cities boroughs towns and townships and providing that all library property and all gifts devise grants or endowments for library purposes shall be exempt from taxation and providing that the several counties cities boroughs towns and townships may levy taxes condemn private property and borrow money for library purposes and imposing penalties for injuring library property and for violations of library regulations and repealing existing laws in relation to the above subjects" by further regulating county libraries permitting cities boroughs towns and townships to withdraw from county library districts and payment of county library tax

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 380, on second reading, entitled:

An Act to amend the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1368), entitled "An act amending, revising and consolidating the laws relating to delinquent county, city, except of the first and second class and second class A, borough, town, township, school district, except of the first class and school districts within cities of the second class A, and institution district taxes; providing when, how and upon what property, and to what extent liens shall be allowed for such taxes; the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the lien of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property, and the proceedings therefor; creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws," by giving municipal claims equal priority with

taxes in the distribution of certain moneys recovered under the provisions of said act.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 387, entitled:

An Act to amend Section 404 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing for additional clerks of election in election districts having more than twelve hundred qualified electors.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. FREED offered the following amendments:

Amend Sec. 1 (Sec. 404), page 3, line 9, by inserting after the word "electors" the following "in counties of the fourth class"; Amend the Bill, page 3, by inserting after line 14, the following "Section 2 The provisions of this act shall become effective immediately upon final enactment."

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. FREED offered the following amendment:

Amend Title, page 2, last line of Title, by inserting after the word "electors" the following "in counties of the fourth class."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 387, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 456, on second reading, entitled:

An Act to further amend the act, approved the thirty-first day of May, one thousand nine hundred forty-seven (P. L. 368), entitled "An act to protect consumers in the purchase for fuel purposes of the hard coal known as

anthracite; providing for and regulating the sale, offering for sale, resale, delivery and shipment of anthracite according to a standard provided for in this act; requiring producers and dealers and persons engaged in the sale and resale of anthracite, from storage yards or otherwise to consumers, to keep certain records; conferring powers on the Anthracite Committee and its agents, and providing penalties," by defining "Retail Dealer," "Wholesale Dealer," "Municipal Weighmaster," and "Municipality," requiring producers, wholesale dealers and municipal weighmasters to issue certain statements and keep certain records; imposing and changing penalties; providing for the payment of fine for violations to the Commonwealth; and providing for injunctions to restrain violations.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 458, on second reading, entitled:

An Act to amend Section 5 and to add Section 5.1 to the act approved the second day of May one thousand nine hundred forty-five (P. L. 382), entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," by requiring certain bonds issued for certain purposes to be offered for sale at open and competitive bidding in certain cases.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 490, on second reading, entitled:

An Act to further amend section two of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 216), entitled "An act relating to dentistry; defining and providing for the licensing and registration of dentists and dental hygienists, and for the revocation and suspension of such licenses and registrations, subject to appeal, and for their reinstatement; defining the powers and duties of the State Dental Council and Examining Board and the Department of Public Instruction; providing penalties; and repealing existing laws," by further defining the term "Practice of Dentistry."

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 538, entitled:

An Act to amend section one thousand one hundred fifty-four of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and

parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the payment of salaries of professional and temporary professional employees in cases of sickness or death

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. HARE offered the following amendment:

Amend Sec. 1, (Sec. 1154), page 2, line 11, by striking out the words "or physical incapacity"

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

CITY SOLICITOR OF PITTSBURGH PRESENTED TO SENATE

Mr. WALKER. Mr. President, may I interject at this time? I am very happy and proud to present to the Senate one of the most distinguished citizens of the City of Pittsburgh, and one of the most outstanding members of the Bar of Allegheny County, our very distinguished City Solicitor, Ann Alpern. I would like to have Miss Alpern stand up and take a bow.

HOUSE MESSAGE

RESOLUTION OF THE HOUSE OF REPRESENTATIVES

The Clerk of the House of Representatives being introduced, presented an extract from the Journal of the House of Representatives, which was read as follows:

TRIBUTE TO THE LATE WILLIAM J. RIDGE AND CONDOLENCE TO HIS FAMILY

In the House of Representatives, April 30, 1951.

The Clerk of the House of Representatives being introduced, presented an extract from the Journal of the House, which was read as follows:

On Thursday, April 26, 1951, during a week marked with tragedies, William J. Ridge, Chief Clerk of the Pennsylvania Senate, passed from this life.

Mr. Ridge was one of the owners and president of the Putman Oil Company, of Covington and was an officer and director of the Putman Sales and Service Company.

A life-long resident of Tioga County, he had been an important Republican leader in northern Pennsylvania for many years, and had served as a member of the Republican State Committee from Tioga. His prestige in Pennsylvania politics was great, for his personal integrity and devotion to the public made a failure of appreciation and recognition impossible.

Twelve years ago he became Chief Clerk of the Pennsylvania Senate, and during those years he has earned the respect and gained the affection of every member of both houses of the General Assembly. His warm friendship and wise counsel were extended freely to members of both parties, on the basis that we were all fellow public servants, all serving the same master.

A devoted husband and father, his wife, Hazel Winifred Johnson Ridge, his son Thomas Ridge and his two daughters, Mrs. J. Frederick Husted and Mrs. Allan Jones, will find a void in their lives, that will remain till the end of their days.

The Senate of Pennsylvania will miss a trusted and competent officer, and the members of both Houses will miss a good friend, therefore be it

Resolved, That the members of the House of Representatives extend our deepest sympathy to the members of the family of William J. Ridge, in this their hour of sorrow and command them courage, that they may face life as he faced it, and live as he lived, and be it further

Resolved, That copies of this resolution be forwarded to Mrs. Hazel Winifred Johnson Ridge, of Covington, Pennsylvania, and to the Senate of Pennsylvania.

BILL ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of the bill reported from committee for the first time at today's session.

Mr. BLASS. Mr. President, I second the motion.
The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 700, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by further defining, clarifying, adding to, and otherwise changing the laws relating to the affairs of townships.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Tuesday, May 1, 1951, at 12:00 o'clock, noon, Eastern Standard Time.

Mr. DENT. Mr. President, I second the motion.
The motion was agreed to.

The Senate adjourned at 4:20 o'clock, p. m., Eastern Standard Time, until Tuesday, May 1, 1951, at 12:00 o'clock, noon, Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, April 30, 1951

The House met at 3:30 p. m. EST.

The SPEAKER (Herbert P. Sorg) in the Chair.

PRAYER

The Chaplain, Reverend William Hugh Fryer, offered the following prayer:

O God, Who hast appointed a day when the kingdoms of this world shall become the Kingdoms of our Lord and of His Christ; quicken our loyalty to Thee, that we may now and always choose Thy will as our will, Thy way as our way, Thy peace as our peace. So lock our fortunes to Thy purpose that we may be satisfied with nothing less than a world at unity with itself, and in abiding fellowship, win for mankind that freedom and mutual trust which will enable all nations to bring their glory and honor into Thy Kingdom. Amen.

JOURNAL APPROVED

The SPEAKER. As there any corrections to the Journal of Monday, April 23, 1951? If not, and without objection, the Journal is approved.

BILLS INTRODUCED AND REFERRED

By Mr. SOLLENBERGER. HOUSE BILL No. 1067.

An Act to add Section 1072.1 to and to further amend Section 1073 of the act, approved the tenth day of May, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing for the discontinuance of the office of district superintendent in any district of the third class.

Referred to the Committee on Education.

By Mr. HELM. HOUSE BILL No. 1068.

An Act to further amend Section 2405 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments, boards, commissions and officers; fixing the salaries of the Governor, Lieutenant Governor; and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," by permitting delivery of unserviceable property to Superintendent of Public Instruction, without charge, for assignment to school districts.

Referred to the Committee on Education.

By Mr. SMITH.

HOUSE BILL No. 1069.

An Act making an appropriation to The Academy of Natural Sciences of Philadelphia to be used for salaries supplies and equipment in providing certain services to the public and for the purpose of the maintenance of the building of said academy.

Referred to the Committee on Appropriations.

By Mr. AMARANDO.

HOUSE BILL No. 1070.

An Act prohibiting the execution or acceptance of any agreement of sale or option to purchase by an owner or his agent of any new home unless the same is completed for occupancy and providing penalties.

Referred to the Committee on Judiciary.

By Mr. COSTA.

HOUSE BILL No. 1071.

An Act to amend the title and Section 1 of the act, approved the twelfth day of July, one thousand nine hundred thirty-five (P. L. 708) entitled "An act empowering the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of the Pennsylvania Industrial School, to grant a right of way or easement to the Penn Central Light and Power Company across lands of the Pennsylvania Industrial School, on certain conditions," by authorizing the relocation of the right of way or easement by agreement of the interested parties.

Referred to the Committee on State Government.

By Mr. McGEE.

HOUSE BILL No. 1072.

An Act to further amend subsection (c) of Section 7 of the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employees to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employees to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employees be the exclusive representatives of all the employees; authorizing the board to conduct hearings and elections, and certify as to representatives of employees for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," by eliminating the right of an employer to request an election.

Referred to the Committee on Labor Relations.

RESOLUTION—PHILADELPHIA CITY COUNCIL

The SPEAKER laid before the House a resolution transmitted by the Clerk of City Council of Philadelphia requesting the General Assembly of Pennsylvania to enact legislation transferring to and vesting in legisla-

tive bodies of cities of this Commonwealth the authority to grant certificates for taxicabs in such cities.

Referred to the Committee on Rules.

COMMUNICATION

OKLAHOMA—HOUSE CONCURRENT RESOLUTION No. 26

The SPEAKER laid before the House a communication from the Secretary of State of Oklahoma transmitting House Concurrent Resolution No. 26 memorializing the Congress to propose an amendment to the Constitution of the United States relating to fiscal matters.

Referred to the Committee on Rules.

REPORT OF BOARD OF DIRECTORS OF CITY TRUSTS

The SPEAKER laid before the House the Report of the Board of Directors of City Trusts to the Legislature of the Commonwealth of Pennsylvania for the year 1950.

(For Report see Appendix)

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILLS 25, 30, 42, 96, 175, 187, 188, 247, 484, 555, 655, 719, 59 and 276.

April 26, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor, for the purpose of further consideration, the following bills:

House Bill No. 25	Printer's No. 27
House Bill No. 30	Printer's No. 83
House Bill No. 42	Printer's No. 153
House Bill No. 96	Printer's No. 47
House Bill No. 175	Printer's No. 211
House Bill No. 187	Printer's No. 202
House Bill No. 188	Printer's No. 77
House Bill No. 247	Printer's No. 49
House Bill No. 484	Printer's No. 73
House Bill No. 555	Printer's No. 97
House Bill No. 655	Printer's No. 108
House Bill No. 719	Printer's No. 114
House Bill No. 59	Printer's No. 22
House Bill No. 276	Printer's No. 71

Accordingly, the original bills are herewith returned.

JOHN S. FINE

HOUSE BILLS Nos. 25, 30, 42, 96, 175, 187, 188, 247, 484, 555, 655, 719, 59 and 276 LAID ON TABLE

Mr. SMITH. Mr. Speaker, I move that House Bills Nos. 25, 30, 42, 96, 175, 187, 188, 247, 484, 555, 655, 719, 59 and 276 be laid upon the table.

The motion was agreed to.

REPORT FROM COMMITTEE

Mr. JOHNSON reported from the Committee on Rules, Resolution No. 30 as committed.

HOUSE RESOLUTION No. 30

Mr. JOHNSON asked and obtained unanimous consent for the immediate consideration of Resolution No. 30.

The resolution was read considered and unanimously adopted as follows:

In the House of Representatives, April 11, 1951.

Eugene J. Hagerty, a distinguished member from Philadelphia, is doubly blessed. His daughter, Mrs. John Casey, better known as "Our Val," has thrilled the members of the last House with her beautiful songs. In fact her singing is so melodious and captivating and her charm as a performer is so infectious that she has been invited to sing to the present House at its closing session. Mr. Hagerty is indeed fortunate in having a talented and a personable daughter, but he has been even more graciously honored by her presentation to him on January 8, 1951, of a grandson, who, after a feeble start in life has now developed into a lusty eleven pound heir apparent. The word has gone forth that young Dennis Casey will some day become as notable a singer as his mother is, provided a proper inference from his present ability to hit high C is correctly taken; thereby be it

Resolved, That this House of Representatives is particularly joyous that Mr. Hagerty has become the grandfather of a splendid boy, Dennis Casey, and extends its heartiest congratulations to Mr. Hagerty on the occasion of thus extending his distinguished lineage, and be it further

Resolved, That the whole hearted felicitations of this House be tendered to Mrs. John Casey and her son, with its sincere wish that happiness and health will rule their lives.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Hagerty.

Mr. HAGERTY. Mr. Speaker, I wish to thank the Members, and I know that young Dennis Casey in future years will cherish that resolution.

REPORT FROM COMMITTEE

Mr. YEAKEL from the Committee on Rules, reported as committed, House Resolution No. 34.

RESOLUTION

CONDOLENCE

Messrs. HALL and BOWER asked and obtained unanimous consent to offer a resolution and for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives, April 30, 1951.

On Thursday, April 26, 1951, during a week marked with tragedies, William J. Ridge, Chief Clerk of the Pennsylvania Senate, passed from this life.

Mr. Ridge was one of the owners and president of the Putnam Oil Company, of Covington and was an officer and director of the Putnam Sales and Service Company.

A Life-long resident of Tioga County, he had been an important Republican leader in northern Pennsylvania for many years, and had served as a member of the Republican States Committee from Tioga. His prestige in Pennsylvania politics was great, for his personal integrity and devotion to the public made a failure of appreciation and recognition impossible.

Twelve years ago he became Chief Clerk of the Penn-

sylvania Senate, and during those years he has earned the respect and gained the affection of every member of both houses of the General Assembly. His warm friendship and wise counsel were extended freely to members of both parties, on the basis that we were all fellow public servants, all serving the same master.

A devoted husband and father, his wife, Hazel Winifred Johnson Ridge, his son Thomas Ridge and his two daughters, Mrs. J. Frederick Husted and Mrs. Allan Jones, will find a void in their lives, that will remain till the end of their days.

The Senate of Pennsylvania will miss a trusted and competent officer, and the members of both houses will miss a good friend, therefore be it

Resolved, That the members of the House of Representatives extend our deepest sympathy to the members of the family of William J. Ridge, in this their hour of sorrow and commend them courage, that they may face life as he faced it, and live as he lived, and be it further

Resolved, That copies of this resolution be forwarded to Mrs. Hazel Winifred Johnson Ridge, of Covington, Pennsylvania and to the Senate of Pennsylvania.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 75, entitled:

An Act to further amend section one thousand one hundred thirty-one of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by requiring boroughs to establish police pension funds in certain cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 715, entitled:

An Act establishing a retirement system for game protectors of the Pennsylvania Game Commission, providing for payments upon retirement, death, disability, involuntary retirement, and of certain medical expenses from the State Employees' Retirement Fund; under the Administration of the State Employees' Retirement Board; providing for contributions by game protectors of the Pennsylvania Game Commission and the Commonwealth; providing for the guarantee by the Commonwealth of certain of said funds; providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial processes; making an appropriation from the Game Fund; and providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 792, entitled:

An Act providing for treatment and cure in designated State institutions of persons habitually addicted to the use of opiates, and for their admission to, and care therein, and the payment of the cost thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 881, entitled:

An Act to further amend Clause L of Section 1202 of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by authorizing increase of appropriations for burial ground maintenance.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 971, entitled:

An Act to amend the act approved the seventh day of June, one thousand nine hundred one (P. L. 493), entitled, as amended, "An act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage and cesspools, in cities of the second class, second class A and third class and imposing fines, penalties and forfeiture for violation thereof," by permitting the use of bituminized-fibre pipe in certain plumbing construction.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 983, entitled:

An Act requiring wells and cisterns to be covered or sealed; providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 535, entitled:

An Act to further amend section 701 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by eliminating certain restrictions on the possession of game and other birds and animals.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 624, entitled:

An Act to amend subsections (b) and (c) of section one thousand two hundred three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of

the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" and to add thereto new subsections (d) and (e) so as to except therefrom the transfer of stock not subject to the transfer inheritance tax owned by deceased residents of an area listed by the Department of Revenue as entitled by law to such exemption and stock formerly owned by the entireties by resident spouses one of whom shall have died and to require the Department of Revenue to list such areas.

The first and second sections were separately read and agreed to.

The third section was read.

On the question,

Will the House agree to the section?

Mr. ANDREWS. Mr. Speaker, I wanted to ask either the gentleman from Crawford, Mr. Kent or the gentleman from Lehigh, Mr. Stimmel what this bill does and what are the reasons for doing it.

The SPEAKER. Will the gentleman from Crawford, Mr. Kent permit himself to be interrogated?

Mr. KENT. Mr. Speaker, I shall.

Mr. ANDREWS. Mr. Speaker, the gentleman has heard the interrogation. I wanted to know what this bill does and the reasons for doing it. Not in a spirit of controversy, but purely for information.

Mr. KENT. Mr. Speaker, I understand.

As I understand the present law in Pennsylvania there are certain cases in decedents' estates where the property which is left by a decedent would not be taxable under our inheritance tax laws. However, take the example of stock certificates where they are held jointly by a man and his wife and one of them were to die, that stock would not be subject to the Pennsylvania inheritance tax. But, when the survivor applies to the corporation whose stock it was, for transfer into its own name, they would have to acquire from the Department of Revenue what is known as a waiver of inheritance tax, even though no tax was payable on that particular stock.

This bill would do away with the necessity of getting a tax waiver from the Department of Revenue.

There is another instance in the law where it also applies. There are certain non-resident decedents who own Pennsylvania stock, and by reciprocal statutes in Pennsylvania and other states, that stock is not taxable. However, when the survivor of that person applies for its transfer it is necessary to supply a tax waiver from the Department of Revenue. This does away with that necessity.

Mr. ANDREWS. Mr. Speaker, I thank the gentleman.

Mr. KENT. Mr. Speaker, the next bill on the calendar which will be called up, 631, is in the nature of a companion bill with 624. It merely repeals an obsolete provision covering the same thing that is covered by 624.

On the question recurring,
Will the House agree to the section?

It was agreed to.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 631, entitled:

An Act to repeal an obsolete act relating to transfer of stock standing in the name of a decedent, or in the joint names of a decedent and one or more other persons, or in trust for a decedent.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 705, entitled:

An Act to amend the act, approved the nineteenth day of June, one thousand nine hundred thirteen (P. L. 534), entitled "An act relating to appointment of deputy constables," by defining the jurisdiction of deputy constables.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 909, entitled:

An Act to further amend section 889 of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidated, amend and revise the penal laws of the Commonwealth," by prohibiting the unauthorized wearing of the insignia, badge, shield or button of the Air Force Association.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 931, entitled:

An Act to further amend Section 719 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by changing the dog training period.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 958, entitled:

An Act to further amend subsections (a) of Sections 1016 and 1112 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedes-

trians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," by changing the requirements for stop signs.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 168, entitled:

An Act to amend the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" by further regulating the sales made upon order of court and extending the time limit when certain properties must be sold.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 362, entitled:

An Act to further amend the act, approved the twenty-sixth day of June, one thousand nine hundred thirty-one (P. L. 1379), entitled "An act creating in counties of the third class a board for the assessment and revision of taxes; providing for the appointment of the members of such board by the county commissioners; providing for their salaries, payable by the county; abolishing existing boards; defining the powers and duties of such board;

regulating the assessment of persons, property, and occupations for county, borough, town, township, school, and poor purposes; authorizing the appointment of subordinate assessors, a solicitor, engineers, and clerks; providing for their compensation, payable by such counties; abolishing the office of ward, borough, and township assessors, so far as the making of assessments and valuations for taxation is concerned; and providing for the acceptance of this act by cities," by authorizing the payment of additional compensation to subordinate assessors by the boroughs, townships and school districts in which he makes assessments.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 394, entitled:

An Act to further amend section eight hundred six of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by eliminating the provision making it unlawful to carry unloaded rifles and shotguns in or on any vehicle or conveyance unless said rifles and shotguns are in cases or securely wrapped, and also eliminating the provision making it unlawful to possess cartridges or shells for hunting in vehicles or conveyances unless they are in unbroken original cartoons, or securely wrapped.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL ON FINAL PASSAGE

BILL PASSED OVER

There being no objection

House Bill No. 486, Printer's No. 220
was passed over at the request of the SPEAKER.

SENIOR CLASS OF BETHEL TOWNSHIP HIGH SCHOOL WELCOMED

The SPEAKER. The Chair is pleased to welcome to the House the senior class of the Bethel Township High School, Berks County, accompanied by Mr. Harry Ebling, Principal and Kenneth Good, teacher. They are the guests of the gentleman from Berks, Mr. Swope.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 277, as follows:

An Act to amend section six hundred eighty of the act approved the tenth day of March one thousand nine hundred forty-nine P. L. 30 entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring new residents and residents becoming of age to notify assessors of such facts and prescribing penalties and providing for public notice of the requirement

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six hundred eighty of the act approved the tenth day of March one thousand nine hundred forty-

nine (P. L. 30 entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 680 List of Residents for Per Capita Tax Purposes (a) In order that the board of school directors of each school district of the second third or fourth class may assess levy and collect a per capita tax of not less than one dollar nor more than five dollars on each resident or inhabitant over twenty-one years of age in the district it shall be the duty of the proper assessors in each such school district to prepare a list of residents or inhabitants in such school district over twenty-one years of age and return the same with the other taxable property in the district as provided by law In each school district all such lists of residents or inhabitants shall be included and certified in the list of taxable property to be certified to the board of school directors in each such school district as herein provided Assessors whose assessment district includes the whole or parts of more than one school district shall return separate lists of residents and inhabitants of each such school district

(b) Every resident or inhabitant in any school district upon attaining twenty-one years of age and every person twenty-one years of age or over becoming a resident or inhabitant in any school district shall within twelve months after the happening thereof notify the proper assessors of his becoming of age or becoming a resident or inhabitant Any person failing within said period to notify the assessors of the school district within which he resides shall in addition to the tax levied by such school district be liable to such school district in a penal sum equal to such tax

The board of school directors at the same time as they give public notice of a proposed budget include a notice if the requirements of this subsection together with the name and address of the assessor to be notified

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SEYLER. Mr. Speaker, I rise to remind the Members that this bill is the bill which we debated some time ago. It deals with the per capita tax and provides that people becoming new residents of a district or attaining the age of 21 must notify, to use the term in the bill, the "proper assessors" or else suffer a penalty.

At that time we had quite a lengthy debate. I have no desire to again go all through the arguments expressed at that time. However, I would like to remind the Members of a few salient points, since so much time has elapsed.

In the first place, there definitely, it seems to me, is considerable question as to the necessity for the bill. The per capita tax is a tax very difficult to collect.

Debate at that time established that there is a large amount of per capita taxation uncollected. To add names to the list in the manner suggested, is likely adding names which would be further uncollectable, and it was suggested at that time that the present outstanding per capita tax uncollected should be collected before anything of this sort would be attempted.

The assessors, I believe, are adequate to do their job. No evidence was given that the assessors are falling down on their job; it seems to me that our county assessors can take care of their jobs.

Then it seems to me there is also serious doubt whether this bill would be workable if passed. It refers to the "proper assessors" and yet the term "proper assessors" is not as obvious as it seems at first glance.

The sponsor of the bill upon interrogation had some difficulty in locating the proper assessors in different types of school districts. And this, remember, covers any school district, in other words, school districts of all classes. It refers to fifty or more districts which have no per capita tax but which would put the residents of that district to the necessity of notifying the assessor for no good reason whatever, since there is no per capita tax to be collected. The city of Philadelphia for example, which has abolished the per capita tax would still be under the obligation of having all its residents notify the proper assessor.

The public notice given to people that this action of notification would be required is, it seems to me, not sufficient. It simply says that notification of "proper assessors" shall be included in the notice which is given that the budget may be scrutinized by interested parties. Now that notice is just a little, tiny notice typical in the classified ad section which the ordinary person has no reason to look for, probably would over-look, and yet that person would be subject to a penalty if he failed to carry out the provisions of this bill.

And finally, the point was made that this is another of those acts of regimentation which is being put on the people. In other words, for no good reason people are being asked to sign another paper, to see another person, to register in another way with the government. It seems to me that we should be careful not to pass such legislation unless there is a real need for it. I do not believe that need exists and therefore I ask the Members to vote "no" on this bill.

Mr. McMILLEN. Mr. Speaker, it is true that we debated this bill at length on a previous day, and had the opposition not chosen to take up some time today I am certain that I would not have said anything about it.

The arguments which applied to this bill previously have not changed. I think one of the most foolish arguments that anyone can use against a bill of this kind is the fact that there remain some uncollected taxes somewhere. The fact that there are uncollected taxes has nothing to do with the necessity of spreading the tax load over all of those who are eligible to be taxed. That is a different problem entirely. If there are uncollected taxes, and I admit there are some, then it becomes the duty and the province of the tax collecting authority to see that those people pay their taxes as well as those who have been escaping all these years.

Another mis-statement that was made against this bill is that it applied to Philadelphia. The fact is that this has nothing to do with the city of Philadelphia whatsoever, and all the gentleman needs to do is ask any of the Philadelphia delegation who have been cleared on this situation.

The fact that the assessors may be falling down on their job is one thing. Yes, I will admit that perhaps the assessors are not getting all of the people. Mr. Speaker, this is an attempt to help the assessors, not hinder them. This is an attempt to correct the situation which we know exists. The gentleman himself is in a profession which ought to be interested, ought to be definitely up here fighting for a spread of the tax base. He ought to be interested in seeing that all those who use the facilities of the public school system of this Commonwealth contribute to its cost.

We have long since passed the point where we can admit

that anyone who partakes of the benefits of the government has no duty to support those functions of the government. This is just an attempt to try to correct one of these inequities.

Without any further comments, Mr. Speaker, I would ask that the Members of the House vote favorably on this measure.

Mr. SEYLER. Mr. Speaker, I just wish to answer one statement that was made, that being the statement that it does not apply to the city of Philadelphia.

I do not know what the gentleman's source of information is. Every lawyer that I have questioned says that it clearly does include any school district, and the school district of Philadelphia is, I take it, a school district. It seems to me that "any school district" is pretty clear. I read the whole provision the last time we debated it—I do not want to read it again. I ask any Member who is doubtful about it to turn to the bill and read what it says. It says "any school district."

Mr. SMITH. Mr. Speaker, I just want to clarify the gentleman's statement. I am told by the best authority, and that would be the legal counsel of our school district, that this does not apply to the city of Philadelphia; it only applies to districts that have the privilege of putting on a per capita or head tax.

Mr. MORAN. Mr. Speaker, if the sponsor of this bill will look on page three, line four it states:

"Every resident or inhabitant in any school district upon attaining the age of twenty-one years of age and every person twenty-one years of age or over becoming a resident or inhabitant in any school district shall within twelve months after the happening thereof notify the proper assessor of his becoming of age or becoming a resident or inhabitant. Any person failing within the period to notify the assessor of the school district within which he resides shall in addition to the tax levied by such school district be liable to such school district in a penal sum equal to such tax."

I am not an attorney, but I think I do understand the English language, and this paragraph plainly states "any district" and "any district" would take in Philadelphia. I do not care what any lawyer says.

Mr. McMILLEN. Mr. Speaker, if the gentleman from Allegheny, Mr. Moran, will look on page 2, Section 680, line 7, it says:

"List of Residents for Per Capita Tax Purposes."

That automatically eliminates the Philadelphia situation, or any other district not capable of levying it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—113

Banker,	Gleason,	Markley,	Shotwell,
Barkdoll,	Good,	McConnell,	Smith,
Baumunk,	Goodling,	McCormack,	Sollenberger,
Bea,	Greenwood,	McCullough,	Spencer,
Beech,	Greer,	McInroy,	Stimmel,
Blair,	Gutendorf,	McKinney,	Stoner,
Bolton,	Guthrie,	McMillen,	Swartz,
Bomberger,	Hall,	Metz,	Tahl,
Boorse,	Hamilton, W. H.,	Miller, H. G.,	Thompson, E. F.,
Bower,	Harney,	Miller, J. C.,	Thompson, R. L.,
Breisch,	Haudenschild,	Mintess,	VanSant,
Brown,	Helm,	Moore, C. E.,	Varner,
Cella,	Hewitt,	Moore, H. A.,	Wachhaus,

Clendening,	Hocker,	Murray,	Waterhouse,
Cooper,	Johnson,	Najaka,	Watkins,
Costa,	Jones, T. H. W.,	Naugle,	Weidner,
Dalrymple,	Jump,	Pichney,	Westcott,
Davis,	Keller,	Pitzer,	Westrick,
Dennison,	Kent,	Polen,	Whalley,
Dowling,	Kline,	Price, H. W. Jr.,	Wheeler,
DuBois,	Kohl,	Reagan,	Williams,
Dunn,	Krats,	Reilly, J. M.,	Wilt,
Erb,	Lafore,	Riley, R. L.,	Wood,
Ewing,	Lelsey,	Royer,	Yeakel,
Fenster,	Light,	Rubin,	Young,
Firmstone,	Loftus,	Sax,	Ziegler,
Flack,	Lyons,	Scott,	Sorg,
Frost,	Madden,	Shoemaker,	Speaker
Gibson,	Madigan,		

NAYS—73

Amarando,	Guarnieri,	Mikula,	Rovansek,
Andrews,	Hagerty,	Monroe,	Saraf,
Beaver,	Hamilton, R. K.,	Moran,	Scanlon,
Berkstromer,	Headlee,	Murawowney,	Schuster,
Bloom,	Hoggard,	Munley,	Seyler,
Boles,	Jones, G. E.,	Musto,	Snider,
Breth,	Jones, J. M.,	Needham,	Stank,
Bucchin,	Kamyk,	Pengase,	Swope,
Byrne,	Kornick,	Peta,	Taylor,
Clapper,	Lederer,	Petrosky,	Toll,
Conway,	Leonard, L.,	Pettigrew,	Tompkins,
Coyle,	Leonard, W. C.,	Pfaff,	Toomey,
Dougherty,	Leven,	Polaski,	Varallo,
Duffy,	Limper,	Price, R. A.,	Wargo,
Ellip,	Lopresti,	Readinger,	Welsh,
Filo,	Mazza,	Rigby,	White,
Gaffney,	McDermitt,	Robertson,	Yester,
Geer,	McGee,	Rosen,	Yetsar,
Graybill,			

NOT VOTING—21

Cochran,	Jones, P. F.,	Maxwell,	Reese,
Corr,	Kolankiewicz,	McNally,	Reidenbach,
Fenrich,	Kubacki,	Mihm,	Rose,
Herach,	Lovett,	Mills,	Schmidt,
Hunter,	Lutty,	Olsen,	Verona,
Jenkins,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 569, as follows:

An Act to further amend the act approved the twenty-fourth day of May one thousand eight hundred and ninety-three (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same" by providing a method of paying service increments from the retirement fund in cities of the first class to members of the police force after retirement

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-fourth day of May one thousand eight hundred and ninety-three (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same" as last amended by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2795) is hereby further amended to read as follows

Section 1 Be it enacted &c That the several cities of this Commonwealth incorporated by general or special laws establish by ordinance a police retirement fund to be maintained by an equal and proportionate monthly charge against each member of the police force which shall not exceed annually three and one-half per centum of the pay

of such member and by annual appropriations made by the city which fund shall be under the direction of councils or committed to the direction of such officers of the city as may be designated by councils and applied under such regulations as councils may by ordinance prescribe for the benefit of such members of the police force as shall receive honorable discharge therefrom by reason of age or disability and the families of such as may be injured or killed in the service but such retirement allowances as shall be made to those who are retired by reason of the disabilities or age shall be in conformity with a uniform scale

The annual appropriation made by the city each year shall be sufficient when added to the contributions made by members of the police force during such year and income from investments to pay in full the retirement allowances and in cities of the first class only the service increments payable during such year

Such ordinance may prescribe a minimum period of continuous service not less than twenty years and a minimum age of fifty years after which members of the force may be retired from active duty and such members as are retired shall be subject to service from time to time as a police reserve until unfitted for such service when they may be finally discharged by reason of age or disability

Payments made under the provisions of this section shall not be a charge on any other fund in the treasury of the city or under its control save the police retirement fund herein provided for The basis of the apportionment of the retirement allowance shall be determined by the rate of the monthly pay of the member at the date of death honorable discharge or retirement and shall not in any case exceed in any year one-half the annual pay of such member computed at such monthly rate

Section 2 Said act is hereby further amended by adding thereto after section one a new section to read as follows

Section 1.1 In every city of the first class in addition to the retirement allowance which is authorized by this act and notwithstanding the limitations therein placed upon retirement allowances and upon contributions every contributor who shall become entitled to the retirement allowance and who has reached the age of fifty years shall also be entitled to the payment of a "service increment" in accordance with and subject to the conditions hereinafter set forth

(1) Service increment shall be the sum obtained by computing the number of whole years after having reached the age of fifty during which a contributor has been employed by such city and paid out of the city treasury and multiplying the said number of years so computed by an amount equal to one-fortieth of the retirement allowance which has become payable to such contributor in accordance with the provisions of this act In computing the service increment no employment after the contributor has reached the age of sixty-five years shall be included and no service increment shall be paid in excess of one hundred dollars (\$100.00) per month

(2) Each contributor from and after the effective date of this amendment shall pay into the retirement fund a monthly sum in addition to his or her retirement contribution which shall be equal to one-half of one per centum of his or her salary Provided That such payment shall not exceed the sum of one dollar (\$1.00) per month And provided That such service increment contributions shall not be paid after a contributor has reached the age of sixty-five years

(3) Persons who are contributors on the effective date of this amendment who have already reached the age of sixty-five years shall have his or her service increment computed on the years of employment prior to the date of reaching his or her sixty-fifth birthday

(4) Service increment contributions shall be paid at the same time and in the same manner as retirement contributions and may be withdrawn in full without interest by persons who leave the employment of such city subject to the same conditions by which retirement contributions may be withdrawn When any person is re-employed by the city after withdrawal of retirement contributions his or her prior service shall not be used in the computation of service increment unless the amount of such contributions

be repaid into the retirement fund subject to the same conditions by which retirement fund withdrawals are permitted to be repaid

(5) All employees of such city who are now contributors to the retirement fund and all persons who are employed by such city after the effective date of this amendment who are required to become contributors to the retirement fund shall be subject to the provisions of this section

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsach,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenen,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 683, as follows:

An Act to further amend subsection (c) of section nine hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by removing certain equipment requirements pertaining to motor buses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (c) of section nine hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1085) the eleventh day of May one thousand nine hundred forty-nine (P. L. 1092) and the eighteenth day of May one thousand nine hundred forty-nine (P. L. 1412) is hereby further amended to read as follows

Section 902 Size of Vehicles and Loads

* * * * *

(c) No vehicle except buses and fire department equipment shall exceed a total maximum length including any load thereon of four hundred twenty (420) inches and no combination of two (2) vehicles inclusive of load and bumpers coupled together shall exceed a total maximum length of six hundred (600) inches excepting that nothing in this subsection shall prohibit the transportation by a combination of vehicles of articles impossible of dismemberment which do not exceed seventy (70) feet Buses shall not exceed a length of [four hundred twenty (420) inches except buses with toilet facilities which shall not exceed a length of] four hundred eighty (480) inches Provided That a bus in excess of thirty-five (35) feet in over-all length shall not have less than three (3) axles

1 No motor vehicle shall be operated upon a highway drawing or having attached thereto more than one other

vehicle Provided That a tow trailer not exceeding ten (1) feet in length may be attached to one motor vehicle for the purpose of towing another vehicle requiring service to which such tow trailer is also attached

2 The distance between any two vehicles one of which is towing or drawing the other shall not exceed fifteen (15) feet from one vehicle to the other except when the load on the towed vehicle is coupled directly to and is not more than five (5) feet from the towing vehicle Whenever the connection consists of a chain rope bar or cable there shall be displayed upon such connection a flag not less than twelve (12) inches in length and width Every trailer while being drawn upon the highway shall be so attached to the vehicle drawing the same as to prevent the wheels of such trailer from deflecting more than six (6) inches from the path of the drawing vehicle's wheels

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Amarando,	Graybill,	Maxwell,	Royer.
Andrews,	Greenwood,	Mazza,	Rubin.
Banker,	Greer,	McConnell,	Sarraff.
Barkdoll,	Guarnieri,	McCormack,	Sax,
Baumunk,	Gutendorf,	McCullough,	Scanlon,
Bear,	Guthrie,	McDermitt,	Schmidt,
Beaver,	Hagerty,	McGee,	Schuster,
Beech,	Hall,	McInroy,	Scott,
Berkstresser,	Hamilton, R. K.,	McKinney,	Seyler,
Blair,	Hamilton, W. H.,	McMillen,	Shoemaker,
Bloom,	Harney,	McNally,	Shotwell,
Boies,	Haudenshield,	Metz,	Smith,
Bolton,	Headlee,	Mihm,	Snider,
Bomberger,	Helm,	Mikula,	Sollenberger,
Boorse,	Hersch,	Miller, H. G.,	Spencer,
Breisch,	Hewitt,	Miller, J. C.,	Stank,
Breth,	Hocker,	Mills,	Stimmel,
Brown,	Hoggard,	Mintess,	Stoner,
Bucchin,	Hunter,	Monroe,	Swartz,
Byrne,	Jenkins,	Moore, C. E.,	Swope,
Cella,	Johnson,	Moore, H. A.,	Tahl,
Clapper,	Jones, G. E.,	Moran,	Taylor,
Clendenning,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Cochran,	Jones, P. F.,	Munley,	Thompson, R. L.,
Conway,	Jones, T. H. W.,	Murray,	Toll,
Cooper,	Jump,	Musto,	Tompkins,
Corr,	Kamyk,	Najaka,	Toomey,
Costa,	Keller,	Naugle,	VanSant,
Coyle,	Kent,	Needham,	Varallo,
Dalrymple,	Kline,	Olsen,	Varnier,
Davis,	Kohl,	Penglase,	Verona,
Dennison,	Kolankiewicz,	Peta,	Wachhaus,
Dougherty,	Kornick,	Petrosky,	Wargo,
Dowling,	Kratz,	Pettigrew,	Waterhouse,
DuBols,	Kubacki,	Pfaff,	Watkins,
Duffy,	Lafore,	Pichney,	Weidner,
Dunn,	Lederer,	Pitzer,	Welsh,
Erb,	Lelsey,	Polaski,	Wescott,
Ewing,	Leonard, L.,	Polen,	Westrick,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leven,	Price, R. A.,	Wheeler,
Filip,	Light,	Readinger,	White,
Filo,	Limper,	Reagan,	Williams,
Firmstone,	Loftus,	Reese,	Wilt,
Flack,	Lopresti,	Reidenbach,	Wood,
Frost,	Lovett,	Reilly, J. M.,	Yeakel,
Gaffney,	Lutty,	Rigby,	Yester,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madigan,	Robertson,	Young,
Gleason,	Madden,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg.
Goodling,		Rovansek,	Speaker

NAYS—1

Bower,

NOT VOTING—0

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 769, Printer's No. 204
was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 900, as follows:

An Act to further amend section one thousand and twenty-seven of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of naimals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fine forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the requirements that certain vehicles stop at railway grade crossings

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand and twenty-seven of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the sixteenth day of July one thousand nine hundred and thirty-five (P. L. 1056) is hereby further amended to read as follows

Section 1027 Certain Vehicles to Stop at Railway Grade Crossings All motor buses and motor omnibuses engaged in the transportation of passengers for compensation and all motor vehicles used in the transportation of school children either on contract with the school district authorities or owned by school districts and vehicles trans-

porting explosives or flammable liquids as a cargo or part of a cargo shall come to a complete stop immediately before crossing a railway grade crossing except where there is a physical disconnection of the rails a physical barrier across the tracks or other definite evidence of abandonment of the crossing

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovanssek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 169, as follows:

An Act to amend Section 602 and subsections (a) and (g) of Section 607 of the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution districts taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" by further regulating the giving of notice of sale the effect of failing to give notice as required by the act and the bureau's return of sale to court for confirmation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 602 and subsections (a) and (g) of Section 607 of the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" are hereby amended to read as follows

Section 602 Notice of Sale Prior to any scheduled sale the bureau shall give notice thereof once a week for three (3) consecutive weeks in two (2) newspapers of general circulation in the county if so many are published therein and once in the legal journal if any designated by the court for the publication of legal notices Such notice shall set forth (a) the purpose of such sale (b) the time of such sale (c) the place of such sale (d) the terms of the sale including the approximate upset price (e) the descriptions of the properties to be sold as stated in the claims entered each description commencing with

“	Name of Owner description ”
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The description may be given in intelligible abbreviations

Such published notice shall be addressed to the "owners of property described in this notice and to all persons having tax liens tax judgments or municipal claims against such properties"

In addition to such publications notice of the sale shall also be given by the bureau by United States registered mail return receipt requested postage prepaid to each owner as defined by this act at least ten (10) days before the date of sale addressed to his last known post office address or if no post office address is known or if the notice addressed to the owner is not delivered to the owner by the postal authorities such notice shall be posted on the property

The published notice the mail notice and the posted notice shall each state that the sale of any property may at the option of the bureau be stayed if the owner thereof or any lien creditor of the owner on or before the date of sale enters into an agreement with the bureau to pay the taxes in instalments in the manner provided by this act and the agreement entered into

In case the property of any corporation limited partnership or joint-stock association is advertised for sale the bureau shall give to the Department of Revenue the notice required by section one thousand four hundred two of the Fiscal Code of the ninth day of April one thousand nine hundred twenty-nine (P. L. 343)

No sale shall be defeated and no title to property sold shall be invalidated because of proof that mail notice is herein required was not received by the owner provided such notice was given as prescribed by this section

The costs of such advertisement and notices shall be taxed as part of the costs of such proceedings and shall be paid by the owner the same as other costs

Section 607 Bureau's Return to Court Notice Confirmation Appeal (a) It shall be the duty of the bureau not later than (60) days after a scheduled sale was held to make a consolidated return to the court of common pleas of the county wherein it shall set forth (1) a brief description of each property exposed to sale (2) the name of the owner in whose name it was assessed (3) the name of the owner at the time of sale and to whom notice by mail was given as provided by this act (4) a reference to the record of the tax claim on which the sale was held [(4)] (5) the time when and the newspapers in which the advertisement for sale was made with a copy of said advertisement [(5)] (6) the time of sale [(6)] (7) the name of the purchaser if any and [(7)] (8) the price for which each property was sold or that no bid was made equal to the upset price and the property was not sold Upon the presentation of said return if it shall appear to said court that such sale has been regularly conducted under the provisions of this act the said return and the sales so made shall be confirmed nisi

* * * * *

(g) If no objections or exceptions are filed or where objections or exceptions are finally overruled and the sale confirmed absolutely the validity of the tax its return for nonpayment the entry of the claim or the making of such claim absolute and the proceedings of the bureau with respect to such sale except as to the giving of notice as required by the act or the time of holding the sale or of petitioning court for an order of sale shall not thereafter be inquired into judicially in equity or by civil proceedings by the person in whose name such property was sold his or her or theirs or his her or their grantees or assigns or by any lieu creditor or other person whatever There shall be no period of redemption after such sale and the sale shall be deemed to pass a good and valid title to the purchaser free from any liens or encumbrances whatsoever except such liens as are hereafter specifically

saved and in all respects as valid and effective as if acquired by a sheriff's deed

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsich,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Kamyk,	Najaka,	Toomey,
Corr,	Keller,	Naugle,	VanSant,
Costa,	Kent,	Needham,	Varallo,
Coyle,	Kline,	Olsen,	Varner,
Dalrymple,	Kohl,	Penglase,	Verona,
Davis,	Kolankiewicz,	Peta,	Wachhaus,
Dennison,	Kornick,	Petrosky,	Wargo,
Dougherty,	Kratz,	Pettigrew,	Waterhouse,
Dowling,	Kubacki,	Pfaff,	Watkins,
DuBois,	Kuff,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Fillp,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 239, as follows:

An Act to further amend Section 412 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing for audits of accounts of expenditures of organizations of the National Guard by controllers or auditors of counties The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 412 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by the act approved the tenth day of March one thousand nine hundred thirty-seven (P. L. 42) is hereby further amended to read as follows

Section 412 Appropriation Toward Maintenance of Units of the National Guard The board of commissioners may appropriate from any moneys in the county treasury not otherwise appropriated annually a sum not exceeding seven hundred and fifty dollars for the support and maintenance discipline and training of any dismounted company or similar unit of the National Guard and a sum not to exceed fifteen hundred dollars for the support and maintenance discipline and training of any mounted or motorized troop or similar unit of the National Guard Where such units are organized as a battalion regiment or similar organization the total amount due may be paid to the commanding officer of the battalion regiment or similar organization

Any moneys so appropriated shall be paid by warrant of the commissioners drawn to the order of the commanding officer of such company battalion regiment or similar organization only when it shall be certified to the commissioners by the Adjutant General of the State that such unit or units have satisfactorily passed the annual inspection provided by law The moneys so appropriated shall be used and expended solely and exclusively for the support and maintenance discipline and training of the said company battalion regiment or similar organization and the commanding officer shall account by the proper vouchers to the said county each year for the expenditure of the money so appropriated and no appropriation shall be made for any subsequent year until the expenditure of the previous year is duly and satisfactorily accounted for

The accounts of such expenditures shall be subject to the inspection of the Department of Military Affairs and shall be audited by the [Auditor General in the manner provided by law for the audit of accounts of State moneys] controller or auditors of the county

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsich,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,

Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dairymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Fillo,	Light,	Reagan,	Williams,
Firmstone,	Limper,	Reese,	Wilt,
Flack,	Loftus,	Reidenbach,	Wood,
Frost,	Lopresti,	Reilly, J. M.,	Yeakel,
Gaffney,	Lovett,	Rigby,	Yester,
Geer,	Lutty,	Riley, R. L.,	Yetzer,
Gibson,	Lyons,	Robertson,	Young,
Gleason,	Madden,	Rose,	Ziegler,
Good,	Madigan,	Rosen,	Sorg,
	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 240, as follows:

An Act to further amend clause 35 of Section 2403 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by providing for audit of accounts of expenditures of organizations of the National Guard by controllers of cities of the third class.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause 35 of Section 2403 of the act approved the twenty-third of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" as amended by the act approved the tenth day of March one thousand nine hundred thirty-seven (P. L. 41) is hereby further amended to read as follows

Section 2403 Specific Powers In addition to other powers granted by this act the council of each city shall have power by ordinance

* * * * *

35 Support of National Guard Units To appropriate annually a sum not exceeding seven hundred fifty dollars for the support and maintenance discipline and training of any dismantled company or similar unit of the National Guard and a sum not to exceed fifteen hundred dollars for the support and maintenance of any mounted or motorized troop or similar unit of the National Guard Where such units are organized as a battalion regiment or similar organization the total amount due may be paid to the commanding officer of the battalion regiment or similar

organization Any moneys so appropriated shall be paid by warrant drawn to the order of the commanding officer of such company battalion regiment or similar organization only when it shall be certified to the city by the Adjutant General of the State that the said company or companies have satisfactorily passed the annual inspection provided by law The moneys so appropriated shall be used and expended solely and exclusively for the support and maintenance discipline and training of the said company battalion regiment or similar organization and the commanding officer shall account by the proper vouchers to the said city each year for the expenditure of the money so appropriated and no appropriation shall be made for any subsequent year until the expenditure of the previous year is duly and satisfactorily accounted for

The accounts of such expenditures shall be subject to the inspection of the Department of Military Affairs and shall be audited by the [Auditor General in the manner provided by law for the audit of accounts of State moneys] controller of the city

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarrafi,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dairymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Fillo,	Light,	Reagan,	Williams,
Firmstone,	Limper,	Reese,	Wilt,
Flack,	Loftus,	Reidenbach,	Wood,
Frost,	Lopresti,	Reilly, J. M.,	Yeakel,
Gaffney,	Lovett,	Rigby,	Yester,
Geer,	Lutty,	Riley, R. L.,	Yetzer,
Gibson,	Lyons,	Robertson,	Young,
Gleason,	Madden,	Rose,	Ziegler,
Good,	Madigan,	Rosen,	Sorg,
	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 241, as follows:

An Act to amend Section 2 of the act approved the tenth day of March one thousand nine hundred thirty-seven (P. L. 39) entitled "An act authorizing cities of the first class second class and second class A to make appropriations for the support maintenance discipline and training of units of the National Guard providing for the paying over expenditure and accounting for of such appropriations and repealing existing laws" by providing for audit of accounts of expenditures of organizations of the National Guard by controllers of cities of the first class second class and second class A The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2 of the act approved the tenth day of March one thousand nine hundred thirty-seven (P. L. 39) entitled "An act authorizing cities of the first class second class and second class A to make appropriations for the support maintenance discipline and training of units of the National Guard providing for the paying over expenditure and accounting for of such appropriations and repealing existing laws" is hereby amended to read as follows

Section 2 The moneys so appropriated shall be used and expended solely and exclusively for the support maintenance discipline and training of said company battalion regiment unit or similar organization The commanding officer shall account by proper vouchers to the city for the expenditure of the moneys so appropriated and no appropriation shall be made for any subsequent year until the expenditure of the previous year shall have been duly and satisfactorily accounted for

The accounts of such expenditure shall be subject to the inspection of the Department of Military Affairs and shall be audited by the [Auditor General in the manner provided by law for the audit of accounts of State moneys] controller of the city

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,
Andrews,	Graybill,	Mazza,
Banker,	Greenwood,	McConnell,
Barkdoll,	Greer,	McCormack,
Baumunk,	Guarnieri,	McCullough,
Bear,	Gutendorf,	McDermitt,
Beaver,	Guthrie,	McGee,
Beech,	Hagerty,	McInroy,
Berkstresser,	Hall,	McKinney,
Blair,	Hamilton, R. K.,	McMillen,
Bloom,	Hamilton, W. H.,	McNally,
Boles,	Harney,	Metz,
Bolton,	Haudenschild,	Mihm,
Bomberger,	Headlee,	Mikula,
Boorse,	Helm,	Miller, H. G.,
Bower,	Hersch,	Miller, J. C.,
Brelsch,	Hewitt,	Mills,
Breth,	Hocker,	Mintess,
Brown,	Hoggard,	Monroe,
Bucchin,	Hunter,	Moore, C. E.,
Byrne,	Jenkins,	Moore, H. A.,
Cella,	Johnson,	Moran,

Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Pengase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 304, as follows:

An Act authorizing in certain cases the renewal of motor vehicle operators' licenses for persons honorably discharged from the armed forces of the United States or from any women's organization officially connected therewith without a learner's permit examination or additional fee and while in such service the operation of motor vehicles without renewal of operator's license and the temporary suspension of existing laws requiring the same

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any person serving in the armed forces of the United States or in any women's organization officially connected therewith during any part of the period between the effective date of this act and the first day of September one thousand nine hundred fifty-three and who shall have had a Pennsylvania motor vehicle operator's license issued to him or her for the license year of one thousand nine hundred fifty or thereafter if for or immediately preceding the year of his or her entrance into such military service may have upon his or her honorable discharge from such service and for a period of one year thereafter a renewal of such operator's license in the same manner as annual renewals of operators' licenses are made without being required to secure a learner's permit take an examination or pay any fee other than such as may be required by law for the annual renewal of an operator's license if he or she shall satisfy the following requirements

(1) He or she shall have an honorable discharge from the service

(2) Application for the operator's license shall be made within one year after the date of such honorable discharge

(3) He or she is not physically or mentally incapacitated at the time of the application for renewal

(4) In the event that his or her certificate of honorable

discharge reveals that injuries were sustained during service the application must be accompanied by the certificate of a licensed physician that the applicant is physically and mentally able to operate a motor vehicle

(5) Each application shall be sworn to before a magistrate alderman notary public or justice of the peace who shall certify thereon that he has seen and examined the applicant's certificate of honorable discharge and that it is dated less than one year before the application was made.

(6) His or her previous operator's license has not been revoked or suspended unless in case of suspensions the period of suspension has expired

Section 2 Any person while serving in the United States forces as hereinbefore described during any part of the period between the effective date of this act and the first day of September one thousand nine hundred fifty-three who shall have had a Pennsylvania motor vehicle operator's license issued to him or her for the license year of one thousand nine hundred fifty or thereafter if for the year in which he or she entered such service or if for the license year immediately preceding his or her entrance into such service which license has not been revoked or suspended shall have the right to operate a motor vehicle on the highways of this Commonwealth while in this Commonwealth on leave or furlough or for any other reason without having a renewal of such operator's license for the current year and without the payment of any fee provided such person is not physically or mentally incapacitated

Section 3 The Secretary of Revenue is hereby authorized to suspend all provisions of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" and all other acts and parts of acts in so far as they are inconsistent with the provisions of this act

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,

Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bombberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelschi,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dalrymple,	Kline,	Penglase,	Vernon,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weldner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Fillip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Relly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Rose,	Young,
Gibson,	Madden,	Rosen,	Ziegler,
Gleason,	Madigan,	Rovansek,	Sorg,
Good,	Markley,	Robertson,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

INTERROGATION

Mr. ANDREWS asked and obtained unanimous consent to interrogate the Majority Leader.

Mr. ANDREWS. Mr. Speaker, I crave the privilege initially of interrogating the Majority Leader.

The SPEAKER. Will the Majority Leader permit himself to be interrogated?

Mr. SMITH. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, it has been currently reported in the press that the FEPC legislation has been jettisoned, cast overboard, forgotten; it will not figure further in the affairs of this session. I would like to know whether that is the intention of the majority leadership.

Mr. SMITH. Mr. Speaker, I can answer the gentleman by telling him that this morning in my office I had a delegation from the state FEPC group, and I assured them that I had the promise from the Chairman of the Labor Committee that he will call a meeting on the FEPC Bill.

Mr. ANDREWS. Mr. Speaker, the gentleman on my right suggests a question—when?

Mr. SMITH. Mr. Speaker, I can only answer by saying that is entirely up to the Chairman. I believe he has very good intentions and I believe that it will be brought out at the appropriate time to allow the House to pass on it.

Mr. ANDREWS. Mr. Speaker, the Majority Leader holds in trust, in fact he is the entire board of trustees on legislation in which the Members of this House are concerned. The legislation in question deals with an increase in the compensation of the membership. What is doing along that line? Is it still in the mausoleum, and what is necessary to do to roll the stone away?

Mr. SMITH. Mr. Speaker, I can assure the gentleman that he now has his foot in the door. That was as late as today. I do not like to discuss what has taken place, but we have considered the bill, and I will talk to the gentleman one day this week or next week sure. As a good salesman with his foot in the door, I personally hope he does not take it out.

Mr. ANDREWS. Mr. Speaker, I thank the gentleman. Would the Majority Leader tell us whether the Labor Relations Committee has yet had any meetings for the consideration of labor bills in general?

Mr. SMITH. I believe, Mr. Speaker, that the labor bills will be placed in Committee probably this week or next.

Mr. ANDREWS. Mr. Speaker, that is to say up to this time the Labor Relations Committee has not been privileged to pass upon the measures that have been submitted up to this date?

Mr. SMITH. Mr. Speaker, I do not even know if the Labor Relations Committee has met up to this date. That would be up to the Chairman of the Committee to answer that question.

Mr. ANDREWS. Mr. Speaker, I thank the Majority Leader. Would the Chairman of the Labor Relations Committee tell the House as to whether the Committee has met for the consideration of general business?

The SPEAKER. The Chair recognizes the gentleman from Armstrong, Mr. Helm.

Mr. HELM. Mr. Speaker, the gentleman is asking about the Committee on Labor Relations. The Committee on Labor Relations has met only for organization.

Mr. ANDREWS. Mr. Speaker, when does the Labor Relations Committee propose to meet for the consideration of general business?

Mr. HELM. Mr. Speaker, at the present time we have no schedule arranged for our meeting.

Mr. ANDREWS. Mr. Speaker, I would like to interrogate the Chairman of the Workmen's Compensation Committee, Mr. Waterhouse.

The SPEAKER. Will the gentleman from Erie, Mr. Waterhouse, permit himself to be interrogated?

Mr. WATERHOUSE. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, has the Workmen's Compensation Committee held any meetings for the consideration of general business?

Mr. WATERHOUSE. Mr. Speaker, in answer to the gentleman from Cambria, I would say that we had several meetings.

Mr. ANDREWS. Mr. Speaker, how many bills at the present time are pending in the Workmen's Compensation Committee?

Mr. WATERHOUSE. Mr. Speaker, I would have to check that. I would not be able to answer that. There are a number.

Mr. ANDREWS. Mr. Speaker, up to this time has the Committee arrived at any decision concerning any of the bills in its possession?

Mr. WATERHOUSE. We have not, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, how long have these bills been in the possession of the Committee?

The SPEAKER. Well, some of them came in over the week end, and some have been there longer.

Mr. ANDREWS. Mr. Speaker, would it not be in keeping with the facts to say that some of these bills have been in the keeping of the Committees since very early in the present sessions?

Mr. WATERHOUSE. Mr. Speaker, we have reported out either three or four, and I would not know whether they were the older or the younger. Probably some of them have been there since early in the session.

Mr. ANDREWS. Mr. Speaker, I thank the gentleman. I would like the privilege of interrogating the gentleman from Blair, Chairman of the Education Committee.

The SPEAKER. Will the gentleman from Blair, Mr. Sollenberger, permit himself to be interrogated?

Mr. SOLLENBERGER. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, as the gentleman from Blair knows, at previous sessions it frequently happened that the so-called teachers' bills have not been reported for action on the floor, or if reported, have remained on the postponed calendar until the final days of the session. Is that the precedent that the Committee proposes following this session?

Mr. SOLLENBERGER. It is not, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, what are the factors that prevent the Committee from arriving at a decision as to the figures the so-called teachers' bill will carry, arriving at a decision at this time and reporting the teacher's salary bill for action upon the floor?

Mr. SOLLENBERGER. Mr. Speaker, the only factor that enters in that I know of is the tax program.

Mr. ANDREWS. Mr. Speaker, will the gentleman from Blair inform the House what will be the probable attitude of the Committee in the event that the tax program as submitted by His Excellency, the Governor, is finally enacted in full? To what policy is the Education Committee committed, \$24 millions, \$47 millions, \$60 millions, or \$93 millions?

Mr. SOLLENBERGER. Mr. Speaker, none that I know of. The Committee will act upon the bill in the light of the amount of money that we will have to spend, and that amount we do not know as yet.

Mr. ANDREWS. Mr. Speaker, you have the estimate of the Budget Office as to the amounts that you have to spend. Is it proposed to increase the estimates that emanated from the Budget Office?

Mr. SOLLENBERGER. Mr. Speaker, I cannot answer the gentleman's question, but I shall make a statement that the requirements of the bill as they stand today, that is House Bill 334, will require much more money than the Governor put in his proposed Budget.

Mr. ANDREWS. Mr. Speaker, I thank the gentleman.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, the flat income tax bill that has passed this House, was passed on the presumption that it would raise at least \$119 millions. Federal tax experts, deemed competent to figure tax income nationally, estimate that on the basis of existing conditions, if things stabilize on the present business level, the flat income tax will raise in excess of \$160 millions; that it is also a fact that at the present time corporate net income is running at a rate of from 40 to 60 percent increase over last year.

It becomes rather important that someone somewhere reach a definite decision, first as to whether the Governor's budget is right; second, if the Governor's budget is right, to tell this House and the teachers the truth now, as to whether they are going to get \$27 millions, \$37 millions, or an outside of limit of \$47 millions.

There is no possible excuse for following the precedent set in previous years of having a teachers' salary bill actually debated on the floor of this House on the final day of the session.

The administration knows by this time what it is going to give the teachers. I would think that in view of his long term of service that the Chairman of the Education Committee would have the ear of the administration and could report a bill. On this day in '49 we were adjourning the session.

I came down the steps of the court house the other evening and a very distinguished person passing me said: "When is this General Assembly going to begin? Has anybody heard?"

Some of these measures of paramount importance concerning which commitments have been made to particular constituencies should be trotted out now and not saved until the final day and then the plea made that you have to settle on the basis of the bill as is, because there is not time to amend it; and if you amend it the bill will fall. I have been present in this House when that was exactly the excuse made on a teachers' salary bill, that if we tried to amend it, there would not be time and the whole thing would fall.

I would like to know, how long this session is going to last? What major measures are to be trotted out? I would like to know, where the program is? Who has got it?

Here we have a fiddle-fuddle calendar today. Nothing on it of merit, except maybe a bill that has to do with leases of forest lands, a very estimable measure framed by a learned Member of the House. But we have been puttering. When does the period of puttering end?

An examination of the budget shows that a number of Departments are short-changed under the budget. No one has heard me say since the beginning of this session that we were spending too much money. I simply ask for an accounting of the financial facts.

The Governor's budget does not carry enough money for the schools. The Welfare Department in the Governor's budget is short-changed by at least \$11 million. There are other Departments that perhaps are given more money than they need, but Welfare and Education are definitely short-changed. It is time we knew where we

were going, what we were going to do and when we were going to do it.

PERMISSION TO ADDRESS HOUSE

Mr. SOLLENBERGER asked and obtained unanimous consent to address the House.

Mr. Speaker, this is not a retort; it is an explanation. Regardless of what the gentleman from Cambria says, we cannot move school bills that require the number of millions that these two bills ask for until a tax program is through the House and the Senate. That is a goodly amount of money.

The second statement I desire to make is that the Chairman of the Committee of Education does not know at the present time the amount of money that we are going to have for our school program. If we did know we would then be acting and the bills would be reported at once.

The third reply is that there is a committee at work right now to prepare and is preparing the bills in such a manner that as soon as we know the amount of money that we will be able to have for education, they will be ready to move within a few hours.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 235, 324, 453, 464, 479 and 510.

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 30, 1951.

Resolved, (if the House of Representatives concur), that when the Senate adjourns this week, it reconvene on Monday, May 7, 1951, at two o'clock p. m., Eastern Standard Time; and when the House of Representatives adjourns this week, it reconvene on Monday, May 7, 1951, at three thirty o'clock p. m., Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

HOUSE BILL NO. 222 TAKEN FROM TABLE

Mr. JOHNSON. Mr. Speaker, I move that the communication from the Senate together with House Bill No. 222 be taken from the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 222.

An Act to reenact and amend the title of and the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1669) entitled "An act to provide revenue for school districts of the first class by imposing a temporary tax on persons engaging in certain businesses professions occupations trades vocations and commercial activities therein providing for its levy and collection conferring and imposing powers and duties on the Board of Public Education receiver of school taxes and school treasurer in such districts and prescribing penalties" by continuing the provisions thereof for the year one thousand nine hundred fifty-two and succeeding years exempting payments on building and loan and savings and loan stocks and deleting certain obsolete provisions

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Title, page 2, line 3, by inserting after the word "year" the following: "exempting payments on Building and Loan and Savings and Loan stocks"

Amend Section 1, page 5, line 18, by inserting after the word "deposits" the following: "and in the case of Building and Loan or Savings and Loan Associations payments received on account of shares purchased by shareholders"

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer.
Andrews,	Graybill,	Mazza,	Rubin.
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudensfield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger.
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse.
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weldner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,

Fehrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Relly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

HOUSE BILL NO. 559 TAKEN FROM TABLE

Mr. JOHNSON. Mr. Speaker, I move that the communication from the Senate together with House Bill No. 559 be taken from the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 559.

An Act to further amend section sixteen of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vicational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties," by authorizing taxing authorities to add names to the tax assessment lists and tax duplicates

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Title, page 2, line 1, by striking out after the word "authorizing" the following: "supervisors of township of the second class" and inserting in lieu thereof the following: "taxing authorities"

Amend Section 1, page 3, line 6, by striking out after the word "district" the following: "or the board of supervisors of any township of the second class" and inserting in lieu thereof the following: "taxing authorities of any taxing district:"

Line 9, by striking out after the part-word "trict" the words "or township";

Line 10, by inserting after the second word "the" the word "taxing"

Line 11, by striking out after the word "district" the words "or township";

Line 16, by striking out after the word "board" the words "or township supervisors" and inserting in lieu thereof the following: "taxing authorities";

Line 20, by striking out after the word "district" the

words "or by the township" and inserting in lieu thereof the following: "taxing district".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchia,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnar,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weldner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Fillip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

HOUSE BILL NO. 701 TAKEN FROM TABLE

Mr. JOHNSON. Mr. Speaker, I move that the communication from the Senate together with House Bill No. 701 be taken from the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 701.

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by changing requirements for contracts and purchases and imposing penalties

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 6, by striking out all of lines 16, 17, 18 and 19; by striking out all of page 7; page 8, by striking out lines 1 to 7 inclusive; and inserting in lieu thereof the following:

Section 1802.1 Evasion of Adveristing Requirements No commissioner or commissioners shall evade the provisions of section one thousand eight hundred two as to advertising for bids by purchasing or contracting for services and personal properties piecemeal for the purpose of obtaining prices under seven hundred fifty dollars upon transactions which transactions should in the exercise of reasonable discretion and prudence be conducted as one transaction amounting to more than seven hundred fifty dollars this provision is intended to make unlawful the evading of advertising requirements by making a series of purchases or contracts each for less than the advertising requirement price or by making several simultaneous purchases or contracts each below said price when in either case the transactions involved should have been made as one transaction for one price any commissioners who so vote in violation of this provision and who know that the transaction upon which they so vote is or ought to be a part of a larger transaction and that it is being divided in order to evade the requirements as to advertising for bids shall be jointly and severally subject to surcharge for ten per centum of the full amount of the contract or purchase whenever it shall appear that a commissioner may have voted in violation of this section but the purchase or contract on which he so voted was not approved by the board of commissioners this section shall be inapplicable.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,

Bomberger,
Boorse,
Bower,
Breisch,
Breth,
Brown,
Bucchin,
Byrne,
Cella,
Clapper,
Clendening,
Cochran,
Conway,
Cooper,
Cott,
Costs,
Coyle,
Dalrymple,
Davis,
Dennison,
Dougherty,
Dowling,
DuBois,
Duffy,
Dunn,
Erb,
Ewing,
Fenrich,
Ferster,
Fillp,
Filo,
Firmstone,
Flack,
Frost,
Gaffney,
Geer,
Gibson,
Gleason,
Good,

Headlee,
Helm,
Hersch,
Hewitt,
Hocker,
Hoggard,
Hunter,
Jenkins,
Johnson,
Jones, G. E.,
Jones, J. M.,
Jones, P. F.,
Jones, T. H. W.,
Jump,
Kamyk,
Keller,
Kent,
Kline,
Kohl,
Kolankiewicz,
Kornick,
Kratz,
Kubacki,
Lafore,
Lederer,
Lelsey,
Leonard, L.,
Leonard, W. C.,
Leven,
Light,
Limper,
Loftus,
Lopresti,
Lovett,
Lutty,
Lyons,
Madden,
Madigan,
Markley,

Mikula,
Miller, H. G.,
Miller, J. C.,
Mills,
Mintess,
Monroe,
Moore, C. E.,
Moore, H. A.,
Moran,
Muldowney,
Munley,
Murray,
Musto,
Najaka,
Naugle,
Needham,
Olsen,
Penglase,
Peta,
Petrosky,
Pettigrew,
Pfaff,
Pichney,
Pitzer,
Polaski,
Polen,
Price, H. W. Jr.,
Price, R. A.,
Readinger,
Reagan,
Reese,
Reidenbach,
Reilly, J. M.,
Rigby,
Riley, R. L.,
Robertson,
Rose,
Rosen,
Rovanssek,

Sollenberger,
Spencer,
Stank,
Stimmel,
Stoner,
Swope,
Swartz,
Tahl,
Taylor,
Thompson, E. F.,
Thompson, R. L.,
Toll,
Tompkins,
Toomey,
VanSant,
Varallo,
Varner,
Verona,
Wachhaus,
Wargo,
Waterhouse,
Watkins,
Weldner,
Welsh,
Wescott,
Westrick,
Whalley,
Wheeler,
White,
Williams,
Wilt,
Wood,
Yeakel,
Yester,
Yetzer,
Young,
Ziegler,
Sorg,
Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTION

CONDOLENCE

Messrs. VARNER, FROST, GIBSON and GREER offered a resolution which was read, considered and unanimously adopted as follows:

Samuel L. Pickens, former member of this House, publisher, humorist, and Justice of the Peace of East Brady Borough, Clarion County, Pennsylvania, died in the Presbyterian Hospital, Pittsburgh, Pennsylvania on July 30, 1950.

Samuel L. Pickens, affectionately known as "The Governor" by his fellow legislators, was born in Philadelphia on May 10, 1872, but in early life moved to Clarion where he attended the public schools;

After a varied experience in the newspaper field, having been owner and publisher of the Marienville Express and manager of the Clarion Republican, as well as the originator of the Knox Herald, he returned to Harrisburg and entered the Bureau of Publication where he continued as production manager of all legislative printing for ten years;

After serving two years under the Earle Administration, he moved to East Brady, Clarion County, purchasing the East Brady Review;

He was elected to the House of Representatives in 1944 and in 1946, where he served with diligence and distinction; and the nickname he received during his service there was used with sincere feeling by his colleagues; therefore, be it

Resolved, That this House fully realizing the loss occasioned to the Commonwealth, to his family and friends, to his Masonic brothers, and to the community in which he lived, extend their sincere sympathy to his widow; and be it further

Resolved, That a copy of this resolution be transmitted to Mrs. Mary Pickens, his widow.

COMMITTEE MEETINGS

City and County—First Class, Mr. Tahl, Chairman, Room 521, Tuesday, May 1, at 10:00 a. m. EST.

Cities and County—Second Class, Mr. Ewing, Chairman, Room 521, Tuesday, May 1, at 11:00 a. m. EST.

Education, Mr. Sollenberger, Chairman, Room 324, Tuesday, May 1, at 11:15 a. m. EST.

Insurance, Mr. Kline, Chairman, Room 330, Tuesday, May 1, at 11:00 a. m. EST.

Judiciary, Mr. McKinney, Chairman, Room 520, Tuesday, May 1, at 11:00 a. m. EST.

ADJOURNMENT

Mr. FILIP. Mr. Speaker, I move that this House do now adjourn until Tuesday, May 1, 1951, at 12:00 noon EST.

The motion was agreed to, and (at 5:18 EST) the House adjourned.

Legislative Journal.

Session 1951.

139th of the General Assembly.

Vol. 32.

HARRISBURG, PA., TUESDAY, MAY 1, 1951.

No. 42.

SENATE

TUESDAY, May 1, 1951

The Senate met at 12:00 o'clock, m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

PRAYER

The Chaplain, Rev. HARWOOD C. BOWMAN, JR., Pastor of St. Paul's Episcopal Church, Kittanning, Pennsylvania, offered the following prayer:

In the name of the Father and of the Son and of the Holy Ghost, Amen. Let us pray.

O God, the Fountain of Wisdom, Whose statutes are good and gracious and Whose law is truth, we beseech Thee to guide and bless the Senate of this State that it may ordain for our governance only such things as please Thee, to the glory of Thy name and the welfare of Thy people, through Jesus Christ, Thy Son, our Lord.

The grace of our Lord Jesus Christ and the love of God and the fellowship of the Holy Ghost be with us all evermore. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. CROWE, further reading was dispensed with, and the Journal was approved.

COMMUNICATION

The CHAIR cleared his table and laid before the Senate the following communication which was read by the Clerk:

CITY OF PHILADELPHIA

BOARD OF DIRECTORS OF CITY TRUSTS

120 S. Third Street, Philadelphia 6, Pa.

April 26, 1951.

To the Chief Clerk of the Pennsylvania State Senate
Harrisburg, Pennsylvania

Dear Sir:

As specifically provided in Clause XXIV, Item 3, of the will of the late Stephen Girard, the Board of Directors of City Trusts acting for the City of Philadelphia renders herewith to the Legislature of the Commonwealth of Pennsylvania a detailed account for the year 1950 of the Estate devised to the City of Philadelphia in trust and the invest-

ment and application of the same, and a report in like manner of the state of Girard College, a duplicate copy of which has been rendered to the House of Representatives.

Very respectfully yours,

W. H. Gillam, Jr., General Manager.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, April 30, 1951.

Resolved, (if the House of Representatives concur), that when the Senate adjourns this week, it reconvene on Monday, May 7, 1951, at two o'clock p. m., Eastern Standard Time; and when the House of Representatives adjourns this week, it reconvene on Monday, May 7, 1951, at three thirty o'clock p. m., Eastern Standard Time.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 222

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 222, entitled:

An Act to reenact and amend the title of, and the act, approved the twenty-third day of May, one thousand nine hundred forty-nine (P. L. 1669), entitled "An act to provide revenue for school districts of the first class by imposing a temporary tax on persons engaging in certain businesses, professions, occupations, trades, vocations and commercial activities therein; providing for its levy and collection; conferring and imposing powers and duties on the Board of Public Education, receiver of school taxes and school treasurer in such districts; and prescribing penalties," by continuing the provisions thereof for the year one thousand nine hundred fifty-two and succeeding years; exempting payments on building and loan and savings and loan stocks; and deleting certain obsolete provisions.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 559

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 559, entitled:

An Act to further amend section sixteen of the act, approved the twenty-fifth day of May, one thousand nine

hundred forty-five (P. L. 1050), entitled "Local Tax Collection Law," by authorizing supervisors of townships of the second class to add names to the tax assessment lists and tax duplicates.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 701

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 701, entitled:

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206) entitled "First Class Township Law" by changing requirements for contracts and purchases and imposing penalties.

HOUSE CONCURS IN SENATE BILL No. 169

He also returned to the Senate, Senate Bill No. 169, entitled:

An Act to amend Section 602 and subsections (a) and (g) of Section 607 of the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1368), entitled "An act amending, revising and consolidating town, township, school district, except of the first class and school districts within cities of the second class A, and institution district taxes; providing when, how and upon what property, and to what extent liens shall be allowed for such taxes; the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the lien of such tax claims, the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property, and the proceedings therefor; creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws," by further regulating the giving of notice of sale, the effect of failing to give notice as required by the act, and the bureau's return of sale to court for confirmation.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 239

He also returned to the Senate, Senate Bill No. 239, entitled:

An Act to further amend Section 412 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing for audits of accounts of expenditures of organizations of the National Guard by controllers or auditors of counties.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 240

He also returned to the Senate, Senate Bill No. 240, entitled:

An Act to further amend clause 35 of Section 2403 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by providing for audit of accounts of expenditures of organizations of the National Guard by controllers of cities of the third class.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 241

He also returned to the Senate, Senate Bill No. 241, entitled:

An Act to amend Section 2 of the act, approved the tenth day of March, one thousand nine hundred thirty-seven (P. L. 39), entitled "An act authorizing cities of the first class, second class, and second class A to make appropriations for the support, maintenance, discipline, and training of units of the National Guard; providing for the paying over expenditure and accounting for of such appropriations; and repealing existing laws," by providing for audit of accounts of expenditures of organizations of the National Guard by controllers of cities of the first class second class and second class A.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 304

He also returned to the Senate, Senate Bill No. 304, entitled:

An Act authorizing, in certain cases, the renewal of motor vehicle operators' licenses for persons honorably discharged from the armed forces of the United States or from any women's organization officially connected therewith, without a learner's permit, examination or additional fee; and while in such service the operation of motor vehicles without renewal of operator's license; and the temporary suspension of existing laws requiring the same.

with the information that the House has passed the same without amendments.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 277, entitled:

An Act to amend section six hundred eighty of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by requiring new residents and residents becoming of age to notify assessors of such facts; and prescribing penalties.

Which was committed to the Committee on Education.

House Bill No. 569, entitled:

An Act to further amend the act, approved the twenty-fourth day of May, one thousand eight hundred and ninety-three (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund, to take property in trust therefor and regulating and providing for the

regulation of the same," by providing a method of paying service increments from the retirement fund in cities to members of the police force after retirement.

Which was committed to the Committee on Local Government.

House Bill No. 683, entitled:

An Act to further amend subsection (c) of section nine hundred two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by removing certain equipment requirements pertaining to motor buses.

Which was committed to the Committee on Highways.

House Bill No. 900, entitled:

An Act to further amend section one thousand and twenty-seven of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by changing the requirements that certain vehicles stop at railway crossings.

Which was committed to the Committee on Highways.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 169, entitled:

An Act to amend Section 602 and subsections (a) and (g) of Section 607 of the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1368), entitled "An act amending, revising and consolidating the laws relating to delinquent county, city, except of the first and second class and second class A, borough, town, township, school district, except of the first class and school districts within cities of the second class A, and institution district taxes; providing when, how and upon what property, and to what extent liens shall be allowed for such taxes; the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the lien of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property, and the proceedings therefor; creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sales and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws," by further regulating the giving of notice of sale, the effect of failing to give notice as required by the act, and the bureau's return of sale to court for confirmation.

Senate Bill No. 201, entitled:

An Act to amend Section 1705 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," by authorizing investment of sinking fund moneys in deposits insured by the Federal Deposit Insurance Corporation.

House Bill No. 222, entitled:

An Act to reenact and amend the title of, and the act, approved the twenty-third day of May, one thousand nine hundred forty-nine (P. L. 1669), entitled "An act to provide revenue for school districts of the first class by imposing a temporary tax on persons engaging in certain businesses, professions, occupations, trades, vocations and commercial activities therein; providing for its levy and collection; conferring and imposing powers and duties on the Board of Public Education, receiver of school taxes and school treasurer in such districts; and prescribing penalties," by continuing the provisions thereof for the year one thousand nine hundred fifty-two and succeeding years; and deleting certain obsolete provisions.

Senate Bill No. 239, entitled:

An Act to further amend Section 412 of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled, "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by providing for audits of accounts of expenditures of organizations of the National Guard by auditors of counties.

Senate Bill No. 240, entitled:

An Act to further amend clause 35 of Section 2403 of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled, "An act relating to cities of the third class; and amending, revising and consolidating the law relating thereto," by providing for audit of accounts of expenditures of organizations of the National Guard by auditors of cities of the third class.

Senate Bill No. 241, entitled:

An Act to amend Section 2 of the act, approved the tenth day of March, one thousand nine hundred thirty-seven (P. L. 39), entitled, "An act authorizing cities of the first class, second class, and second class A to make appropriations for the support, maintenance, discipline, and training of units of the National Guard; providing for the paying over expenditure and accounting for of such appropriations; and repealing existing laws," by providing for audit of accounts of expenditures of organizations of the National Guard by auditors of cities of the first class, second class and second class A.

Senate Bill No. 304, entitled:

An Act authorizing in certain cases the renewal of motor vehicle operators' license for persons honorably discharged from the armed forces of the United States or from any women's organization officially connected therewith without a learner's permit examination or additional fee and while in such service the operation of motor vehicles without renewal of operator's license and the temporary suspension of existing laws requiring the same

House Bill No. 559, entitled:

An Act to further amend section sixteen of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "Local Tax Collection Law," by authorizing supervisors of townships of the second class to add names to the tax assessment lists and tax duplicates.

House Bill No. 701, entitled:

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206) entitled "First Class Township Law" by changing requirements for contracts and purchases and imposing penalties.

Whereupon,
The President (Lieutenant-Governor Lloyd H. Wood) in the presence of the Senate signed the same.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor, which were laid on the table:

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 30, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Oren G. Umholtz, Star Route, Valley View, Schuylkill County, for appointment as Justice of the Peace in and for the Township of Hubley, Schuylkill County, until the first Monday of January 1952, vice R. O. Umholtz, deceased.

JOHN S. FINE.

ALDERMAN, SEVENTH WARD, CITY OF ALTOONA

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 30, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Kenneth H. Isenberg, 219 Howard Avenue, Altoona, Blair County, for appointment as Alderman in and for the Seventh Ward of the City of Altoona, Blair County, until the first Monday of January, 1952, vice W. I. Isenberg, deceased.

JOHN S. FINE.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 30, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

J. Arthur Updegrove, Keystone Street, Muir, Schuylkill County, for appointment as Justice of the Peace in and for the Township of Porter, Schuylkill County, until the first Monday of January 1952, vice Elmer A. Keisere, resigned.

John F. Anderson, Jerome, Somerset County, for appointment as Justice of the Peace in and for the Township of Conemaugh, Somerset County, until the first Monday of January 1952, vice Gordon Mathias, deceased.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 30, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

Carl K. King, 105 Pine Street, Punxsutawney, Jefferson County, for appointment as Justice of the Peace in and for the Borough of Punxsutawney, Jefferson County, until the first Monday of January 1952, vice Diltz S. Gourly, resigned.

Mrs. Martha D. Pearce, 63 Center Avenue, Plymouth, Luzerne County, for appointment as Justice of the Peace in and for the Borough of Plymouth, Luzerne County,

until the first Monday of January 1952, vice John K. Pearce, deceased.

JOHN S. FINE.

MEMBERS OF COUNTY BOARDS OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 30, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the persons for appointment as Members of County Boards of Assistance:

CARBON COUNTY

William T. Longsdorf (Republican), Palmerton, from January 13, 1950, until December 31, 1952, and until his successor is duly appointed and qualified.

George H. Mitten (Republican), Lansford, from January 13, 1950, until December 31, 1952, and until his successor is duly appointed and qualified.

CENTRE COUNTY

John Curtin, Sr. (Republican), Bellefonte, from July 14, 1950, until December 31, 1952, and until his successor is duly appointed and qualified.

Rev. Clarence C. Reimer (Republican), West Lamb Street, Bellefonte, to serve until December 31, 1951, and until his successor is duly appointed and qualified, to fill a vacancy.

CLARION COUNTY

Edgar Dickey Stewart (Republican), East Brady, from July 10, 1950, until December 31, 1951, and until his successor is duly appointed and qualified.

Archie L. Whisner (Republican), Clarion, from January 1, 1951, until December 31, 1953, and until his successor is duly appointed and qualified.

CRAWFORD COUNTY

George M. Hummer (Republican), Titusville, from January 1, 1950, until December 31, 1952, and until his successor is duly appointed and qualified.

FRANKLIN COUNTY

Mrs. Corynn W. Ervin (Democrat), Waynesboro, from May 10, 1950, until December 31, 1951, and until her successor is duly appointed and qualified.

Arvid E. Minnich (Republican), Greencastle, from January 1, 1951, until December 31, 1953, and until his successor is duly appointed and qualified.

MERCER COUNTY

Rev. Eugene Liggitt (Republican), 804 Superior Street, Grove City, to serve until December 31, 1953, and until his successor is duly appointed and qualified, vice G. G. Forquer, Grove City, whose term expired.

MIFFLIN COUNTY

Mrs. Catherine Saxton (Republican), Lewistown, from April 26, 1950, until December 31, 1952, and until her successor is duly appointed and qualified.

Jay M. Riden (Republican), Lewistown, from April 26, 1950, until December 31, 1952.

James A. Dalton (Democrat), Lewistown, from April 26, 1950, until December 31, 1952, and until his successor is duly appointed and qualified.

D. Grant Arnold (Republican), Reedsville, from January 1, 1951, until December 31, 1953, and until his successor is duly appointed and qualified.

Gerald Wilson (Republican), Lewistown, from January 1, 1951, until December 31, 1953, and until his successor is duly appointed and qualified.

JOHN S. FINE.

MEMBER OF THE BOARD OF TRUSTEES OF PHILADELPHIA STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 17, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Welling G. Schrack, Jr., Southampton, Bucks County, for appointment as a Member of the Board of Trustees of Philadelphia State Hospital, for the term of four years, and until his successor is qualified, vice William J. Meinel, Huntingdon Valley, resigned.

JOHN S. FINE.

MEMBERS OF COUNTY BOARDS OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 17, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of County Boards of Assistance:

MERCER COUNTY

Myron M. Murstein (Republican), Sharon, from August 31, 1950, until December 31, 1952, and until his successor is duly appointed and qualified.

Roy Clayton Gregory (Republican), 307 West Market Street, Mercer, Mercer County, to serve until December 31, 1953, and until his successor is duly appointed and qualified, to fill a vacancy.

NORTHAMPTON COUNTY

Mrs. Emilie Walls (Democrat), Bethlehem, from January 27, 1950, until December 31, 1951, and until her successor is duly appointed and qualified.

Joshua Trachtenberg (Independent), Easton, from January 27, 1950, until December 31, 1951, and until his successor is duly appointed and qualified.

Roy D. Hassler (Republican), Bethlehem, from January 27, 1950, until December 31, 1952.

Harry J. Seyfried (Republican), Nazareth, from January 27, 1950, until December 31, 1952.

Miss Catharine McGrath (Democrat), Easton, from January 27, 1950, until December 31, 1952, and until her successor is duly appointed and qualified.

JOHN S. FINE.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 17, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

Robert B. Hodgkinson, 712 Third Avenue, New Brighton, Beaver County, for appointment as Justice of the Peace in and for the Borough of New Brighton, Beaver County, until the first Monday of January 1952, vice Fred K. Kennedy, resigned.

J. Frank Kauffman, R. D. No. 2, Duncansville, Blair County, for appointment as Justice of the Peace in and for the Township of Blair, Blair County, until the first Monday of January 1952; to fill a vacancy.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 17, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Anthony Savicky, Mounted Route No. 7, Ellwood City, Lawrence County, for appointment as Justice of the Peace in and for the Borough of Ellport, Lawrence County, until the first Monday of January 1952, to fill a vacancy.

JOHN S. FINE.

MEMBERS OF COUNTY BOARDS OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 17, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of County Boards of Assistance:

ADAMS COUNTY

Murray B. Frazee, Gettysburg, from February 20, 1950, until December 31, 1952, and until his successor is duly appointed and qualified.

Elmer N. Gruber, East Berlin, from June 8, 1950, until December 31, 1952, and until his successor is duly appointed and qualified.

BERKS COUNTY

Francis J. Kaczmarek, Reading, from August 16, 1949, until December 31, 1951, and until his successor is duly appointed and qualified.

COLUMBIA COUNTY

Ross Pennington, Benton, from March 30, 1950, until December 31, 1951, and until his successor is duly appointed and qualified.

(Mrs.) Atta M. Young, Catawissa, from March 30, 1950, until December 31, 1951, and until her successor is duly appointed and qualified.

Robert W. Coffman (Republican), 258A Iron Street, Bloomsburg, Columbia County, to serve until December 31, 1953, and until his successor is duly appointed and qualified, to fill a vacancy.

DELAWARE COUNTY

(Mrs.) Anna F. Rigler, Upper Darby, from January 31, 1950, until December 31, 1952, and until her successor is duly appointed and qualified.

John H. Foster (Republican), Wayne, from January 1, 1951, until December 31, 1953, and until his successor is duly appointed and qualified.

Dr. Larney E. Hardy (Republican), 1404 W. Third Street, Chester, Delaware County, to serve until December 31, 1952, and until his successor is duly appointed and qualified, vice Dr. Percy O. Batipps, Jr., Media, resigned.

FAYETTE COUNTY

Jack M. Collins (Republican), South Connellsville, Fayette County, to serve until December 31, 1952, and until his successor is duly appointed and qualified, vice Stewart M. DeHuff, Connellsville, deceased.

Thomas H. Wright (Republican), 201 N. Main Street, Masontown, Fayette County, to serve until December 31, 1953, and until his successor is duly appointed and qualified, vice J. Alfred Baer, Masontown, deceased.

HUNTINGDON COUNTY

(Mrs.) Dorothy K. Mainzer, Huntingdon, from January 6, 1950, until December 31, 1952, and until her successor is duly appointed and qualified.

INDIANA COUNTY

(Mrs.) Franceska M. Kirk, Indiana, from January 1, 1950, until December 31, 1952, and until her successor is duly appointed and qualified.

Charles E. Gabrielson, Saltsburg, from January 1, 1950, until December 31, 1952, and until his successor is duly appointed and qualified.

Cecil Bergman (Republican), Blairsville, Indiana County, to serve until December 31, 1953, and until his successor is duly appointed and qualified, vice James M. Torrance, Blairsville, whose term expired.

Mrs. Martha Wilmoth (Republican), Glen Campbell, Indiana County, to serve until December 31, 1953, and until her successor is duly appointed and qualified, vice Dr. J. J. Connolly, Indiana, whose term expired.

SULLIVAN COUNTY

Frank J. Bendinsky (Republican), Mildred, from April 12, 1950, until December 31, 1951, and until his successor is duly appointed and qualified.

Harry Haywood (Republican), Eagles Mere, from April 12, 1950, until December 31, 1952, and until his successor is duly appointed and qualified.

Miss Anne Yarosh (Republican), Lopez, from April 12, 1950, until December 31, 1952, and until her successor is duly appointed and qualified.

Mrs. Susan Morgan (Republican), Shunk, from April 12, 1950, until December 31, 1952, and until her successor is duly appointed and qualified.

Mrs. Sue A. Dailey (Democrat), Dushore, from April 12, 1950, until December 31, 1951, and until her successor is duly appointed and qualified.

Mrs. Marie Kanally (Republican), Hillsgrove, Sullivan County, to serve until December 31, 1953, and until her successor is duly appointed and qualified. (Reappointment)

Vell C. Holcombe (Republican), Dushore, Sullivan County, to serve until December 31, 1953, and until his successor is duly appointed and qualified. (Reappointment)

JOHN S. FINE.

REPORTS FROM COMMITTEES

Mr. SILVERT, from the Committee on Corporations, reported as amended, Senate Bill No. 153, entitled:

An Act to amend Section 209 of Article II of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by authorizing cemetery and burial corporations to transfer trust funds to corporate fiduciaries with the approval of the Orphans' Court and by providing for the filing of accounts by such fiduciaries, and the audit and confirmation thereof by said court.

He also, from the Committee on Corporations, reported as amended, Senate Bill No. 276, entitled:

An Act to amend Subsection C of Section 315 of the

act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "An act relating to non-profit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, probate courts of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by authorizing cemetery and burial corporations to transfer trust funds to corporate fiduciaries with the approval of the orphans' court and by providing for the filing of accounts by such fiduciaries, and the audit and confirmation thereof by said court.

Mr. FLEMING, from the Committee on Local Government, reported as amended, Senate Bill No. 527, entitled:

An Act to amend clause (h) of section one hundred two clauses (c) and (f) of section two hundred two clause (c) of section two hundred five clauses (a) (b) (c) (d) (e) and (f) of section two hundred ten section three hundred six clause (c) of section five hundred two and to add to clause (g) of section two hundred five of the act approved the twenty-fifth day of June one thousand nine hundred and forty-one (P. L. 159) entitled "An act amending revising consolidating and changing the law relating to the borrowing of money by certain political subdivisions the authorization issuance and sale of general obligation bonds as herein defined of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes and to the funding of debt and the refunding of bonds regulating the keeping and use of sinking funds imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions imposing penalties and repealing existing laws" clarifying and correcting the provisions of said sections and setting forth provisions and requirements for contesting the validity of any election proceedings under section two hundred five.

He also, from the Committee on Local Government, reported as committed, House Bill No. 14, entitled:

An Act to amend clause (c) of Section 3 of the act approved the thirty-first day of May, one thousand nine hundred forty-seven (P. L. 359), entitled "A supplement to the act, approved the twenty-fifth day of April, one thousand nine hundred forty-five (P. L. 299), entitled 'An act providing for the establishment in counties of the second class of the lot and block plan for the registration of land titles, for the accumulation of county tax liens, and for the enumeration of the parcels of real estate to be assessed for county, city, borough, township, school and institution district taxation; providing for the incurring of indebtedness for the installation thereof; and imposing duties upon the county controller and the deed registrar in each of such counties,' providing for the use in counties of the second class of the lot and block descriptive number in the making of assessments in the preparation of tax bills and tax receipts; in the filing of liens for delinquent taxes; and in the sale of real estate for taxes; and imposing duties upon certain county officials in second class counties; and upon treasurers, tax collectors and solicitors of cities, boroughs, towns, townships, and school districts in said counties," by further providing for the

content of instruments to be received for recording by the recorder of deeds and imposing duties on him relating thereto.

He also, from the Committee on Local Government, reported as committed, House Bill No. 398, entitled:

An Act to further amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class creating a board for the management thereof providing the mode and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created" by changing the compensation of the Secretary-Treasurer of the Board and changing the amounts of contributions by members to the fund and changing the amounts of payments to beneficiaries.

He also, from the Committee on Local Government, reported as amended, House Bill No. 256, entitled:

An Act to further amend section 14 of the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 233) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the Bureau of Police in cities of the second class providing a pension fund for said employees and providing for the payment of certain dues fees assessments fines and appropriations thereto regulating membership therein creating a board for the management thereof providing the amount mode and manner of payment to beneficiaries thereof and for the care and disposition of said fund providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds organizations corporations or associations having the same or similar purposes and of such additional monies as may be necessary to carry out the provisions of this act" by changing the amount of pension payments to beneficiaries.

Mr. DIEHM, from the Committee on Local Government, reported as committed, Senate Bill No. 500, entitled:

An Act to further amend the title of and the act, approved the eighteenth day of July, one thousand nine hundred thirty-five (P. L. 1286), entitled as amended "An act empowering counties of the second class, cities, boroughs, incorporated towns, and townships to charge and collect from owners of and water users in property served thereby, annual rentals, rates, or charges for the use of certain sewers, sewerage systems and sewage treatment works, including charges for operation, inspection, maintenance, repair, depreciation, and the amortization of indebtedness and interest thereon; empowering counties of the second class, cities, boroughs, incorporated towns and townships to contract with authorities organized by counties of the second class, for sewer, sewerage and sewage treatment services; to grant, convey, lease, transfer, encumber, mortgage and pledge to such authorities, their sewers, sewerage systems and sewage treatment works; to assign and pledge to such authorities rentals, rates and charges charged and collected by them for the use thereof, and to assign to such authorities their power to charge and collect the same; and validating all such contracts, grants, conveyances, leases, transfers, assignments, encumbrances, mortgages and pledges heretofore made," by extending to authorities organized by cities of the third class the provisions affecting authorities organized by counties of the second class.

Mr. BERGER, from the Committee on Judiciary General, re-reported as committed, Senate Bill No. 303, entitled:

An Act relating to the apportionment of estate taxes

and providing procedure for enforcement of contribution or exoneration.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 513, entitled:

An Act to amend section 2 of the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles; and to make uniform the law with reference thereto; requiring owners and operators in certain cases to furnish proof of financial responsibility; providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases; regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue; the State Treasurer and prothonotaries; and prescribing penalties," by providing that certain appeals may be taken to the court of common pleas of the county in which the aggrieved person resides.

He also, from the Committee on Judiciary General, reported as amended, House Bill No. 341, entitled:

An Act giving liens against real property priority over each other in point of time fixing the time from which priorities extend and imposing duties on judges and certain court and county officers and employees.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 51, entitled:

An Act to amend Section 5 of the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1358), entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description, including, but not limited to, livestock, poultry, farm machinery, farm equipment and crops, grown, growing or to be grown; designating the operation and effect of the lien of such mortgages; providing for the filing, indexing and docketing of such mortgages and related instruments in prothonotaries' offices; and prescribing prothonotaries' fees; providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states; regulating the assignment, release, satisfaction and extension of the lien of such mortgages; prescribing methods of foreclosure; defining defaults and violations; and fixing penalties," by providing for postponement of the lien and operation of chattel mortgages in certain cases.

BILL RE-REFERRED

Mr. BERGER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 526, entitled: which was re-referred to the Committee on Banking.

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employees prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" by further regulating the withdrawals of certain optional payment shares providing that accounts of less than a certain amount need not be credited with dividends further regulating the terms of mortgage contracts and the terms of bonds securing mortgages and the types of property upon which mortgages may be taken.

REPORTS FROM COMMITTEES

Mr. NEFF, from the Committee on Local Government, reported as committed, House Bill No. 681, entitled:

An Act to further amend the title and Section 1 of the act, approved the twenty-eighth day of June, one thousand nine hundred thirty-five (P. L. 477), entitled as amended "An act providing for the payment of the salary, medical and hospital expenses of policemen and firemen by cities, boroughs, towns, and townships who are injured in the performance of their duty; and providing that absence during such injury shall not reduce any usual sick leave period," by extending the provisions thereof to park guards.

Mr. LANE, from the Committee on Local Government, reported as committed, Senate Bill No. 525, entitled:

An Act to further amend Section 2 of the act, approved the twenty-fifth day of June, one thousand eight hundred ninety-five (P. L. 275), entitled "An act dividing the cities of this State into three classes with respect to their population, and designating the mode of ascertaining and changing the classification thereof in accordance therewith," by providing for the regression in classification of cities upon their decrease in population.

BILLS INTRODUCED AND REFERRED

Mr. WADE read in his place and presented to the Chair Senate Bill No. 544, entitled:

An Act making an appropriation from the Motor License Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Motor License Fund.

Which was committed to the Committee on Appropriations.

Mr. WOLFE read in his place and presented to the Chair Senate Bill No. 545, entitled:

An Act making an appropriation from the Game Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Game Fund.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 546, entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain disabled veterans, soldiers, sailors, marines, female field clerks, yeomen (female) and nurses.

Which was committed to the Committee on Appropriations.

Mr. ROBINSON read in his place and presented to the Chair Senate Bill No. 547, entitled:

An Act to amend Section 432 and Section 472 of the act, approved the twelfth day of April, one thousand nine hundred fifty-one (P. L. , Act No. 21), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of al-

coholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option; and repealing existing laws," by providing that no wholesale distributor's license shall be granted in any municipality where the electors have voted against licensing places for the sale of malt or brewed beverages; bringing wholesale distributors within local option provisions now applicable to retail dispensers and providing where tie vote occurs on local option question, the status quo obtains.

Which was committed to the Committee on Law and Order.

He also read in his place and presented to the Chair Senate Bill No. 548, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred fifty-one, and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first, one thousand nine hundred fifty-one.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 549, entitled:

An Act to amend Section 471 of the act, approved the twelfth day of April, one thousand nine hundred fifty-one, Act No. 21, entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages, amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages, and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," by providing that no compromise may be accepted for more than one-half of the period of suspension.

Which was committed to the Committee on Law and Order.

Mr. FREED read in his place and presented to the Chair Senate Bill No. 550, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

Which was committed to the Committee on Appropriations.

Mr. MEADE read in his place and presented to the Chair Senate Bill No. 551, entitled:

An Act making an appropriation to the Department of Labor and Industry for the payment of additional workmen's compensation in cases of second injuries.

Which was committed to the Committee on Appropriations.

Mr. TAYLOR read in his place and presented to the Chair Senate Bill No. 552, entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. WATKINS read in his place and presented to the Chair Senate Bill No. 553, entitled:

An Act making an appropriation to Sleighton Farm School for Girls situate in Delaware County, Pennsylvania.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 554, entitled:

An Act making an appropriation to The Glen Mills School, situate in Delaware County, Pennsylvania.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 555, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware, Commonwealth of Pennsylvania, and prescribing certain conditions upon which the appropriation will be available to the school.

Which was committed to the Committee on Appropriations.

Mr. WATSON read in his place and presented to the Chair Senate Bill No. 556, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Public Instruction to promote highway safety education.

Which was committed to the Committee on Appropriations.

Mr. CROWE read in his place and presented to the Chair Senate Bill No. 557, entitled:

An Act making an appropriation to the Department of Mines for the purpose of administering the provisions of "The Coal Mine Sealing Act of 1947."

Which was committed to the Committee on Appropriations.

Mr. KEPHART read in his place and presented to the Chair Senate Bill No. 558, entitled:

An Act relating to and regulating saving bank life insurance, providing for the establishment and operation of life insurance departments by savings banks, authorizing certain savings banks to issue certain policies of life insurance and annuity contracts and requiring the reinsurance thereof with savings bank life insurance companies, authorizing savings banks to act as agents for other savings banks having life insurance departments and for savings bank life insurance companies prohibiting the employment of solicitors of such life insurance and annuity contracts, providing for the investment and deposit of funds of life insurance departments of savings

banks, making legal investment for savings banks certificates evidencing advances to surplus of life insurance departments of savings banks and the capital stock, obligations or other securities of savings bank life insurance companies, and imposing certain powers and duties on the Secretary of Banking and the Insurance Commissioner

Which was committed to the Committee on Banking. He also read in his place and presented to the Chair Senate Bill No. 559, entitled:

An Act making an appropriation to the Department of Health for the use of the Institute for Cancer Research, Incorporated, Fox Chase, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 560, entitled:

An Act making an appropriation for the maintenance, repair and improvement of the Port of Philadelphia.

Which was committed to the Committee on Appropriations.

Mr. WOOD read in his place and presented to the Chair Senate Bill No. 561, entitled:

An Act making an appropriation to the Department of Welfare for the purpose of administering the "Pennsylvania Hospital Survey and Construction Act of 1947."

Which was committed to the Committee on Appropriations.

Mr. FLEMING read in his place and presented to the Chair Senate Bill No 562, entitled:

An Act making an appropriation to the Department of Welfare to reimburse State-aided hospitals for part of the cost of training student nurses in approved schools of nursing.

Which was committed to the Committee on Appropriations.

Mr. LETZLER read in his place and presented to the Chair Senate Bill No. 563, entitled:

An Act making an appropriation to the Treasury Department out of various funds, to pay replacement checks issued in lieu of outstanding checks when presented, and to adjust errors.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 564, entitled:

An Act making an appropriation from the State Stores Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the State Stores Fund.

Which was committed to the Committee on Appropriations.

Mr. BERGER read in his place and presented to the Chair Senate Bill No. 565, entitled:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to

State Employees' Retirement System with respect to State employees receiving compensation from the State Workmen's Insurance Fund.

Which was committed to the Committee on Appropriations.

Mr. SCARLETT read in his place and presented to the Chair Senate Bill No. 566, entitled:

An Act making an appropriation to the Department of Agriculture for the control of stem rust of wheat, oats, barley and rye by the eradication of rust spreading barberry bushes; and providing for payment thereof to counties making like expenditures of county funds.

Which was committed to the Committee on Appropriations.

Mr. SNOWDEN read in his place and presented to the Chair Senate Bill No. 567, entitled:

An Act making an appropriation from the Fish Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Fish Fund.

Which was committed to the Committee on Appropriations.

Mr. DIEHM read in his place and presented to the Chair Senate Bill No. 568, entitled:

An Act making an appropriation to the State Tax Equalization Board for payment of necessary expenses.

Which was committed to the Committee on Appropriations.

PERMISSION TO ADDRESS SENATE

Mr. KESSLER asked and obtained unanimous consent to address the Senate.

Mr. KESSLER. Mr. President, on behalf of my good colleague from Allegheny County, Senator Fleming and myself, I read in place and present to the Chair the following oleomargarine bill which has been drafted to try to overcome some of the objections which appeared in the other oleomargarine bills that were before the Committee on Agriculture.

BILLS INTRODUCED AND REFERRED

Messrs. KESSLER and FLEMING read in place and presented to the Chair Senate Bill No. 569, entitled:

An Act relating to oleomargarine, margarine, yellow oleomargarine and other similar products; regulating the sale thereof; regulating the serving or use thereof at public eating places, public institutions or other places where food is served and paid for; regulating the advertising thereof conferring powers and imposing duties on the Department of Agriculture; prescribing penalties and repealing a certain act.

Which was committed to the Committee on Agriculture.

Mr. MALLERY read in his place and presented to the Chair Senate Bill No. 570, entitled:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases.

Which was committed to the Committee on Appropriations.

Mr. PECHAN read in his place and presented to the Chair Senate Bill No. 571, entitled:

An Act making an appropriation to the Department of Property and Supplies for the payment of rates, rentals and other charges that may become due on leases and other contracts executed by such department with The General State Authority, for the use and occupancy by the Commonwealth of various projects, structures, buildings and facilities of the Authority, or for the services rendered by the Authority or its projects.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 572, entitled:

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission, furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents, for participation in certain defense activities, for the rehabilitation and care of veterans, including the acquisition of land by purchase, condemnation or gift, and construction of buildings for such purpose.

Which was committed to the Committee on Appropriations.

Mr. MAHANY read in his place and presented to the Chair Senate Bill No. 573, entitled:

An Act making an appropriation from the Banking Department Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Banking Department Fund.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 574, entitled:

An Act to further amend subdivision 5 of the compact contained in the act, approved the fifth day of June, one thousand nine hundred thirty-seven (P. L. 1664), entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania, and commissioners designated by the Governor of the State of Ohio, relative to the development, use and control of the Pymatuning Lake and the State owned land surrounding said lake for fishing, hunting, recreational, and park purposes," so as to permit on the entire area of said lake, the operation of boats equipped with motors of six horsepower, or less.

Which was committed to the Committee on State Government.

Mr. MAHANY on behalf of Mr. HARE read in his place and presented to the Chair Senate Bill No. 575, entitled:

An Act making an appropriation from the Manufacturing Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Manufacturing Fund.

Which was committed to the Committee on Appropriations.

He also on behalf of Mr. HARE read in his place and presented to the Chair Senate Bill No. 576, entitled:

An Act making an appropriation from the Public Building Construction Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement system with respect to State employees receiving compensation from the Public Building Construction Fund.

Which was committed to the Committee on Appropriations.

Mr. WAGNER read in his place and presented to the Chair Senate Bill No. 577, entitled:

An Act making an appropriation to the State Public School Building Authority for payment of the costs and expenses incurred in the work of the Authority.

Which was committed to the Committee on Appropriations.

Mr. STEVENSON read in his place and presented to the Chair Senate Bill No. 578, entitled:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of costs incurred by that department in acting as purchasing agent for the Department of Highways.

Which was committed to the Committee on Appropriations.

Mr. CHAPMAN read in his place and presented to the Chair Senate Bill No. 579, entitled:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. McCREESH read in his place and presented to the Chair Senate Bill No. 580, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of the Women's Hospital, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 581, entitled:

An Act making an appropriation to the Board of Trustees of the Philadelphia Commercial Museum, Exhibition and Convention Halls, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, there is now a bill pending in the Committee on State Government, Senate Bill No. 269, dealing with the historical sites in Pennsylvania. I feel that this bill will somewhat perfect the bill that is now pending. So, I am introducing this bill on behalf of Senator Chapman and myself, and I would appreciate it if this bill pertaining to historical sites would be referred to the Committee on State Government.

BILL INTRODUCED AND REFERRED

Messrs. STIEFEL and CHAPMAN read in place and presented to the Chair Senate Bill No. 582, entitled:

An Act relating to historic sites and structures declaring the same to be affected with a public interest prohibiting the destruction defacing or altering thereof without approval of the Pennsylvania Historical and Museum Commission constituting the commission a legislative agency for the purposes of this act authorizing its subject to appeal to determine the educational value of such sites and structures providing for injunctions authorizing the commission to provide for the maintenance and preservation of such sites and structures and prescribing penalties.

Which was committed to the Committee on State Government.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, the toil and moil of the Senate would not be complete without a tax abatement bill. So, I am introducing that perennial flower of legislation, the tax abatement bill, on behalf of Senator Byrne and myself.

BILLS INTRODUCED AND REFERRED

Messrs. STIEFEL and BYRNE read in place and presented to the Chair Senate Bill No. 583, entitled:

An Act authorizing certain officers in cities of the first class and in school districts of the first class coterminous therewith to abate penalties and interest on unpaid city and school real estate taxes, under certain conditions.

Which was committed to the Committee on Local Government.

Messrs. SILVERT and MEADE read in place and presented to the Chair Senate Bill No. 584, entitled:

An Act to further amend the act, approved the fifteenth day of June, one thousand nine hundred thirty-seven (P. L. 1743), entitled as amended "An act relating to magistrates and magistrates' courts in the city of Philadelphia; imposing certain duties upon, and prohibiting certain practices by, magistrates, and fixing their compensation; imposing certain duties on the city controller in regard thereto; authorizing the employment by him of additional clerks and fixing their compensation; regulating the practice in and defining magistrates' courts, the entering of bail, and the issuance of discharges in criminal cases in the county of Philadelphia; conferring certain powers over magistrates and magistrates' courts; and imposing certain duties in connection therewith upon the judges of the courts of common pleas of the county of Philadelphia, the Attorney General, and the District Attorney; providing for the appointment and employment of stenographers to report proceedings in certain cases heard by magistrates; fixing the salaries of persons employed by authority of this act; providing penalties for violations of the provisions thereof; and repealing certain prior acts," by providing for the issuance of warrants without cost to the complainant in certain cases.

Which was committed to the Committee on Judiciary General.

Mr. SILVERT read in his place and presented to the Chair Senate Bill No. 585, entitled:

An Act requiring the petitioner in habeas corpus proceedings to file a bill of particulars in certain cases.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 586, entitled:

An Act relating to the administration without the appointment of a guardian, of estates valued at one thousand dollars or less, of weak minded persons, drug addicts, and inebriates; and providing a procedure therefor.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 587, entitled:

An Act relating to criminal prosecutions; providing for motions for acquittal or discharge non obstante veredicto in trials with a jury and in trials without a jury, and for appeal by the Commonwealth from the granting of such motions.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 588, entitled:

An Act regulating the payment of wages or compensation for labor or service in certain private employments; establishing regular paydays; imposing certain duties upon employes; and prescribing penalties.

Which was committed to the Committee on Labor and Industry.

Messrs. ROBINSON and BERGER read in place and presented to the Chair Senate Bill No. 589, entitled:

An Act to amend Section 1.1 of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-one (P. L. 202), entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream, artificial or natural body of water, or non-tidal waters of any river within the Commonwealth; conferring powers and imposing duties on certain police officers and the Board of Fish Commissioners, including the enforcement of certain existing laws; and prescribing penalties," by further limiting the operation of motor boats on inland waters; and changing penalties.

Which was committed to the Committee on Forests and Waters, Game and Fish.

PERMISSION TO ADDRESS SENATE

Mr. ROSENFELD asked and obtained unanimous consent to address the Senate.

Mr. ROSENFELD. Mr. President, six years ago, both political parties of this Commonwealth committed themselves to the passage of legislation involving fair employment practices. Bills were introduced both in the Senate and the House in that Legislature. There was a great deal of excitement created, there was a public hearing, bills went to the committees of both those houses, and, as far as I can recall there was no action by that Legislature.

Mr. President, four years ago both parties committed themselves publicly in their platforms to the enactment of fair employment practices legislation. Again bills were introduced in both Houses of that Legislature and again there was no action. As a matter of fact, I think the

House committee took a vote on that measure and it was afterwards discovered that the ballots that were taken in connection with the vote were missing.

Mr. President, two years ago again both parties committed themselves to the passage of fair employment practice legislation. Again bills were introduced, again bills went to the respective committees of both House and the Senate, and I do not have to tell you gentlemen, who were members of this Senate at that time, that both those bills were killed. Many of you will recall that in the Senate that was accomplished by means of a secret vote, so that the people of this Commonwealth could not tell who was in favor of the committed platform pledge and who was opposed to it.

In the last gubernatorial election again, as in the past, both parties committed themselves to the passage of fair employment practices legislation. The Governor made a number of public pronouncements that he favored it. As a matter of fact, the administration prepared a bill which the Governor said he would approve, which was approved by his Attorney General and which was introduced in the House, known as House Bill No. 55. It was referred to the Committee on Labor in the House of this Legislature. As far as I know, the Committee on Labor not only has not had a meeting to discuss this bill, but I think I am correct in saying that the House Committee on Labor has not even called a meeting. That bill was introduced on February 5. It is now almost three months since that bill has been put into the hopper.

We on this side of the house are not interested in political advantage with regard to fair employment practices. We have up to this time refrained from introducing a fair employment practices bill, being hopeful that the House would take favorable action and report the bill out of the House of Representatives, where it could receive debate, consideration and vote. However, up to this time, since no meeting has been called, since we are getting to the fading days of the Session, there is a possibility that that bill will receive no action and that the Members of the Senate of this Commonwealth will not have an opportunity to consider the bill, which the Governor of this Commonwealth said he favored. It is for that reason, without any pride in the authorship of the measure, because the bill I am about to introduce is an exact replica of House Bill No. 55 which has been approved by the Governor, and since such a measure has not been introduced into the Senate, I am offering co-sponsorship to the Republican membership of this Senate for the bill which the Governor has said he would like to have passed. Better yet, I am saying to the Republican side of the Senate that if they care to, we, as Democrats, will remove our names from the sponsorship of this bill so that they can do it themselves.

Mr. President, it is a matter which I think has had too much politics attending it for the six years it has been before us, and we want to show our good faith by being interested in the principle rather than the passage of a Democratic bill. It is for that reason, Mr. President, that I read in place, on behalf of myself, Senator Barr and Senator Leader, the following bill.

BILLS INTRODUCED AND REFERRED

Messrs. ROSENFELD, BARR and LEADER read in

place and presented to the Chair Senate Bill No. 590, entitled:

An Act prohibiting certain practices of discrimination because of race, color, religious creed, ancestry or national origin by employers, employment agencies, labor organizations, and others as herein defined; creating the Pennsylvania Fair Employment Practice Commission in the Department of Labor and Industry; defining its functions, powers and duties; providing for procedure and enforcement providing for formulation of an education program to prevent prejudice; providing for judicial review and enforcement; and imposing penalties.

Which was committed to the Committee on Labor and Industry.

Mr. BARR read in his place and presented to the Chair Senate Bill No. 591, entitled:

An Act to amend subsection (e) of Section 2 of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 626), entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; creating and prescribing the powers and duties of a Board of Property Assessment, Appeals and Review; imposing duties on certain county and city officers; abolishing the board for the assessment and revision of taxes in such counties; and prescribing penalties," by permitting members and employees of the board to hold other offices or positions or engage in certain businesses.

Which was committed to the Committee on Local Government.

PERMISSION TO ADDRESS SENATE

Mr. CHAPMAN asked and obtained unanimous consent to address the Senate.

Mr. CHAPMAN. Mr. President, I have directed that a pamphlet be placed on the desks of each Senator relative to the Independence National Historical Park Project, in Philadelphia. The Honorable Oscar L. Chapman, Secretary of the Interior in Washington, will speak in the House Caucus Room this evening at eight o'clock, and I invite the Lieutenant-Governor, all the Members of the Senate, employees of the Senate, newspapermen and also any friends who wish to attend at that meeting. He will talk upon this project of Independence Hall and the part the Federal Government has in developing this park in Philadelphia.

PERMISSION TO ADDRESS SENATE

Mr. YOSKO asked and obtained unanimous consent to address the Senate.

Mr. YOSKO. Mr. President, a short time after we adjourned two years ago, the Republican Women of Pennsylvania met in the Penn-Harris Hotel, and in the story of its activities at that meeting, among other things, there was a statement to the effect that the women assembled at the Penn-Harris took the Legislature to task for its failure to enact legislation authorizing the sale of colored oleomargarine. As a result of that meeting, the women of Pennsylvania banded together and formed a committee for the passage of legislation to authorize the sale of colored oleomargarine. Judge Lois Mary McBride, of Pittsburgh, was named the chairman of that committee, and it has been active since its formation.

Mr. President, the Legislature met and it is now in Session. Four bills were introduced calling for the au-

thorization of the sale and purchase of colored oleomargarine. A short time ago the Committee on Agriculture, to which Committee these bills were referred—one of the bills, my bill, co-sponsored by Senator Neff, which was approved by the Pennsylvania Medical Society, was considered by the Committee on Agriculture and all four bills were killed in committee.

Mr. President, I just want to call to the attention of the Members of the Senate that colored oleo can be purchased today in thirty-eight states of the United States, representing sixty-eight and eight-tenths per cent of the population of the United States, and this year the States of Connecticut, Delaware, Wyoming and Oregon enacted legislation authorizing the sale of colored oleo, and these States represent two and seven-tenths per cent of the population of the United States.

Mr. President, it seems silly to me, and I have so stated publicly and in the letters that I write to the women of Pennsylvania that write to me about these bills, it seems silly to me that the Legislature of Pennsylvania will say to the women of Pennsylvania, "You cannot buy colored oleo," to say to the women of Pennsylvania, "You can go to the store and you can buy it in uncolored form, and there is a little tube in the package; you take it home and there you begin to color it." I do not see why they cannot go to the store and buy it colored. I do not see why this Legislature cannot extend the same courtesy, and that is all it is, the same courtesy to the housewives of Pennsylvania that thirty-eight other states extend to the housewives and others who want to purchase colored oleomargarine.

Mr. President, it was my intention today to move to discharge the committee from further consideration of the bill I introduced. However, out of respect to my colleague, Senator Kessler, who introduced a bill today, I will refrain from making that motion, and I do hope that the Senate Committee on Agriculture will meet this week yet, if not this week, next week, and report out Senator Kessler's bill. I understand that it meets all the requirements of the Federal law and it meets other requirements that are satisfactory to the oleo interests, and it is satisfactory to the housewives of Pennsylvania.

RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for thirty minutes.

Mr. SCARLETT. Mr. President, I second the motion. The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

THE HONORABLE JOHN C. BELL, JR., PRESENTED TO SENATE

The PRESIDENT. Now that the Chair has once again found a very distinguished predecessor of mine a seat where we can ask him to rise and take a bow, the Chair takes great pleasure in asking a former Lieutenant-Governor, Governor of the Commonwealth and presently a Justice of the Supreme Court of the Commonwealth, the Honorable John C. Bell, Jr., of Montgomery County, to please rise in place and take a bow.

GERMANTOWN WOMEN'S CLUB OF PHILADELPHIA
PRESENTED TO SENATE

Mr. SILVERT. Mr. President, I take pleasure to announce that we have with us this afternoon eighty-four members of the Germantown Women's Club of Philadelphia, under the direction of Mrs. Day and Mrs. Turner, head of the Legislative Committee.

We also have with us Mrs. Smith, the wife of our House Majority Leader.

The PRESIDENT. Will those distinguished ladies please rise in place and take a bow?

RESOLUTION REFERRED TO COMMITTEE

URGING THAT THE CONGRESS OF THE UNITED STATES REJECT PROPOSED INCREASES IN AUTOMOTIVE EXCISE TAXES

Mr. Berger. Mr. President, I ask unanimous consent to offer a resolution at this time.

The President. Is there objection? The Chair hears none.

Mr. Berger offered the following resolution which was twice read, and referred to the Committee on Constitutional Changes and Federal Relations:

In the Senate, May 1, 1951.

Whereas, the Congress of the United States is presently considering excise tax increases on new automobiles and gasoline which are estimated to produce approximately \$1,264 million, and

Whereas, this amount would be in addition to the nearly \$1.5 billion presently being collected in federal automotive excise taxes, and

Whereas, the field of automotive taxation is one that historically and rightfully belongs to the states, and

Whereas, further encroachment by the Federal Government into this field of taxation would interfere with this taxing potential, therefore be it

Resolved, that the Senate of the Commonwealth of Pennsylvania does urge the Congress of the United States to reject the proposed increases in automotive excise taxes for the aforesaid reasons, and be it further

Resolved, that the Secretary of the Senate be directed to forward copies of this resolution upon its passage to the Honorable Robert I. Doughton, Chairman of the Ways and Means Committee of the United States House of Representatives; to the Honorable Walter F. George, Chairman of the Finance Committee of the United States Senate and to members of the Pennsylvania Congressional delegation.

HOUSE MESSAGE

HOUSE BILL FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bill of the House, as follows:

House Bill No. 841, entitled:

An Act to reenact and further amend the title and the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (P. L. 208), entitled, as amended, "Corporate Net Income Tax Act" by increasing the rate of tax, and extending the provisions of the act for a further limited period of time.

Which was committed to the Committee on Finance.

RESOLUTION REFERRED TO COMMITTEE

URGING THAT THE JOINT STATE GOVERNMENT COMMISSION BE DIRECTED TO MAKE A STUDY OF THE PROBLEMS OF THE AGING AND AGED TO ASSIST THE COMMONWEALTH IN MEETING NEEDS AND PROBLEMS

Mr. SCARLETT offered the following resolution which was twice read and referred to the Committee on Public Health and Welfare:

In the Senate, May 1, 1951.

Whereas, The personal, family, social, medical, financial and related problems arising from the continued increase in the number and proportion of Pennsylvanians of advanced age are of growing magnitude; and

Whereas, These problems are of such striking significance and so intricate as to warrant special and intensive attention by the Commonwealth; and

Whereas, All aspects of this rise in the aging population presents the Commonwealth with increasingly serious social and human problems; now therefore be it

Resolved (if the House of Representatives concur) That the Joint State Government Commission is hereby directed to make a comprehensive and intensive study of the State-wide needs and problems of the aging and the aged and to develop in cooperation with other governmental and voluntary groups ways and means to assist the Commonwealth in meeting these needs and problems and in such study the commission may appoint and consult with a Citizens Advisory Committee of competent lay and professional citizens who have demonstrated interests in and knowledge of the aging and the aged. Such study shall concentrate on the following:

1. Employment opportunities for older persons.

2. Facilities and services for the aged including: counseling and personal services, employment guidance and placement services, medical care services, institutional services, treatment and rehabilitation for the chronically ill, care of and rehabilitation for the disabled and the handicapped, recreation, education and related community services.

3. Analysis of the problems of the aged receiving old-age assistance with special reference to the adequacy of grants and standards of living, boarding homes and other sheltered care for the indigent aged.

4. Special attention to the problems of care and treatment of the senile aged.

5. Study of other special needs as develop in the course of the study; and be it further

Resolved, That the Joint State Government Commission shall report to the General Assembly on or before February first, one thousand nine hundred fifty-three, the results of its studies and investigations and recommendations.

EXECUTIVE NOMINATIONS

Mr. WATSON. Mr. President, I call from the table the executive nominations that were reported at today's Session and ask that they be read by the Clerk.

The Clerk read the nominations as follows:

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 30, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Oren G. Umholtz, Star Route, Valley View, Schuylkill County, for appointment as Justice of the Peace in and for the Township of Hubley, Schuylkill County, until the first Monday of January 1952, vice R. O. Umholtz, deceased.

JOHN S. FINE.

ALDERMAN, SEVENTH WARD, CITY OF ALTOONA

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 30, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Kenneth H. Isenberg, 219 Howard Avenue, Altoona, Blair County, for appointment as Alderman in and for the Seventh Ward of the City of Altoona, Blair County, until the first Monday of January, 1952, vice W. I. Isenberg, deceased.

JOHN S. FINE.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 30, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

J. Arthur Updegrove, Keystone Street, Muir, Schuylkill County, for appointment as Justice of the Peace in and for the Township of Porter, Schuylkill County, until the first Monday of January 1952, vice Elmer A. Keiser, resigned.

John F. Anderson, Jerome, Somerset County, for appointment as Justice of the Peace in and for the Township of Conemaugh, Somerset County, until the first Monday of January 1952, vice Gordon Mathias, deceased.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 30, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

Carl K. King, 105 Pine Street, Punxsutawney, Jefferson County, for appointment as Justice of the Peace in and for the Borough of Punxsutawney, Jefferson County, until the first Monday of January 1952, vice Diltz S. Gourly, resigned.

Mrs. Martha D. Pearce, 63 Center Avenue, Plymouth, Luzerne County, for appointment as Justice of the Peace in and for the Borough of Plymouth, Luzerne County, until the first Monday of January 1952, vice John K. Pearce, deceased.

JOHN S. FINE.

MEMBERS OF COUNTY BOARDS OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 30, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of County Boards of Assistance:

CARBON COUNTY

William T. Longsdorf, Palmerton, from January 13, 1950, until December 31, 1952, and until his successor is duly appointed and qualified.

George H. Mitten, Lansford, from January 13, 1950, until December 31, 1952, and until his successor is duly appointed and qualified.

CENTRE COUNTY

John Curtin, Sr., Bellefonte, from July 14, 1950, until December 31, 1952, and until his successor is duly appointed and qualified.

Rev. Clarence C. Reimer (Republican), West Lamb Street, Bellefonte, to serve until December 31, 1951, and until his successor is duly appointed and qualified, to fill a vacancy.

CLARION COUNTY

Edgar Dickey Stewart, East Brady, from July 10, 1950, until December 31, 1951, and until his successor is duly appointed and qualified.

Archie L. Whisner (Republican), Clarion, from January 1, 1951, until December 31, 1953, and until his successor is duly appointed and qualified.

CRAWFORD COUNTY

George M. Hummer, Titusville, from January 1, 1950, until December 31, 1952, and until his successor is duly appointed and qualified.

FRANKLIN COUNTY

(Mrs.) Corynn W. Ervin, Waynesboro, from May 10, 1950, until December 31, 1951, and until her successor is duly appointed and qualified.

Arvid E. Minnich (Republican), Greencastle, from January 1, 1951, until December 31, 1953, and until his successor is duly appointed and qualified.

MERCER COUNTY

Rev. Eugene Liggitt (Republican), 804 Superior Street, Grove City, to serve until December 31, 1953, and until his successor is duly appointed and qualified, vice G. G. Forquer, Grove City, whose term expired.

MIFFLIN COUNTY

(Mrs.) Catherine Saxton, Lewistown, from April 26, 1950, until December 31, 1952, and until her successor is duly appointed and qualified.

Jay M. Riden, Lewistown, from April 26, 1950, until December 31, 1952.

James A. Dalton, Lewistown, from April 26, 1950, until December 31, 1952, and until his successor is duly appointed and qualified.

D. Grant Arnold, Reedsville, from January 1, 1951, until December 31, 1953, and until his successor is duly appointed and qualified.

Gerald Wilson, Lewistown, from January 1, 1951, until December 31, 1953, and until his successor is duly appointed and qualified.

JOHN S. FINE.

MEMBER OF THE BOARD OF TRUSTEES OF
PHILADELPHIA STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 17, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Welling G. Schrack, Jr., Southampton, Bucks County, for appointment as a Member of the Board of Trustees of Philadelphia State Hospital, for the term of four years, and until his successor is qualified, vice William J. Meinel, Huntingdon Valley, resigned.

JOHN S. FINE.

MEMBERS OF COUNTY BOARDS OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 17, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of County Boards of Assistance:

MERCER COUNTY

Myron M. Murstein, Sharon, from August 31, 1950, until December 31, 1952, and until his successor is duly appointed and qualified.

Roy Clayton Gregory (Republican), 307 West Market Street, Mercer, Mercer County, to serve until December 31, 1953, and until his successor is duly appointed and qualified, to fill a vacancy.

NORTHAMPTON COUNTY

(Mrs.) Emilie Walls, Bethlehem, from January 27, 1950, until December 31, 1951, and until her successor is duly appointed and qualified.

Joshua Trachtenberg, Easton, from January 27, 1950, until December 31, 1951, and until his successor is duly appointed and qualified.

Roy D. Hassler, Bethlehem, from January 27, 1950, until December 31, 1952.

Harry J. Seyfried, Nazareth, from January 27, 1950, until December 31, 1952.

(Miss) Catharine McGrath, Easton, from January 27, 1950, until December 31, 1952, and until her successor is duly appointed and qualified.

JOHN S. FINE.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 17, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

Robert B. Hodgkinson, 712 Third Avenue, New Brighton, Beaver County, for appointment as Justice of the Peace in and for the Borough of New Brighton, Beaver County, until the first Monday of January 1952, vice Fred K. Kennedy, resigned.

J. Frank Kauffman, R. D. No. 2, Duncansville, Blair County, for appointment as Justice of the Peace in and for the Township of Blair, Blair County, until the first Monday of January 1952, to fill a vacancy.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 17, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Anthony Savicky, Mounted Route No. 7, Ellwood City, Lawrence County, for appointment as Justice of the Peace in and for the Borough of Ellport, Lawrence County, until the first Monday of January 1952, to fill a vacancy.

JOHN S. FINE.

MEMBERS OF COUNTY BOARDS OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 18, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of County Boards of Assistance:

ADAMS COUNTY

Murray B. Frazee (Republican), Gettysburg, from February 20, 1950, until December 31, 1952, and until his successor is duly appointed and qualified.

Elmer N. Gruver (Republican), East Berlin, from June 3, 1950, until December 31, 1952, and until his successor is duly appointed and qualified.

BERKS COUNTY

Francis J. Kaczmarek (Republican), Reading, from August 16, 1949, until December 31, 1951, and until his successor is duly appointed and qualified.

COLUMBIA COUNTY

Ross Pennington (Republican), Benton, from March 30, 1950, until December 31, 1951, and until his successor is duly appointed and qualified.

Mrs. Atta M. Young (Republican), Catawissa, from March 30, 1950, until December 31, 1951, and until her successor is duly appointed and qualified.

Robert W. Coffman (Republican), 258A Iron Street, Bloomsburg, Columbia County, to serve until December 31, 1953, and until his successor is duly appointed and qualified, to fill a vacancy.

DELAWARE COUNTY

Mrs. Anna F. Rigler (Republican), Upper Darby, from January 31, 1950, until December 31, 1952, and until her successor is duly appointed and qualified.

John H. Foster, Wayne, from January 1, 1951, until December 31, 1953, and until his successor is duly appointed and qualified.

Dr. Larney E. Hardy (Republican), 1404 W. Third Street, Chester, Delaware County, to serve until December 31, 1952, and until his successor is duly appointed and qualified, vice Dr. Percy O. Batipps, Jr., Media, resigned.

FAYETTE COUNTY

Jack M. Collins (Republican), South Connellsville, Fayette County, to serve until December 31, 1952, and until his successor is duly appointed and qualified, vice Stewart M. DeHuff, Connellsville, deceased.

Thomas H. Wright (Republican), 201 N. Main Street, Masontown, Fayette County, to serve until December 31, 1953, and until his successor is duly appointed and qualified, vice J. Alfred Baer, Masontown, deceased.

HUNTINGDON COUNTY

Mrs. Dorothy K. Mainzer (Republican), Huntingdon, from January 6, 1950, until December 31, 1952, and until her successor is duly appointed and qualified.

INDIANA COUNTY

Mrs. Franceska M. Kirk (Republican), Indiana, from January 1, 1950, until December 31, 1952, and until her successor is duly appointed and qualified.

Charles E. Gabrielson (Republican), Saltsburg, from January 1, 1950, until December 31, 1952, and until his successor is duly appointed and qualified.

Cecil Bergman (Republican), Blairsville, Indiana County, to serve until December 31, 1953, and until his successor is duly appointed and qualified, vice James M. Torrance, Blairsville, whose term expired.

Mrs. Martha Wilmoth (Republican), Glen Campbell, Indiana County, to serve until December 31, 1953, and until her successor is duly appointed and qualified, vice Dr. J. J. Connolly, Indiana, whose term expired.

SULLIVAN COUNTY

Frank J. Bendinsky, Mildred, from April 12, 1950, until December 31, 1951, and until his successor is duly appointed and qualified.

Harry Haywood, Eagles Mere, from April 12, 1950, until December 31, 1952, and until his successor is duly appointed and qualified.

(Miss) Anne Yarosh, Lopez, from April 12, 1950, until December 31, 1952, and until her successor is duly appointed and qualified.

(Mrs.) Susan Morgan, Shunk, from April 12, 1950, until December 31, 1952, and until her successor is duly appointed and qualified.

(Mrs.) Sue A. Dailey, Dushore, from April 12, 1950, until December 31, 1951, and until her successor is duly appointed and qualified.

Mrs. Marie Kanally (Republican), Hills Grove, Sullivan County, to serve until December 31, 1953, and until her successor is duly appointed and qualified. (Reappointment)
Vell C. Holcombe (Republican), Dushore, Sullivan County, to serve until December 31, 1953, and until his successor is duly appointed and qualified. (Reappointment)

JOHN S. FINE.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. WATSON asked and obtained unanimous consent for immediate consideration of the nominations read by the Clerk.

EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. WAGNER,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. WATSON and Mr. WAGNER,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluksa,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. WOOD. Mr. President, I second the motion.

The motion was agreed to.

PERMISSION TO ADDRESS SENATE

Mr. KEPHART asked and obtained unanimous consent to address the Senate.

Mr. KEPHART. Mr. President, I offer the following bill and in presenting it I wish to state that this bill is identical in substance with a bill that passed the New Jersey State Senate, I think yesterday, and deals with the port authority around Philadelphia, and this bill will take the place of Senate Bill 176 which is now on the third reading calendar.

BILLS INTRODUCED AND REFERRED

Mr. KEPHART. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KEPHART read in place and presented to the Chair Senate Bill No. 592, entitled:

A Supplement to the act, approved the twelfth day of June, one thousand nine hundred thirty-one (P. L. 575), entitled "An act providing for joint action by Pennsylvania and New Jersey in the development of the ports on the lower Delaware River and the improvement of the facilities for transportation across the river authorizing the Governor for these purposes to enter into an agreement with New Jersey creating The Delaware River Joint Commission and specifying the powers and duties thereof including the power to finance projects by the issuance of revenue bonds transferring to the new commission all the powers of the Delaware River Bridge Joint Commission and making an appropriation," authorizing the Governor on behalf of the Commonwealth of Pennsylvania to enter into a supplemental compact or agreement with the State of New Jersey amending Articles I, II, IV, XI, and XII of and adding a new article to the compact and agreement between the Commonwealth of Pennsylvania and the State of New Jersey authorized and made pursuant to the act herein supplemented by changing the name of The Delaware River Joint Commission to The Delaware River Port Authority and the method of appointment of commissioners; removing the present Pennsylvania members of the commission, extending the jurisdiction, powers and duties of the Delaware River Port Authority and defining such additional jurisdiction, powers and duties to take effect upon the enactment of substantially similar legislation by the State of New Jersey, embodying the supplemental agreement between the two States in this act set forth and authorizing the Governor to apply on behalf of the Commonwealth to the Congress of the United States for its consent thereto.

Which was committed to the Committee on Judiciary General.

Mr. FLEMING. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FLEMING read in place and presented to the Chair Senate Bill No. 593, entitled:

An Act to further amend Section 5 of the act, approved the twelfth day of May, one thousand nine hundred eleven (P. L. 295) entitled "A supplement to an act, entitled 'An act for the government of cities of the second class,' approved the seventh day of March, Anno Domini one thousand nine hundred and one; providing for the levy, collection, and disbursement of taxes and water-rents, or rates, and conferring certain powers and duties in reference thereto upon the city treasurer, the board of water assessors, and the collector of delinquent taxes; and repealing certain acts relating to matters herein provided for," by requiring councils of cities of the second class to give written notice and serve patrons or consumers and the Court of Common Pleas of Allegheny County and other designated interested party with copies of all changes in existing schedules of water-rents or rates and all data and evidence submitted to the Court of Common Pleas of Allegheny County in support thereof; requiring a public hearing by the Court of Common Pleas of Allegheny County not less than sixty days from time of filing proposed change concerning the lawfulness of such water-rent or rate; providing that the water-rent rate or rate in force at the time of filing the change shall continue for a period of six months from date thereof and an additional period not exceeding six months pending de-

cision; providing that the Court of Common Pleas of Allegheny County shall not by the establishment of temporary water-rents or rates, or by rule or otherwise, circumvent, alter or modify provisions of this amendment relative to changes in existing law; providing that the changes in established water-rents or rates during the year one thousand nine hundred fifty-one which do not comply with the provisions of section five as herein amended shall be void and the previously existing water-rents or rates reestablished until changed in accordance with the provisions of section five herein amended; and providing that temporary rates may be established by the Court of Common Pleas of Allegheny County only after notice and hearing as required by section five as herein amended.

Which was committed to the Committee on Local Government.

Mr. LANE. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LANE read in place and presented to the Chair Senate Bill No. 594, entitled:

An Act to add subsection (e) to Section 306 of the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1368), entitled "An act amending, revising and consolidating the laws relating to delinquent county, city, except of the first and second class and second class A, borough, town, township, school district, except of the first class and school districts within cities of the second class A, and institution district taxes, providing when, how and upon what property, and to what extent liens shall be allowed for such taxes, the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the lien of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property, and the proceedings therefor; creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws," by providing that tax collectors shall be entitled to a commission on taxes returned to the county bureau and collected under said act.

Which was committed to the Committee on Local Government.

CALENDAR

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 18

The Senate proceeded to the consideration of the report of Committee of Conference on Senate Bill No. 18, as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON SENATE BILL No. 18

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the

purpose of considering Senate Bill No. 18, entitled: "An act to amend Section 5 of the act, approved the eleventh day of June, one thousand nine hundred forty-seven (P. L. 565), entitled 'An act providing compensation to certain persons who served in the military or naval forces of the United States or of any of her allies during World War II; providing the method of making payment to representatives of persons who, because of death or incapacity, cannot personally receive compensation; imposing certain duties on the Adjutant General making an appropriation, and providing penalties,' by extending the time during which applications may be filed for veterans' compensation."

Respectively submit the following bill as our report:

SAMUEL B. WOLFE,
A. R. PECHAN,
EUSTACE H. BANE,
(Committee on the Part of the Senate.)
WILLIAM R. McMILLEN,
BAKER ROYER,
GEEORGE J. SARRAF,
(Committee on the Part of the House of Representatives.)

An Act to amend Section 5 of the act approved the eleventh day of June one thousand nine hundred forty-seven (P. L. 565) entitled "An act providing compensation to certain persons who served in the military or naval forces of the United States or of any of her allies during World War II providing the method of making payment to representatives of persons who because of death or incapacity cannot personally receive compensation imposing certain duties on the Adjutant General making an appropriation and providing penalties" by extending the time during which applications may be filed for veterans' compensation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 5 of the act approved the eleventh day of June one thousand nine hundred forty-seven (P. L. 565) entitled "An act providing compensation to certain persons who served in the military or naval forces of the United States or of any of her allies during World War II providing the method of making payment to representatives of persons who because of death or incapacity cannot personally receive compensation imposing certain duties on the Adjutant General making an appropriation and providing penalties" is hereby amended to read as follows

Section 5 Application for Compensation Applications for compensation shall be made to the Adjutant General on such forms and in such manner as he shall prescribe

Applicants shall state on their application whether or not they have applied for or received a bonus gratuity or compensation of a nature similar to that provided for by this act from any other state in the union

All applications shall be made (1) personally by the veteran or (2) in case of death or mental incompetency preventing the making of a personal application then by such representative of the veteran as the Adjutant General shall by regulation prescribe An application made by a representative other than one authorized by such regulation shall be held void

The Adjutant General shall not accept or consider any application filed with him after the [first day of July] thirty-first day of December one thousand nine hundred [fifty] fifty-one

On the question,

Will the Senate adopt the report of the Committee of Conference?

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 18

Mr. WALKER. Mr. President, I move that the Senate adopt the report of the Committee of Conference on Senate Bill No. 18.

Mr. MALLERY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed.	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

THIRD READING CALENDAR

BILL RECOMMITTED

Mr. WALKER. Mr. President, I am advised by the sponsor of this bill, who has been temporarily called off the floor on an important official matter, that the bill which he just introduced in effect replaces Senate Bill 176, and I have been requested by Senator Kephart to move that Senate Bill 176, Printer's No. 156, be recommitted to the Senate Committee on Judiciary General.

Therefore, Mr. President, I move that Senate Bill No. 176, on third reading, entitled:

A Supplement to the act approved the twelfth day of June one thousand nine hundred thirty-one (P. L. 575) entitled "An act providing for joint action by Pennsylvania and New Jersey in the development of the ports on the lower Delaware River and the improvement of the facilities for transportation across the river authorizing the Governor for these purposes to enter into an agreement with New Jersey creating The Delaware River Joint Commission and specifying the powers and duties thereof including the power to finance projects by the issuance of revenue bonds transferring to the new commission all the powers of the Delaware River Bridge Joint Commission and making an appropriation" authorizing the Governor on behalf of the Commonwealth of Pennsylvania to enter into a supplemental compact or agreement with the State of New Jersey amending Article I II IV XI and XII of and adding Article XIII to the compact and agreement between the Commonwealth of Pennsylvania and the State of New Jersey authorized and made pursuant to the act herein supplemented by changing the name of The Delaware River Joint Commission to The Delaware River Port Authority and the method of appointment of commissioners removing the present Pennsylvania members of the commission extending the jurisdiction powers and duties of the Delaware River Port Authority and defining such additional jurisdiction powers and duties to take effect upon the enactment of substantially similar legislation by the State of New Jersey embodying the supplemental agreement between the two States in this act set forth and authorizing the Governor to apply on behalf of the Commonwealth to the Congress of the United States for its consent thereto.

be recommitted to the Committee on Judiciary General.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 296, as follows:

An Act to further amend the act approved the nineteenth day of June one thousand nine hundred thirty-one (P. L. 589) entitled as amended "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering barber shops and barber schools and apprentices and students therein regulating compensation for service rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties" by changing the provisions as to fees charged apprentices and students and as to the powers of municipalities removing the limitation on the payment of wages to apprentices and transferring the administration of several provisions of this act to the State Board of Barber Examiners

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 3 of the act approved the nineteenth day of June one thousand nine hundred thirty-one (P. L. 589) entitled as amended "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein regulating compensation for services rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties" as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-seven (P. L. 279) and amended in part by the act approved the second day of May one thousand nine hundred forty-nine P. L. 862) is hereby further amended to read as follows

Section 3 (a) Any person not holding a certificate of registration under the provisions of the preceding section and desiring to obtain a license under this act shall make application under oath or affirmation in such form as the [department] State Board of Barber Examiners herein-after referred to as the board shall prescribe Such application shall be accompanied by an affidavit which shall be made by a practicing physician and shall set forth that the applicant was examined that a test or his or her blood was made and that he or she is free from all contagious and infectious disease is a citizen of the United States or has filed a declaration of intention The applicant at the time of filing such application and affidavit shall pay to the department an examination fee of five dollars or such other fee as may be fixed by the [department] board and shall present himself or herself at the next examination of applicants as hereinafter provided The [department] board shall thereupon proceed to examine such person after being satisfied that he or she is above the age of sixteen years free from contagious and infectious disease has a certificate showing graduation from an eighth grade school or its equivalent and has either (1) studied the occupation for a period of two years covering a period of at least two thousand five hundred (2500) hours as a registered apprentice under a qualified and practicing barber as hereinafter provided or (2) studied the occupation and trained as a registered student in a registered and properly appointed and conducted barber school under the instruction of a registered teacher for a period of at least nine months and served at least fifteen months covering a period of at least one thousand two hundred fifty (1250) hours as an apprentice with a registered barber Under no circumstances shall a student [or apprentice] receive wages directly or indirectly for service rendered If the [department] board is satisfied as a result of the examination the applicant is

possessed of requisite skill in said occupation to properly perform all the duties thereof including his or her knowledge and ability in the antiseptic preparation of tools shaving hair cutting and all the duties and services incident thereto and is possessed of sufficient knowledge concerning the common diseases of the face and skin to avoid the aggravation and spreading thereof in the practice of said occupation and the knowledge of the Barber's Licensing Laws and rules and regulations of the department adopted thereunder it shall enter his or her name in the register hereinafter provided for and shall issue a certificate of registration to him or her authorizing him or her to practice such occupation or to teach in registered barber schools as the case may be. Any person holding a certificate as a teacher may practice as a barber in any registered barber shop.

(b) Any person who has been honorably discharged from service with the armed forces of the United States and who takes an examination for licensure under the provisions of this act shall have ten per centum added to his or her examination score.

(c) Any person registered as an apprentice barber prior to induction into the armed forces of the United States may be admitted to an examination for licensure under the provisions of this act upon presentation of his or her certificate of honorable discharge from such service within one year from date thereof.

(d) For any person to be registered as a teacher in a barber school he must be at least twenty-three years of age a graduate from an approved high school or its equivalent and have had at least five years' experience as a registered barber in a registered barber shop in the State of Pennsylvania. The examination for a teacher's certificate shall differ from the examination for a barber's certificate in that it shall be of a more exacting nature and require higher standards of knowledge of the practice and theories of barbering including ability to teach properly the various practices and theories of barbering physiology hygiene elementary chemistry relating to sterilization and antiseptics massaging and manipulating the muscles of the face neck scalp hair cutting bobbing shaving and trimming the beard dyeing the hair and the barber laws of this State and the rules and regulations adopted by the department and advisory committee board. The registration fee for teachers shall be five dollars and the annual renewal fee shall be five dollars.

Section 2 Section 4 of said act as last amended by the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1040) is hereby further amended to read as follows:

Section 4 (a) Any person who is at least eighteen years of age and of good moral character and temperate habits and has a certificate showing graduation from an eighth grade school or an equivalent education as determined by an examination conducted by the [department] board and either (1) Has a license of certificate of registration as a practicing barber from another state or country which has substantially the same requirements for licensing or registering barbers as required by this act or (2) can prove by sworn affidavits that he has practiced as a barber for at least five years prior to making application in this State shall upon the payment of the required fee be granted permission to take an examination to determine his fitness to receive a certificate of registration to practice barbering. Should he fail to pass the examination upon payment of the required fee he may take one other examination if he so desires. In no event shall he or she be permitted to practice barbering until he or she has received a certificate of registration as a registered barber.

Section 3 Section 5 of said act as last amended by the act approved the second day of May one thousand nine hundred forty-nine (P. L. 862) is hereby further amended to read as follows:

Section 5 Nothing in this act shall prohibit any person from serving as an apprentice in such occupation under a registered barber of this Commonwealth or from serving as a student in any barber school for the training of

students in said occupation under the training of a duly registered teacher authorized to teach such occupation in this Commonwealth. Provided That such apprentice or student shall apply to the [department] board to have his or her name registered with the [department] board in a book which shall be kept by the [department] board and secure a permit upon the payment of a fee of one dollar which permit shall be valid for two years to practice as an apprentice under a duly registered barber or as a student under a duly registered teacher such permit to be displayed in front of his or her working chair. Students upon graduation from a registered barber school and having served fifteen months' apprenticeship in a barber shop and apprentices upon completion of two years' apprenticeship in a barber shop as hereinbefore specified shall make application for examination at the next regular period specified in this act. In case the applicant fails to pass such examination he or she shall secure a new apprentice permit upon the payment of a fee of one dollar which shall be valid until the next succeeding examination.

Apprentice permits not exceeding four to practice as an apprentice barber may be issued at the discretion of the [department] board.

Section 4 Section 5.1 of said act as added by the act approved the twenty-third day of May one thousand nine hundred forty-seven (P. L. 278) is hereby amended to read as follows:

Section 5.1 Any person who practiced barbering during any period of service with the armed services of the United States shall receive credit for such period of practice toward the two-year registered apprentice or registered student-apprentice period required by this act upon furnishing affidavits from his or her former immediate commanding officer or officers or such other official documents as may be proof to the [department] board that he or she did practice barbering for such period whether or not such person was registered with the [department] board prior to his entry into the armed forces of the United States.

Section 5 Section 6 of said act as amended by the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1040) is hereby further amended to read as follows:

Section 6 The [department] board shall hold public examinations on the second Mondays in March June September and December in the cities of Philadelphia Pittsburgh Scranton Harrisburg and Erie at such [hours] date as the board shall prescribe.

Section 6 Section 8 of said act as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-seven (P. L. 279) is hereby further amended to read as follows:

Section 8 The certificate shall be renewed on or before the thirtieth day of April in each year and the holders of said certificates of registration shall pay to the department the sum of two dollars or such other sum as may be fixed by the [department] board for a renewal card. Any holder of a certificate of registration who shall fail to apply for a renewal of his or her certificate on or before the thirtieth day of April in each year and who continues the practice of barbering or any of its branches shall on conviction thereof before any magistrate alderman or justice of the peace be subject to a fine of not more than ten dollars to be collected by summary conviction as like fines are collected by law or in case of non-payment of the fine to undergo an imprisonment for a period not exceeding ten days. Any such person shall have the right of appeal as in other cases of summary conviction.

Section 7 Sections 9 10 and 11 of said act as last amended by the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1040) are hereby further amended to read as follows:

Section 9 The [department] board may suspend or revoke any permit or certificate of registration granted by [it] the department under this act to any person who (a) habitually indulges in the use of ardent spirits nar-

cotics or other stimulants to such an extent as in the opinion of the [department] board incapacitates such person from the duties of a barber (b) has or imparts any contagious or infectious disease to any recipient of such person's services as a barber (c) performs work in an unsanitary or filthy manner or place of business (d) who is grossly incompetent (e) who conducts his business of barbering on Sundays (f) who displays any price list for barber services in or upon any part of premises of a barber shop in such manner that such list shall be visible from the outside of the barber shop (g) unethical or dishonest practice or conduct (h) employing an unlicensed person Before any such permit or certificate shall be suspended or revoked for any of the reasons contained in this section the holder thereof shall have notice in writing of the charge or charges against him or her and shall at a day specified in said notice which shall be at least five days after the service thereof be given a public hearing before a duly authorized representative of the [department] board with a full opportunity to produce testimony in his or her behalf and to confront the witnesses against him or her Any person whose permit or certificate of registration has been so suspended or revoked may on application have the same reissued to him or her upon satisfactory showing that the disqualification has ceased except where such certificate was suspended or revoked for having or imparting any contagious or infectious disease in which case a new certificate shall not be issued for a period of at least one year and then only after the provisions of this act have been fully complied with by such person in the same manner as if he or she had never been registered

Section 10 The [department] board may adopt reasonable rules and regulations prescribing the sanitary requirement of each barber shop or barber school in cooperation with the Department of Health and shall cause the rules and regulations so approved to be printed in a suitable form and may transmit a copy thereof to the proprietor or person operating such barber shop or school which shall at all times be kept conspicuously displayed in such shop or school It shall be unlawful for any person to open either a new barber shop or move his shop to another place or take over as owner an existing barber shop until he or she has filed an application with the [department] board for the inspection [and] approval and registration of such shop It is further provided that no barber shop may open for business until said inspection has been had and the shop approved It shall be unlawful for any person to sleep in or for any owner or manager to permit any person to sleep in or use for residential purposes any room used as a barber shop or a school of barbering All rooms used for such purposes shall be used for barbering purposes manicuring shoe shining and such allied business as may be approved by the [department] board Any officer or duly authorized agent of the [department] board may enter and make reasonable examination of any barber shop or barber school during the business hours for the purpose of ascertaining the sanitary conditions thereof and ascertaining whether the shop or school and all persons working therein are properly licensed and registered Any barber shop barber school or tools appliances and furnishings in use therein kept in an unclean and unsanitary condition as to be a danger to health or to the creation and spreading of infectious and contagious diseases is hereby declared to be a public nuisance and the [department] board may suspend or revoke the certificate of the proprietor thereof or any person operating in such barber shop or school or the permit herein-after required for such shop or school or both the certificate and permit

Section 11 The department shall keep a register in which shall be entered the names and addresses of the barber shops to which and the names of all persons to whom certificates of registration or permits for serving apprenticeships or as students are issued under this act which register shall be open to public inspection during the business hours of the department

Section 8 Section 12 of said act as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-seven (P. L. 279) and amended in part by the act approved the second day of May one thousand nine hundred forty-nine (P. L. 862) is hereby further amended to read as follows

Section 12 a) All barber shops shall at all times be under the immediate supervision of a registered barber In no barber shop shall there be more than one apprentice who must be at all times under the supervision of a barber authorized under this act to practice such occupation All barber schools shall keep prominently displayed at every entrance to said school a sign reading "Barber School" Any copartnership corporation or person desiring to operate or conduct a barber shop or barber school shall first secure from the [department] board a permit or registration certificate to do so and shall keep the same prominently displayed The fee for registration of each barber shop shall be two dollars for each permit and the annual renewal fee shall be one dollar and the fee for registration of each barber school shall be fifty dollars and the annual renewal fee therefor shall be twenty-five dollars The [department] board may pass upon the qualifications appointments and course of study in said school which shall be not less than [six] nine months All barber schools shall have not less than one registered teacher for every twenty students and in no case less than one full-time teacher who shall be in attendance at all times during the hours the school is open for instruction

(b) No school of barbering shall be granted a certificate of registration unless it requires as a prerequisite to admission thereto graduation from an eighth grade school or its equivalent as determined by an examination conducted by the [department] board and it shall attach to its staff as a part-time teacher a person licensed by the Commonwealth to practice medicine and employ and maintain a sufficient number of competent teachers registered as such and shall possess apparatus and equipment sufficient for the proper and full teaching of all subjects of its curriculum shall keep a daily record of the attendance of each student shall maintain regular class and instruction hours which shall not be less than seven nor more than eight hours per day the school is open for instruction shall establish grades and hold examination before issuance of diplomas and shall be required to maintain a course of study requiring not less than one thousand two hundred fifty hours for completion in not less than nine months and shall comprise all of the subjects pertaining to barbering the barber laws of this State and the rules and regulations adopted by the [department] board and shall include practical demonstrations and theoretical studies and studies in sanitation sterilization and the use of antiseptics cosmetics and electrical appliances consistent with the practical and theoretical requirements as applicable to barbering or any practice thereof

(c) No school of barbering shall permit its students to practice barbering on the public under any circumstances except by way of clinical work upon persons willing to submit themselves to such practice after first being properly informed that the operator is a student No school of barbering shall directly or indirectly charge any money whatsoever for treatment by its students or for materials used in such treatment

Section 9 Section 13 of said act as last amended by the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1040) is hereby further amended to read as follows

Section 13 To shave or trim the beard to cut hair to shape the eyebrows to give facial and scalp massaging facial and scalp treatment with any preparations made for this purpose either by hand or by mechanical or electrical appliances to singe and shampoo the hair or apply any makes of hair lotions or hair tonics and to dye hair of any person for compensation direct or indirect the person performing such service shall be construed as practicing the occupation of barbering within the meaning

of this act No person shall practice or attempt to practice barbering for compensation directly or indirectly in any place other than a registered barber shop except that any registered barber in a registered barber shop may furnish barber services to persons at their place of residence or in institutions in cases of sickness incapacitation confinement and other emergencies Provided however That nothing contained in this section shall be construed to include hospitals or colleges and private schools for children so-called beauty shops or hair-dressing parlors or schools of beauty culture except that it shall be unlawful and a violation of this act for any person to employ or to accept employment in any such shops parlors or schools who has been refused a certificate by the [department] board

Section 10 Section 15 of said act as last amended by the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1689) and amended in part by the act approved the second day of May one thousand nine hundred forty-nine (P. L. 862) is hereby further amended to read as follows

Section 15 (a) Any barber teacher apprentice or student who shall practice the occupation of barber while suffering from contagious or infectious disease or who shall knowingly serve any person afflicted with such disease shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one hundred dollars or undergo an imprisonment not exceeding thirty days or both at the discretion of the court

(b) Any barber teacher apprentice or student who shall infect any person or who shall impart any contagious or infectious disease by reason of carelessness or negligence in the practice of such occupation shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding five hundred dollars or to undergo an imprisonment not exceeding six months or both at the discretion of the court

(c) Nothing contained in this act or the act which this is an amendment shall be construed as prohibiting any municipality from adopting appropriate ordinances not inconsistent with the provisions of this act or the rules and regulations adopted thereunder as may be deemed necessary to promote the public health and safety and regulate the conduct of barber shops and schools and any municipality shall have power by proper ordinances to fix the days and hours during which barber shops in the said cities may be open for business [Provided however That in any such ordinance provisions shall be made that a designated local health or police official may upon application of the proprietor of any barber shop and upon proof that barber service to the public so requires issue a permit effective for a limited time for the operation of a particular barber shop at such times outside of and beyond those fixed in the said ordinances as is required by temporary public necessity with the power to renew the said permit upon further proof of public necessity] All municipalities with proper ordinances shall have power to enforce the provisions of this act and its amendments

(d) It shall be unlawful

[(a)] (1) To own manage operate or control any barber shop unless continuously hot and cold running water be provided for therein except in communities lacking such facilities

[(b)] (2) To own manage operate or control any barber school or part or portion thereof whether connected therewith or in a separate building wherein the practice of barbering is engaged in or carried on unless all entrances to the place where in the practice of barbering is so engaged in or carried on shall display a sign indicating that the work is done by students exclusively

[(c)] (3) To own manage control or operate any barber shop or school unless the same displays a recognized sign indicating that it is a registered barber shop or school which shall be clearly visible at the main entrance to said shop

[(d)] (4) For the owner of any barber shop to display

a permit or certificate of registration of any barber not employed in such shop

[(e)] (5) For the owner of any barber school to display a certificate of registration of any teacher not employed in such school

(e) The [department and advisory committee] board shall have power to make such other rules and regulations and prescribe such other sanitary requirements as shall be deemed necessary to carry out the provisions of this act

(f) Any person who shall violate any of the provisions of this act except as herein otherwise provided shall upon summary conviction thereof be sentenced to pay a fine of not less than ten dollars nor more than ninety dollars or to undergo an imprisonment of not less than ten days nor more than sixty days or both at the discretion of the court Any such person shall have the right of appeal as in other cases of summary conviction

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 297, as follows:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and

commissions shall be determined" by creating the State Board of Barber Examiners as a departmental administrative board in the Department of Public Instruction. The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 So much as relates to the Department of Public Instruction of Section 202 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" as last amended in part by the acts approved the ninth day of May one thousand nine hundred forty-nine (P. L. 1003) the twelfth day of May one thousand nine hundred forty-nine (P. L. 1289) and the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1717) is hereby further amended to read as follows

Section 202 Departmental Administrative Boards Commissions and Offices The following boards commissions and offices are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective administrative departments mentioned in the preceding section as follows

* * * * *

In the Department of Public Instruction
 State Council of Education
 State Real Estate Commission
 Pennsylvania State Board of Censors
 Public School Employees' Retirement Board
 Board of Trustees of Thaddeus Stevens Trade School
 Board of Trustees of Pennsylvania State Oral School for the Deaf
 Board of Trustees of Pennsylvania Soldiers' Orphan School
 Board of Trustees of West Chester State Teachers' College
 Board of Trustees of Millersville State Teachers' College
 Board of Trustees of Kutztown State Teachers' College
 Board of Trustees of East Stroudsburg State Teachers' College
 Board of Trustees of Mansfield State Teachers' College
 Board of Trustees of Bloomsburg State Teachers' College
 Board of Trustees of Shippensburg State Teachers' College
 Board of Trustees of Lock Haven State Teachers' College
 Board of Trustees of Indiana State Teachers' College
 Board of Trustees of California State Teachers' College
 Board of Trustees of Slippery Rock State Teachers' College
 Board of Trustees of Edinboro State Teachers' College
 Board of Trustees of Clarion State Teachers' College
 Board of Trustees of Cheyney Training School for Teachers
 State Board of Medical Education and Licensure
 State Board of Pharmacy
 State Dental Council and Examining Board
 State Board of Optometrical Examiners
 State Board of Osteopathic Examiners
 Osteopathic Surgeons' Examining Board
 State Board of Examiners for the Registration of Nurses

State Board of Barber Examiners
 State Board of Cosmetology
 State Board of Veterinary Medical Examiners
 State Board of Chiropractic Examiners
 State Board for the Examination of Public Accountants
 State Board of Examiners of Architects
 State Registration Board for Professional Engineers
 Public Service Institute Board
 State Board of Private Academic Schools
 State Board of Private Business Schools
 State Board of Private Trade Schools
 State Board of Private Correspondence Schools

Section 2 Article four of said act is hereby amended by adding thereto immediately after Section 461 thereof a new section to read as follows

Section 462 State Board of Barber Examiners (a) The State Board of Barber Examiners shall consist of the Superintendent of Public Instruction and five members. Each member of the board at the time of his appointment and qualification shall be a citizen of the United States and a resident of the Commonwealth of Pennsylvania shall have been a registered barber under the laws of this Commonwealth and shall have continuously followed the occupation of barbering in the Commonwealth for a period of at least five years next preceding his appointment

(b) Not more than two members of any one organization association or group composed of barbers or persons interested primarily in the welfare and advancement of barbers barber shops or barber schools shall serve on the board at the same time

(c) The board shall elect one of its members as chairman and shall elect a secretary who need not be a member of the board

(d) Three members of the board shall constitute a quorum and any action or order of the board shall require the approval of at least three members

(e) The secretary shall have such powers and shall perform such duties not contrary to law as the board shall prescribe

(f) The members of the board other than the Superintendent of Public Instruction shall receive fifteen dollars (\$15) per diem for each day actually devoted to the work of the board and the secretary shall receive such reasonable compensation as shall be determined by the board with the approval of the Superintendent of Public Instruction

Section 3 Section 1310 of said act as amended by the acts approved the twelfth day of May one thousand nine hundred forty-nine (P. L. 1289) and the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1717) is hereby further amended to read as follows

Section 1310 Professional Examining Boards The professional examining boards within the Department of Public Instruction shall respectively exercise the rights and powers and perform the duties by law vested in and imposed upon them. Provided however That all certificates and official documents of such examining boards shall be issued by the Department of Public Instruction but may be signed by the members of the appropriate board or any of them as determined by such board

Subject to the preceding provisions of this section and to any other inconsistent provisions in this act contained

The State Board of Medical Examination and Licensure shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board and the Bureau of Medical Examination and Licensure in the Department of Public Instruction

The State Board of Pharmacy shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Dental Council and Examining Board shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board the State Dental Council and the Board of Dental Examiners for the Commonwealth of Pennsylvania

The State Board of Optometrical Examiners shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board and the

Board of Optometrical Education Examination and Licensure

The State Board of Osteopathic Examiners shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board and the State Board of Osteopathic Examiners of Pennsylvania

The Osteopathic Surgeons' Examining Board shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Board of Examiners for Registration of Nurses shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Board of Barber Examiners shall exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Board of Cosmetology shall exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Board of Veterinary Medical Examiners shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Board of Examination of Public Accountants shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Board of Examiners of Architects shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Registration Board for Professional Engineers shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Board of Chiropractic Examiners shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 379, as follows:

An Act to add section 4.1 to the act approved the twentieth day of July one thousand nine hundred seventeen (P. L. 1143) entitled "An act relating to free public nonsectarian libraries and branch libraries within this Commonwealth providing for their establishment maintenance and regulation and for the maintenance and regulation of such free public nonsectarian libraries as may have been already established by the several counties cities boroughs towns and townships and providing that

all library property and all gifts devises grants or endowments for library purposes shall be exempt from taxation and providing that the several counties cities boroughs towns and townships may levy taxes condemn private property and borrow money for library purposes and imposing penalties for injuring library property and for violations of library regulations and repealing existing laws in relation to the above subjects" by further regulating county libraries permitting cities boroughs towns and townships to withdraw from county library districts and payment of county library tax

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twentieth day of July one thousand nine hundred seventeen (P. L. 1143) entitled "An act relating to free public nonsectarian libraries and branch libraries within this Commonwealth providing for their establishment maintenance and regulation and for the maintenance and regulation of such free public nonsectarian libraries as may have been already established by the several counties cities boroughs towns and townships and providing that all library property and all gifts devises grants or endowments for library purposes shall be exempt from taxation and providing that the several counties cities boroughs towns and townships may levy taxes condemn private property and borrow money for library purposes and imposing penalties for injuring library property and for violations of library regulations and repealing existing laws in relation to the above subjects" is hereby amended by adding after section four thereof a new section to read as follows

Section 4.1 Whenever in any city borough town or township there has been or may be established and maintained a separate free public nonsectarian library and there is at the time a county library in existence three per cent of the voters at the last preceding general election in said city borough town or township may petition the county commissioners to place on the ballot the question of whether or not such city borough town or township shall be a part of the county library district and be subject to levy and payment of any taxes levied for the purpose of maintaining or aiding in the maintaining of any county library At the next general election occurring at least sixty days after the filing of the petition such question shall be placed upon the ballots and submitted to the electors of the city borough town or township as provided by the election laws If a majority of those voting on such question vote in favor of the discontinuance of the county library and tax in said city borough town or township then such city borough town or township shall not thereafter be a part of the county library district and shall not be subject to levy and payment of any taxes levied for the purpose of maintaining or aiding in the maintaining of any county library

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 404, on third reading, entitled:

An Act to add Clause (15) to Section 14 of the act, approved the twenty-fourth day of April, one thousand nine hundred forty-seven (P. L. 89), entitled "An act relating to the form, execution, revocation, operation, and interpretation of wills; to nuncupative wills; to the appointment of testamentary guardians; to elections to take under or against wills and the procedure in reference thereto," by providing for a rule of construction with respect to cemetery lots owned by a testator or in which he has a right of interment.

be recommitted to the Committee on Judiciary General.

Mr. WOLFE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 459, as follows:

An Act to further amend Section 1101 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by authorizing the payment of bounties for the destruction of rattlesnakes and copperhead snakes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1101 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" as amended by the act approved the first day of May one thousand nine hundred forty-five (P. L. 357) is hereby further amended to read as follows

Section 1101 Authority to Pay Bounties on Predators Whenever in the opinion of the commission it is desirable or necessary for the better protection of game to pay rewards or bounties for the killing of any predators in any part of or throughout this Commonwealth the said commission is hereby authorized to pay such bounties for the destruction of predators and in such amounts and during such periods as it shall by general rules or regulations prescribe but in no case shall the amount so paid exceed the following bounties for the birds and animals herein enumerated For each Canada or Bay Lynx commonly called bobcat or wildcat fifteen dollars for each fox four dollars for each weasel one dollar for each rattlesnake or copperhead snake one dollar and fifty cents and for each goshawk or other predatory bird five dollars Provided however That the commission shall pay any bounty so established to foresters forest rangers fish wardens game protectors and other public employees to encourage them to destroy predators and to compensate them for services beyond their regular call of duty such payments to be made in the same manner and under like conditions as bounties are paid to other citizens For the purposes of this article animal and predator shall include rattlesnake and copperhead snakes

All bounties authorized by said commission shall be paid only upon such conditions as may be prescribed in said regulations and upon such proofs and in such manner as hereinafter provided

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. HOLLAND. Mr. President, I have had some letters from Mr. Graham Netting, who is the Assistant Director of the Carnegie Museum, Pittsburgh, as well as from Mr. Elmer M. Cheuvront, who is considered one of the experts on snakes, and especially rattlesnakes—not the kind of snakes we had in mind—and he claims this bill will lead into one of the greatest rackets that ever was perpetrated upon the people of Pennsylvania.

Mr. President, first of all, there are people today who have collected, over a time, thousands of rattlers. The best example is in Florida. Florida passed a law giving bounty on rattlesnakes, and the result is that the following Session they had to repeal the Act, because they were shipping in rattlers from all other states in the United States, and there was no way to prove that they were not killed in Florida, with the result that they were spending thousands and thousands of dollars for snakes—not out of the bottle—that did not exist in Florida. Mr. Cheuvront warns me, as one who has spent his life collecting rattlesnakes, that if this bill is put in, he has a collection at the present time of fifty-two hundred rattlers which there is no reason why he should not turn into the State and get a dollar and a half a piece for them, and he said that is nothing compared to some of the other collectors of rattlesnakes and rattlers over a period of time.

In other words, if this bill is passed into law, we will be paying for rattlesnakes that never existed in the State of Pennsylvania but will be shipped in. For instance, take Wyoming. In Wyoming they have just collected two thousand rattlers. Now they paid for them there just by looking at the snakes. I understand, according to this letter—I am not going to read the entire letter—that he had a letter from a friend of his who had charge of the hunt in Wyoming, and he stated that they have cut the two thousand rattles off the rattlesnakes caught in Wyoming and are waiting for this bill to pass. So, there is two thousand times a buck and a half or thirty-two hundred dollars briefly, three thousand five hundred dollars, for the rattlers that were caught in Wyoming. So, I think we should not get so much rattled about this bill and vote it down.

Mr. BERGER. Mr. President, the remarks of the gentleman remind me of the truism that no matter how repulsive or dangerous an animal or reptile may be, somebody loves it.

Mr. President, this bill was inspired by several requests from people who work in the woods in the counties of Potter, Tioga, McKean and other places, particularly the lumbermen up there who are engaged in considerable enterprises, and for a long time they have asked that a bounty be paid upon rattlesnakes which are getting quite prevalent up there in the wilds of northern Pennsylvania. Now, I do not suppose that there will be many bounties collected from the hills of Pittsburgh, but there will be considerable collected from the hills of Potter, McKean and Tioga Counties.

Now, Mr. President, so far as fraudulent bounty claims are concerned, I think that the Commonwealth has paid out quite a little money on fraudulent fox claims and

fraudulent weasel claims, and if any bounty claimant wishes to collect, under the penalty of perjury, his dollar and a half for sending in some rattles or whatever method the Game Commission may prescribe for approving the bounty, that, of course, we have no means of preventing. At the same time, nevertheless, all bounty claims must be made under the penalty of perjury by affidavit, and I question very much whether the Commonwealth will be stuck a great deal by such fraudulent claims, and I think the bill merits considerable consideration at the hands of the Senate.

Mr. HOLLAND. Mr. President, I forgot to add that a man who also opposes this bill is from McKean County. Bill Carpenter, Game Protector of McKean County, also opposes this bill, and he also states that he had a clean up campaign on rattlesnakes in McKean County and captured five hundred thirty-one.

Now, Mr. President, one of the greatest dangers that he failed to mention is the fact that in the State—I have seen snakes too but not in Allegheny County—just like in Ireland, we have driven the snakes out—but in shooting them, in the Spring in particular, you are going to endanger the lives of people who are going out as nature lovers to roam the woods, and the ricocheting of the bullets will endanger the nature lovers in the Spring of the year who go out and pick daffodils. Also the amateurs and the inexperienced hunters from the county Mr. Berger comes from, Potter County, are in danger of their lives by being bitten by snakes, because they do not know how to catch a snake, while men who spent their lives can catch these alive; they caught them alive to the extent of two thousand in the last World War, and they used the things they got from the rattlesnakes for medicine for the wounded soldiers. So, I would advise you not to kill all those rattlesnakes until this next war is all over, but I do not think that when you mention McKean County, it will be wise, before this bill is passed, for you to get in touch with Bill Carpenter, the Game Protector of McKean County, who can tell you more about rattlesnakes than either you or I know.

Mr. BERGER. Mr. President, I have been reminded and believe it will be well to call the attention of the gentleman from Allegheny to the fact that on the statute books of Pennsylvania we still have a bounty law which provides for the payment of a bounty upon Indian scalps.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Pechan,	Toole,
Blass,	Lane,	Peelor,	Wade,
Byrne,	Leader,	Propert,	Wagner,
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahany,	Rosenfeld,	Watkins,
Dent,	Mallery,	Ruth,	Watson,
Diehm,	McCreech,	Scarlett,	Wolfe,
DiSilvestro,	McGinnis,	Silvert,	Wood,
Fleming,	McMenamin,	Snowden,	Yosko,
Freed,			

NAYS—1

Holland,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 516, on third reading, entitled:

An Act to further amend the act, approved the twenty-second day of June, one thousand nine hundred thirty-seven (P. L. 1937), entitled, as amended "An act to preserve and improve the purity of the waters of the Commonwealth for the protection of public health, animal and aquatic life, and for industrial consumption, and recreation; empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution; providing protection of water supply; providing for the jurisdiction of courts in the enforcement thereof; requiring the approval of the Attorney General for prosecutions thereunder; providing additional remedies for abating pollution of waters; imposing certain penalties; and repealing certain acts; authorizing the acquisition by purchase or condemnation, or otherwise, of easements and rights of ways; the acquisition or construction of pipes, conduits, drains or tunnels by the Sanitary Water Board; and providing for payment of the costs thereof by the Commonwealth; authorizing the Sanitary Water Board to establish standards of purity and to determine the time for compliance with certain provisions of the act in certain cases and making it unlawful to open, reopen or continue operation of any coal mine, or to change any approved drainage or disposal plan without prior approval by the Sanitary Water Board," by increasing maximum time after notice for discontinuance of discharge or treatment of sewage or discharge of industrial waste.

go over in its order.

The PRESIDENT. Is there objection?

Mr. YOSKO. Mr. President, I would like to read an editorial in connection with this bill. I do not want to take up the time of the Senate, but I would like to read it.

Mr. WALKER. Mr. President, may I suggest to the gentleman that since the bill is over in order, if action is taken tomorrow, we will be very glad to hear the editorial. I have a couple myself that I will exchange with him.

Mr. YOSKO. I yield, Mr. President.

The PRESIDENT. Is there objection to Senate Bill No. 516 going over in its order? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 538, as follows:

An Act to amend section 1154 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the payment of salaries of professional and temporary professional employees in cases of sickness or death

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1154 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" as last amended by the act approved the second day

of May one thousand nine hundred forty-nine (P. L. 807) is hereby further amended to read as follows

Section 1154 Payment of Salaries in Cases of Sickness or Death

(a) In any school year whenever a professional or temporary professional employe is prevented by illness from following his or her occupation the school district shall pay to said [professional] employe for each day of absence the full salary to which the [professional] employe may be entitled as if said employe were actually engaged in the performance of duty for a period of five days. Such leave shall be cumulative from year to year but shall not exceed twenty (20) days leave with full pay in any one year.

Whenever the boards of school directors of two or more school districts may establish any joint elementary public school high school or department or whenever two or more school districts shall merge or form a union school district the professional or temporary professional employes employed by the several boards of school directors establishing such joint school or department or merged or union school district shall be entitled to the sick leave accumulated in the individual school districts subsequently establishing such joint school or department or merged or union school district.

The board of school directors shall require the [professional] employe to furnish a certificate from a physician or other practitioner certifying that said [professional] employe was unable to perform his or her duties during the period of absence for which compensation is required to be paid under this section.

(b) Whenever a professional or temporary professional employe shall be absent from duty because of a death in the immediate family of said employe there shall be no deduction in salary of said employe for an absence not in excess of three school days. The board of school directors may extend the period of absence with pay in its discretion as the exigencies of the case may warrant. Members of the immediate family shall be defined as father, mother, sister, son, daughter, husband, wife, parent-in-law or near relative who resides in the same household or any person with whom the [professional] employe has made his home.

(c) Whenever a professional or temporary professional employe is absent because of the death of a near relative there shall be no deduction in the salary of said employe for absence on the day of the funeral. The board of school directors may extend the period of absence with pay in its discretion as the exigencies of the case may warrant. A near relative shall be defined as first cousin, grandfather, grandmother, aunt, uncle, niece, nephew, brother-in-law or sister-in-law.

(d) All compensation required to be paid under the provisions of this act shall be paid to the [professional] employe in the same manner and at the said time said employe would have received his salary if actually engaged in the performance of his duties.

(e) An board of school directors may adopt rules or regulations pertaining to the payment of salaries of [professional] employes when absent from duty extending the period of leave with pay in excess of that herein provided or authorizing leaves with pay for other purposes. This act is not intended to repeal any rule or regulation of any board of school directors now in effect which does provide for such additional compensation or additional period of leave with pay.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freud,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

HOUSE BILL NO. 99 CALLED UP FROM POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up from the Third Reading Postponed Calendar House Bill No. 99 for consideration at this time.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 99, as follows:

An Act to improve and extend by reciprocal legislation the enforcement of duties of support and to make uniform the law with respect thereto.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Article I

Section 1 Purposes The purposes of this act are to improve and extend by reciprocal legislation the enforcement of duties of support and to make uniform the law with respect thereto.

Section 2 Definitions As used in this act unless the context requires otherwise:

(1) "State" includes any state territory or possession of United States and the District of Columbia in which this or a substantially similar reciprocal law has been enacted.

(2) "Initiating state" means any state in which a proceeding pursuant to this or a substantially similar reciprocal law is commenced.

(3) "Responding state" means any state in which any proceeding pursuant to the proceeding in the initiating state is or may be commenced.

(4) "Court" means the Court of Quarter Session of the Peace of any county, the Municipal Court of Philadelphia County and the County Court of Allegheny County of this State and when the context requires means the court of any other state as defined in a substantially similar reciprocal law.

(5) "Law" includes both common and statute law.

(6) "Duty of support" includes any duty of support imposed or imposed by law or by any court order decree or judgment whether interlocutory or final whether incidental to a proceeding for divorce judicial (legal) separation separate maintenance or otherwise.

(7) "Obligor" means any person owing a duty of support.

(8) "Obligee" means any person to whom a duty of support is owed.

Section 3 Remedies Additional to Those Now Existing The remedies herein provided are in addition to and not in substitution for any other remedies

Section 4 Extent of Duties of Support The duty of support imposed by the laws of this State or by the laws of the state where the obligee was present when the failure to support commenced as provided in Section 7 and the remedies provided for enforcement thereof including any costs or penalty imposed thereby bind the obligor regardless of the presence or residence of the obligee

Article II

Criminal Enforcement

Section 5 Interstate Rendition The Governor of this State (1) may demand from the Governor of any other state the surrender of any person found in such other state who is charged in this State with the crime of failing to provide for the support of any person in this State and (2) may surrender on demand by the Governor of any other State any person found in this State who is charged in such other state with the crime of failing to provide for the support of a person in such other state The provisions for extradition of criminals not inconsistent herewith shall apply to any such demand although the person whose surrender is demanded was not in the demanding state at the time of the commission of the crime and although he had not fled therefrom Neither the demand the oath nor any proceedings for extradition pursuant to this section need state or show that the person whose surrender is demanded has fled from justice or at the time of the commission of the crime was in the demanding or the other state

Section 6 Relief From the Above Provision Any obligor contemplated by Section 5 who submits to the jurisdiction of the court of such other state and complies with the court's order of support shall be relieved of extradition for desertion or non-support entered in the courts of this State during the period of such compliance.

Article III

Civil Enforcement

Section 7 What Duties are Enforceable Duties of support enforceable under this law are those imposed or impossible under the laws of any state where the alleged obligor was present during the period for which support is sought or where the obligee was present when the failure to support commenced at the election of the obligee

Section 8 Remedies of a State or Political Subdivision Thereof Furnishing Support Whenever the state or a political subdivision thereof has furnished support to an obligee it shall have the same right to invoke the provisions hereof as the obligee to whom the support was furnished for the purpose of securing reimbursement of expenditures so made.

Section 9 How Duties of Support are Enforced All duties of support are enforceable by action (complaint) irrespective of relationship between the obligor and obligee Jurisdiction of all proceedings hereunder shall be vested in the courts designated in Section 2 subsection (4)

Section 10 Contents of Complaint for Support The complaint shall be verified and shall state the name and so far as known to the plaintiff the address and circumstances of the defendant and his dependents for whom support is sought and all other pertinent information

Section 11 Duty of Court of This State as Initiating State If the court of this State acting as an initiating state finds that the complaint sets forth facts from which it may be determined that the defendant owes a duty of support and that a court of the responding state may obtain jurisdiction of the defendant or his property he shall so certify and shall cause certified copies of the complaint the certificate and an authenticated copy of this act to be transmitted to the court of the responding state

Section 12 Duty of the Court of This State as Responding State When the court of this State acting as a responding state receives from the court of an initiating state the aforesaid copies it shall (1) docket the cause (2) notify the district attorney (3) set a time and place for

a hearing and (4) take such action as is necessary in accordance with the laws of this State to obtain jurisdiction

Section 13 Order of Support If the court of the responding state finds a duty of support it may order the defendant to furnish support or reimbursement therefor and subject the property of the defendant to such order

Section 14 Responding State to Transmit Copies to Initiating State The court of this State when acting as a responding state shall cause to be transmitted to the court of the initiating state a copy of all orders of support or for reimbursement therefor

Section 15 Additional Powers of Court In addition to the foregoing powers the court of this State when acting as the responding state has the power to subject the defendant to such terms and conditions as the court may deem proper to assure compliance with its orders and in particular

(a) To require the defendant to furnish recognizance in the form of a cash deposit or bond of such character and in such amount as the court may deem proper to assure payment of any amount required to be paid by the defendant

(b) To require the defendant to make payments at specified intervals to the clerk of the court or other officers designated by the court or the obligee and to report personally to such clerk or other officer designated by the court at such times as may be deemed necessary

(c) To punish the defendant who shall violate any order of the court to the same extent as is provided by law for contempt of the court in any other suit or proceeding cognizable by the court

Section 16 Additional Duties of the Court of This State When Acting as a Responding State The court of this State when acting as a responding state shall have the following duties which may be carried out through the clerk of the court or other officer designated by the court

(a) Upon the receipt of a payment made by the defendant pursuant to any order of the court or otherwise to transmit the same forthwith to the court of the initiating state and

(b) Upon request to furnish to the court of the initiating state a certified statement of all payments made by the defendant

Section 17 Additional Duty of the Court of This State When Acting as an Initiating State The court of this State when acting as an initiating state shall have the duty which may be carried out through the clerk of the court or other officer designated by the court to receive and disburse forthwith all payments made by the defendant or transmitted by the court of the responding state

Section 18 Evidence of Husband and Wife Laws attaching a privilege against the disclosure of communications between husband and wife are inapplicable to proceedings under this act Husband and Wife are competent witnesses to testify to any relevant matter including marriage and parentage

Section 19 Severability If any provision hereof or the application thereof to any person or circumstance is held invalid such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application and to this end the provisions of this act are declared to be severable

Section 20 Effective Date The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,

Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HOUSE BILL NO. 512 CALLED UP FROM POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up from the Third Reading Postponed Calendar House Bill No. 512, for consideration at this time.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 512, as follows:

An Act to further amend subsection (b) of Section 4 of and to add Section 36.1 to the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by requiring taxing districts to pay the premiums on corporate bonds of the tax collector in townships of the first class and further regulating the fixing of the compensation of elected tax collectors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of Section 4 of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" as amended by the act approved the fifth day of June one thousand nine hundred forty-seven (P. L. 453) is hereby further amended to read as follows

Section 4 Bonds of Tax Collectors

(b) In boroughs towns and townships of the second class the elected tax collector shall be the collector of borough town or township taxes as the case may be and of county and institution school and vocational school district taxes He shall before he enters upon the duties of his office take and subscribe an oath of office and file the same in the office of the clerk of the court of quarter sessions of the county He shall enter into one surety bond to the Commonwealth for all taxes to be collected by him in an amount to be fixed by the court of quarter sessions of the county which amount shall never exceed the estimated amount of taxes charged in the duplicates to be delivered to him in one year Such bond may at the option of the tax collector be an annual bond or many cover the full term of office for which the tax collector shall have been elected Such bond shall have thereon at least

two sufficient sureties or one bonding company and the sufficiency of the sureties on the bond shall be approved by the court of quarter sessions at any time prior to the delivery of a tax duplicate to the tax collector The bond shall be filed in the office of the clerk of the court of quarter sessions on or before the fifteenth day of March of the year in which the tax collector qualifies for office and annually thereafter except where the first bond given by the tax collector covers the full term of office for which he was elected Should any of the taxing districts be of the opinion at any time that the bond given by the tax collector is not sufficient in amount or as to the surety thereon the said taxing district may apply to the court by petition to have the tax collector furnish additional bond in the manner provided by this section Thereupon the tax collector shall furnish such additional bond if any as the court of quarter sessions may prescribe but not exceeding the limitations as to the amount hereinbefore prescribed [After the thirty-first day of December one thousand nine hundred forty-nine]

(b.1) In boroughs towns and townships of the second class and after the thirty-first day of December one thousand nine hundred fifty-three in townships of the first class where the surety on a tax collector's bond or on the bond of a township treasurer as tax collector is a bonding company the premium on the bond shall be paid by the respective taxing districts Each taxing district shall be liable to pay that percentage of the bond premium as the total taxes charged in the duplicate of the taxing district bears to the total taxes charged in the duplicate of all of the taxing districts In any case where a tax collector is required to furnish additional bond the premium on such additional bond shall be paid by the taxing district which petitioned the court for the additional bond Prior to the first day of January one thousand nine hundred [fifty] fifty-four where the surety on a tax collector's bond in a township of the first class is a bonding company any taxing district may pay its percentage of the bond premium as above provided

Section 2 Said act is hereby amended by adding thereto immediately following section 36 a new section to read as follows

Section 36.1 When any taxing district or taxing authorities propose to either raise or reduce the compensation or salary for the office of an elected tax collector such action shall be by ordinance or resolution finally passed or adopted at least ten days prior to the last day fixed by law for candidates to withdraw their names from nomination previous to the day of the municipal election

Section 3 All acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HOUSE BILL NO. 788 CALLED UP FROM POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up from the Third Reading Postponed Calendar House Bill No. 788 for consideration at this time.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 788, as follows:

An Act providing for the construction and equipping of the Pennsylvania School for Mental Defectives providing for the acquisition of land providing for the care maintenance and control of inmates imposing duties and conferring powers on the Department of Welfare and the Department of Property and Supplies The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Welfare with the approval of the Governor shall select for acquisition by the Department of Property and Supplies in the name of the Commonwealth land for the erection and construction thereon of a new institution for mental defectives with a capacity of not less than six hundred inmates Such land shall provide ample water supply and be capable of adequate sewerage and drainage and the acreages obtained shall be sufficient for the most productive agricultural employment of the inmates

Section 2 Upon the acquisition of any land in the name of the Commonwealth the Department of Property and Supplies shall construct thereon a new institution which shall be known as the "Pennsylvania School for Mental Defectives" The plans and specifications of the institution shall be subject to the approval of the Department of Welfare and shall provide for suitable buildings and an adequate water supply system sewage treatment works heat and electric power plant or plants service lines and other necessary equipment structures and improvements The buildings shall be of modern design plain and substantial and capable of extension as the needs of the institution may require

Section 3 The Department of Welfare shall receive into the custody of such institution for care guidance and control mental defectives in the manner provided by law

Section 4 The management and operation of the school and the care maintenance and employment of the inmates shall be the function of the Department of Welfare Subject to and in the manner provided in The Administrative Code of 1929 and its amendments the Department of Welfare shall have power to employ and fix the compensation of a superintendent deputy superintendent chaplain guards physicians mechanics clerks stenographers and other employes as may be deemed necessary for the proper maintenance and management of the school and the safe keeping therein of its inmates The compensation of all persons so appointed and all other expenses in connection with the care and maintenance of inmates of the institution shall be paid from the appropriation made to the Department of Welfare for such purposes

Section 5 In the management of the Pennsylvania School for Mental Defectives the Department of Welfare shall have all the power conferred and perform all the duties imposed by the laws of the Commonwealth on the boards of trustees of the mental hospitals and institutions for mental defectives and epilepsy in Pennsylvania

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Cowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
reed,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

ASSISTANT TO THE PUBLISHER OF THE PHILADELPHIA EVENING BULLETIN PRESENTED TO SENATE

The PRESIDENT. The Chair would like to direct the attention of the Senate to the fact that we have a very distinguished visitor in the Chamber today, the Assistant to the Publisher of the Philadelphia Evening Bulletin, Mr. George Eager. Will Mr. Eager please rise in place and take a bow?

SECOND READING CALENDAR

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 357, entitled:

An Act to reenact, revise and amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL POSTPONED

Mr. WALKER. Mr. President, I move that Senate Bill No. 380, on second reading, entitled:

An Act to amend the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and

school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" by giving municipal claims equal priority with taxes in the distribution of certain moneys recovered under the provisions of said act

be placed on the Second Reading Postponed Calendar.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 387, entitled:

An Act to amend Section 404 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing for additional clerks of election in election districts having more than twelve hundred qualified electors.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 456, entitled:

An Act to further amend the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 368) entitled "An act to protect consumers in the purchase for fuel purposes of the hard coal known as anthracite providing for and regulating the sale offering for sale resale delivery and shipment of anthracite according to a standard provided for in this act requiring producers and dealers and persons engaged in the sale and resale of anthracite from storage yards or otherwise to consumers to keep certain records conferring powers on the Anthracite Committee and its agents and providing penalties" by defining "Retail Dealer" "Wholesale Dealer" "Municipal Weighmaster" and "Municipality" requiring

producers wholesale dealers and municipal weighmasters to issue certain statements and keep certain records imposing and changing penalties providing for the payment of fines for violations to the Commonwealth and providing for injunctions to restrain violations

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 458, on second reading, entitled:

An Act to amend Section 5 and to add Section 5.1 to the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by requiring certain bonds issued for certain purposes to be offered for sale at open and competitive bidding in certain cases

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 490, entitled:

An Act to further amend section two of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 216), entitled "An act relating to dentistry; defining and providing for the licensing and registration of dentists and dental hygienists, and for the revocation and suspension of such licenses and registrations, subject to appeal, and for their reinstatement; defining the powers and duties of the State Dental Council and Examining Board and the Department of Public Instruction; providing penalties; and repealing existing laws," by further defining the term "Practice of Dentistry."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 700, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by further defining clarifying adding to and otherwise changing the laws relating to the affairs of townships.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 14, entitled:

An Act to amend clause (c) of Section 3 of the act approved the thirty-first day of May, one thousand nine hundred forty-seven (P. L. 359), entitled "A supplement to the act, approved the twenty-fifth day of April, one thousand nine hundred forty-five (P. L. 299), entitled 'An act providing for the establishment in counties of the second class of the lot and block plan for the registration of land titles, for the accumulation of county tax liens, and for the enumeration of the parcels of real estate to be assessed for county, city, borough, township, school and institution district taxation; providing for the incurring of indebtedness for the installation thereof; and imposing duties upon the county controller and the deed registrar in each of such counties,' providing for the use in counties of the second class of the lot and block descriptive number in the making of assessments in the preparation of tax bills and tax receipts; in the filing of liens for delinquent taxes; and in the sale of real estate for taxes; and imposing duties upon certain county officials in second class counties; and upon treasurers, tax collectors and solicitors of cities, boroughs, towns, townships and school districts in said counties," by further providing for the contents of instruments to be received for recording by the recorder of deeds and imposing duties on him relating thereto.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 51, entitled:

An Act to amend Section 5 of the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1358), entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description, including, but not limited to, livestock, poultry, farm machinery, farm equipment and crops, grown, growing or to be grown; designating the operation and effect of the lien of such mortgages; providing for the filing, indexing and docketing of such mortgages and related instruments in prothonotaries' offices; and prescribing prothonotaries' fees; providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states; regulating the assignment, release, satisfaction and extension of the lien of such mortgages; prescribing methods of foreclosure; defining defaults and violations; and fixing penalties," by providing for postponement of the lien and operation of chattel mortgages in certain cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 153, entitled:

An Act to amend Section 209 of Article II of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments, commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by authorizing cemetery and burial corporations to transfer trust funds to corporate fiduciaries with the approval of the Orphans' Court and by providing for the filing or accounts by such fiduciaries and the audit and confirmation thereof by said court.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 256, entitled:

An Act to further amend section 14 of the act, approved the twenty-second day of May, one thousand nine hundred thirty-five (P. L. 233), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired and disabled employees of the Bureau of Police in cities of the second class; providing a pension fund for said employees; and providing for the payment of certain dues, fees, assessments, fines, and appropriations thereto; regulating membership therein; creating a board for the management thereof, providing the amount, mode, and manner of payment to beneficiaries thereof, and for the care and disposition of said fund; providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds, organizations, corporations, or associations having the same or similar purposes, and of such additional monies as may be necessary to carry out the provisions of this act," by changing the amount of pension payments to beneficiaries.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 276, entitled:

An Act to amend Subsection C of Section 315 of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing cer-

tain local public officers and State departments to collect fees for services required to be rendered by the act imposing penalties and repealing certain acts and parts of act relating to corporations" by authorizing cemetery and burial corporations to transfer trust funds to corporate fiduciaries with the approval of the orphans' court and by providing for the filing of accounts by such fiduciaries and the audit and confirmation thereof by said court.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 341, entitled:

An Act giving liens against real property priority over each other in point of time; fixing the time from which priorities extend; and imposing duties on judges and certain court and county officers and employees.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 398, entitled:

An Act to further amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1050), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired and disabled employees of the bureau of fire in cities of the second class; creating a board for the management thereof; providing the mode and manner of payment to beneficiaries, and for the care and disposition of its funds; and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created" by changing the compensation of the Secretary-Treasurer of the Board and changing the amounts of contributions by members to the fund, and changing the amounts of payments to beneficiaries.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 500, entitled:

An Act to further amend the title of and the act, approved the eighteenth day of July, one thousand nine hundred thirty-five (P. L. 1286), entitled, as amended, "An act empowering counties of the second class, cities, boroughs, incorporated towns, and townships to charge and collect from owners of and water users in property served thereby, annual rentals, rates, or charges for the use of certain sewers, sewerage systems and sewage treatment works, including charges for operation, inspection, maintenance, repair, depreciation, and the amortization of indebtedness and interest thereon; empowering counties of the second class, cities, boroughs, incorporated towns and townships to contract with authorities organized by counties of the second class, for sewer, sewerage and sewage treatment services; to grant, convey, lease, transfer, encumber, mortgage and pledge to such authorities, their sewers, sewerage systems and sewage treatment works; to assign and pledge to such authorities rentals, rates and charges charged and collected by them for the use thereof, and to assign to such authorities their power to charge and collect the same; and validating all such contracts, grants, conveyances, leases, transfers, assignments, encumbrances, mortgages and pledges heretofore made," by extending to authorities organized by cities of the third class the provisions affecting authorities organized by counties of the second class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 513, entitled:

An Act to amend section 2 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by providing that certain appeals may be taken to the court of common pleas of the county in which the aggrieved person resides

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 525, entitled:

An Act to further amend Section 2 of the act, approved the twenty-fifth day of June, one thousand eight hundred ninety-five (P. L. 275), entitled "An act dividing the cities of this State into three classes with respect to their population, and designating the mode of ascertaining and changing the classification thereof in accordance therewith," by providing for the regression in classification of cities upon their decrease in population.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 527, entitled:

An Act to amend clause (h) of section one hundred two clauses (c) and (f) of section two hundred two clause (c) of section two hundred five clauses (a) (b) (c) (d) (e) and (f) of section two hundred ten section three hundred six clause (c) of section five hundred two and clause (g) of section two hundred five of the act approved the twenty-fifth day of June one thousand nine hundred and forty-one (P. L. 159) entitled "An act amending revising consolidating and changing the law relating to the borrowing of money by certain political subdivisions the authorization issuance and sale of general obligation bonds as herein defined of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes and to the funding of debt and the refunding of bonds regulating the keeping and use of sinking funds imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions imposing penalties and repealing existing laws" by clarifying and correcting the provisions of said sections and setting forth provisions and requirements for contesting the validity of any election proceedings under section two hundred five.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 681, entitled:

An Act to further amend the title and Section 1 of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 477) entitled as amended "An act providing for the payment of the salary medical and hospital expenses of policemen and firemen by cities boroughs towns and townships who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period" by extending the provisions thereof to park guards

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

PERMISSION TO ADDRESS SENATE

Mr. YOSKO asked and obtained unanimous consent to address the Senate.

Mr. YOSKO. Mr. President, I do not want to appear to be persistent, but I do want to read this editorial, because I think it is timely to read it now before the bill is considered in caucus tomorrow. I am talking about the sewage disposal bill.

Mr. President, I have read a number of editorials on the subject, but I thought this was the best one of all of the others, and I just want to read it so that it may serve as food for thought when the bill is being considered in caucus tomorrow.

Mr. President, this editorial appeared in the Allentown Morning Call on Saturday, April 28. The title of the editorial is "Sportsmen, Get Your Guns."

"One of the finest achievements in the administration of Hon. James H. Duff as Governor was the clean stream program. It was an important element and factor in the election of Mr. Duff to the U. S. Senate and of his running mate, Hon. John S. Fine, to be Governor of Pennsylvania.

"Now that program faces crippling action if a bill presented to the State Senate be passed inasmuch as it provides that municipalities and industries—the principal sources of stream pollution—shall be given an extension of two years in complying with State orders to stop the discharge of noxious wastes into the State's natural water ways.

"Like so many other matters which seek to cloak themselves in the flag or plead distress from war and rumors of war, a current excuse for a "cease-fire" order as to stream pollution is the Korean war.

"Certainly municipalities and industries cannot and will not be expected and required to clean up if there be lack of materials and labor necessary to the job and the deprivation be due to national defense preparations. But there is no immediate crisis in this respect and there is none in immediate prospect. And if there be such crisis, certainly the Governor and State departments and officials under him would find ways to ease or defer the problem for the municipalities and industries concerned.

"The entire matter has the appearance of a miserable subterfuge. It would turn back the hands on the clock of Pennsylvania progress.

"It is time for every association of sportsmen in Pennsylvania, whose numbers are millions, to be making themselves vociferous upon this matter.

"The splendid administration of Governor Duff should be followed by an equally progressive one by Governor Fine. Not one step backward should be taken. Any relaxation as to the stream cleansing program will be a step downhill."

Mr. President, I wanted to read that editorial for another reason. My name appears on the bill as reporting the bill out from committee and, frankly, I reported the bill out because I was assigned to do so by the Chairman of the Committee, and I take all assignments. In addition to that, if the bill does come up for a vote tomorrow, I want to extend my remarks.

I do want to say that in Bethlehem right now, the city in which I live, a sewage disposal plant is under construction, costing the people of the City of Bethlehem five million dollars. In the City of Easton, which is in my district, they broke ground last week for the construction of a sewage disposal plant. It is costing the people of the City of Easton a million and seven hundred thousand dollars. The people back in my district are just as much up against it financially as other municipalities, and if they comply with the law back in my district, certainly every other municipality can comply with the law as well.

INTERROGATION

Mr. HOLLAND. Mr. President, I desire to interrogate the gentleman from Allegheny, Mr. Walker.

The PRESIDENT. Will the gentleman from Allegheny, Mr. Walker, permit himself to be interrogated?

Mr. WALKER. I will, Mr. President.

The PRESIDENT. The gentleman will proceed.

Mr. HOLLAND. Mr. Walker, is it your intention at this public hearing to advise all those that have written in that the public hearing will be held next Monday.

Mr. WALKER. Mr. President, the gentleman has embarrassed me. He is referring to a matter to which I am not wed. I will be very glad to identify the young lady in the search, and if he will direct his inquiry to the very distinguished gentleman from Luzerne, the Chairman of the Committee on Finance, I am certain that the information he will give him will be complete and satisfactory.

Mr. HOLLAND. Mr. President, just a moment before I direct it to the illustrious gentleman from Luzerne—we are co-sponsors of a bill that is being buried. Mr. Walker, would you consent or have we any means of financing and bringing Main and Company down to this public hearing so that we can present our case in a more intelligent manner?

Mr. WALKER. Mr. President, may I say for the information of the Senate that the gentleman from Allegheny has been trying, I give him at least an A for persistence. He has been trying, ever since the rumor spread that Main and Company made a search for water, to get those figures. He has even gone to the length of saying that he had them and, Mr. President, may I say that if I have any information which I think would be constructive and enlightening, I will make and have made arrangements to present that information at the hearing at the time and place announced by the clerk when the announcements were read.

Now, Mr. President, if the gentleman from Allegheny, Senator Holland, wants to enter into the problems of hiring Main and Company, he is on a venture of his own, and I will not co-sponsor such a venture.

Mr. HOLLAND. Mr. President, will the gentleman from Allegheny agree that if we bring Main and Company down here at my expense that they will be given the right to question the budget of Pennsylvania and interrogate Doctor Logan?

Mr. WALKER. Now, Mr. President, I think that is getting pretty far afield. I have no idea what Main and Company would do if they came down.

Mr. HOLLAND. I have, Mr. President.

Mr. WALKER. Mr. President, then the gentleman is in possession of the answers before he frames the question? I cannot answer for Main and Company, Mr. President. What he is trying to do, of course, is to find out whether or not I am going to bring them down there, and his next question is going to be, "If you bring them down, Senator Walker, will they lift the co-called iron curtain that you have lowered on me in my attempt to find out what they did find out?"

Mr. HOLLAND. Mr. President, to clear up this muddle, are you going to bring them down, Senator Walker? Senator Walker, are you going to bring Main and Company down?

Mr. WALKER. Mr. President, it is a good question. I am glad the gentleman asked it.

Mr. HOLLAND. Mr. President, I guess the refusal to answer is in the negative. I realize, as Majority Leader, he would not like to bring down a corporation that would show up the budget. I wish you could get the permission of the Governor between now and Saturday. I will pay the expenses down, Mr. Walker, for your benefit.

Mr. WALKER. Mr. President, may I suggest to the gentleman from Allegheny that he attend the hearing on Monday at nine o'clock in the morning, Daylight Saving Time, and if, when the shades are being drawn at the completion of that hearing, there is any further information or enlightenment that the gentleman from Allegheny would like to have shed upon this troublesome fiscal problem of Pennsylvania, I will be glad to cooperate with him. At this point, I have no intention of telling him or anybody else on the Minority side what I propose to do.

Mr. HOLLAND. Mr. President, I desire to interrogate the gentleman from Luzerne, Senator Wood.

The PRESIDENT. Will the gentleman from Luzerne, Mr. Wood, permit himself to be interrogated?

Mr. WOOD. I will, Mr. President.

Mr. HOLLAND. Senator Wood, have you notified the different groups that have asked for public hearings that there will be a public hearing on Monday?

Mr. WOOD. I have not as yet, Mr. President. It was impossible to notify them until we had the bill in the Senate. Mr. Holland and his colleagues were at the

meeting this morning, at which time it was the unanimous opinion of the committee that we would not consider the tax program for a hearing until we had all of the bills present; that when the bills were available to us, we would ask representatives of the various groups who had written in for a public hearing to be present. That will be done promptly.

Mr. HOLLAND. Mr. President, is it the intention of the Chairman of the Finance Committee to go into the different departments and see if the departments' estimates are increased greatly and bring the department heads in at this hearing for questioning?

Mr. WOOD. Mr. President, I believe that the distinguished Chairman of the Appropriations Committee has been having hearings for the past several weeks, at which time he has asked all of the members of the various departments, boards and commissions to come in and present their case.

Mr. HOLLAND. Mr. President, that is all, but I have attended a number of those hearings and those hearings are not accurate enough as public hearings. I believe that the department heads should be brought in so that we get a public hearing, and the press will be there, so that we can ask certain questions as to why they have such a large budget, and what they are doing with the budget.

Mr. President, I have some letters that I received today from some of the employees of the State, who informed me that it might be well to bring the heads of the departments in, and under oath ask them if all of the men who are on their pay rolls report for work. I think it should be done at this hearing.

ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Wednesday, May 2, 1951, at 9:00 o'clock, a. m., Eastern Standard Time.

Mr. FLEMING. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:09 o'clock, p. m., Eastern Standard Time, until Wednesday, May 2, 1951, at 9:00 o'clock, a. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, May 1, 1951.

The House met at 12:00 Noon EST.

The SPEAKER (Herbert P. Sorg) in the Chair.

PRAYER

The Reverend Emanuel J. Hoover, guest chaplain, Pastor of The Quickel's Lutheran Charge, York, and guest of the gentleman from York, Mr. Bear, offered the following prayer:

Eternal God, our Heavenly Father; we approach Thee with the feeling of our responsibility to Thee and to the people who have chosen us as their legislative representatives; we pray Thee to bless us and guide us in all our deliberations and transactions that through the same we may perform Thy will and serve Thy people. Give us the faith to believe in the rightness of democracy and the ultimate triumph of righteousness in our world.

We pray for the bi-focals of faith, that we may not only see the darkness and despair of our present hour, but that we may also see, farther along the way, the perfection of Thy plans for us and our world.

We pray Thy rich blessing upon the Governor of this our Commonwealth and all others who serve us in executive capacity. We pray Thy further rich blessing upon the President and executive leaders of our beloved America. As a nation and as a Commonwealth, forgive our corporate, state and national sins, and lead us continually into the pathways of peace and world brotherhood. Through Jesus Christ our Lord. Amen.

JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Monday, April 30, 1951? If not, and without objection, the Journal is approved.

STUDENTS OF TURNPIKE HIGH SCHOOL AND DUSHORE HIGH SCHOOL WELCOMED

The SPEAKER. The Chair welcomes to the House senior students of the Turnpike High School, under the supervision of their Supervising Principal, Mr. T. O. McCracken, and senior students of the Dushore High School, under the supervision of Mrs. Emma Rose. They are the guests of the gentleman from Sullivan, Mr. Baumunk.

STUDENTS OF LOCK HAVEN HIGH SCHOOL WELCOMED

The SPEAKER. The Chair is pleased to welcome members of the History class of the Lock Haven Senior High School, under the direction of their teachers, Miss Menge and Mr. Zingarella. They are the guests of the gentleman from Clinton, Mr. Clarence E. Moore.

STUDENTS OF COUNCIL ROCK JUNIOR HIGH SCHOOL WELCOMED

The SPEAKER. The Chair welcomes to the House sixty-two students of the eighth grade, Council Rock Junior High School, under the supervision of their teachers, Mr. Hengts, Mrs. Luff, Mrs. Hartzel and Mrs. Kratz. They are the guests of the gentleman from Bucks, Messrs. Keller and Yeakel.

EDISON JUNIOR HIGH SCHOOL STUDENTS WELCOMED

The SPEAKER. The Chair welcomes to the House pupils of the ninth grade of Edison Junior High School, Harrisburg, under the supervision of Mr. Harry Gumpert. They are the guests of the gentlemen from Dauphin, Messrs. Dowling and Zeigler.

STUDENTS OF TREMONT TOWNSHIP HIGH SCHOOL WELCOMED

The SPEAKER. The Chair welcomes to the House students of the Tremont Township Social Studies class, under the supervision of their teachers, Mr. Elmer Ruch, Miss Anna Webb and Mr. Leonard Gricoski. They are the guests of the gentlemen from Schuylkill, Messrs. Kline and Watkins.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair welcomes a former member of the House, the gentleman from Montgomery, Hon. Lambert Cadwalader.

BILLS INTRODUCED AND REFERRED

By Mr. BARKDOLL.

HOUSE BILL No. 1073.

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, and the Board of Trustees of the Pennsylvania Soldiers' Orphan School, to acquire an unimproved tract of land in Franklin County for the use of the Pennsylvania Soldiers' Orphan School; and making an appropriation.

Referred to the Committee on Appropriations.

By Messrs. STANK and MIKULA.

HOUSE BILL, No. 1074.

An Act to amend Section 471 of the act, approved the twelfth day of April, one thousand nine hundred fifty-one (Act No. 21), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages, amending, revising, consolidating and changing the laws relating thereto, regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in, and use of alcoholic liquors, alcohol and malt and brewed beverages, and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State Liquor stores, for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option and repealing existing laws," by further regulating the suspension and revocation of licenses and the enforcement of the penal provisions of said act.

Referred to the Committee on Liquor Control.

By Messrs. DALRYMPLE and STANK.

HOUSE BILL No. 1075.

An Act to amend Section 472 of the act, approved the twelfth day of April, one thousand nine hundred fifty-one (Act No. 21), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages, amending, revising, consolidating and changing the laws relating thereto, regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage,

traffic in, and use of alcoholic liquors, alcohol and malt and brewed beverages, and the persons engaged or remployed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State Liquor stores, for the payment of certain license fees to the respective municipalities and townships for the abatement of certain without warrant; prescribing penalties and forfeitures; nuisances and in certain cases for search and seizure providing for local option and repealing existing laws," by removing club licenses from the provisions thereof and providing for the grant of licenses in municipalities where such granting has heretofore been prohibited.

Referred to the Committee on Liquor Control.

By Mr. LOFTUS.

HOUSE BILL No. 1076.

An Act to further amend the act approved the third day of May, one thousand nine hundred thirty-three (P. L. 252), entitled, as amended "An act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," by increasing certain filing fees; and providing for the disposition of such increases.

Referred to the Committee on Liquor Control.

By Mr. LOFTUS.

HOUSE BILL No. 1077.

An Act to further amend the act approved the twenty-ninth day of November, one thousand nine hundred thirty-three (1933-34 P. L. 15), entitled, as amended, "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by increasing certain filing fees and providing for the disposition of such increases.

Referred to the Committee on Liquor Control.

By Mr. YOUNG.

HOUSE BILL No. 1078.

An Act to amend Section 1303 of and to add a new section to the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several

administrative departments, boards, commissions, and officers, fixing the salaries of the Governor, Lieutenant Governor and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by providing for the administration of the home economics program of the Department of Public Instruction by a separate division

Referred to the Committee on Education.

By Mr. READINGER.

HOUSE BILL No. 1079.

An Act to amend subsection (a) of Section 461 of the act approved the twelfth day of April, one thousand nine hundred fifty-one (Act No. 21) entitled, "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option and repealing existing laws," by removing clubs from the limitations on the number of licenses therein provided.

Referred to the Committee on Liquor Control.

By Mr. BEECH, Mrs. VARALLO, Messrs. CORR and COSTA.

HOUSE BILL No. 1080.

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by further regulating reimbursement by the Commonwealth."

Referred to the Committee on Education.

By Mr. DENNISON.

HOUSE BILL No. 1081.

An Act to further amend clause (b) of Section 507 and clause (c) of Section 2403 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; refining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," by making special provision for the purchase of steel to be used in the manufacture of vehicle registration plates.

Referred to the Committee on Motor Vehicles.

By Mr. MAZZA.

HOUSE BILL No. 1082.

An Act to further amend the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1368), entitled "An act amending, revising and consolidating the laws relating to delinquent county, city, except of the first and second class and second class A. borough, town, township, school district, except of the first class and school districts within cities of the second class A, and institution district taxes, providing when, how and upon what property, and to what extent liens shall be allowed for such taxes, the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the lien of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property, and the proceedings therefor; creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws," by providing for the redemption, in certain cases of property sold by the Tax Claim Bureau.

Referred to the Committee on Municipal Corporations.

By Messrs. BEECH and RONALD L. THOMPSON.

HOUSE BILL No. 1083.

An Act to further amend the first paragraph of section 14 of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof, establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by providing for payment of the balance of his or her accumulated deductions to legal representatives of a nominee of a person dying before receiving the full amount of such deductions after retirement.

Referred to the Committee on State Government.

By Mr. WILBUR H. HAMILTON.

HOUSE BILL No. 1084.

An Act to establish regulatory measures and licensure for stated institutions and to make available to such institutions for scientific investigation, experiment or instruction unclaimed and unredeemed dogs and cats impounded in any pound maintained by public funds in any city, county, borough, incorporated town or township within the Commonwealth; conferring powers and imposing duties on the Department of Health and pound masters.

Referred to the Committee on Law and Order.

By Messrs. BARKDOLL and STONER.

HOUSE BILL No. 1085.

An Act to amend Section 432 and Section 472 of the act, approved the twelfth day of April, one thousand

nine hundred fifty-one (P. L. ... Act No. 21), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State Liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option; and repealing existing laws," by providing that no wholesale distributor's license shall be granted in any municipality where the electors have voted against licensing places for the sale of malt or brewed beverages; bringing wholesale distributors within local option provisions now applicable to retail dispensers and providing where tie vote occurs on local option question, the status quo obtains.

Referred to the Committee on Liquor Control.

By Messrs. BARKDOLL and STONER.

HOUSE BILL No. 1086.

An Act to amend Section 301 of the act, approved the twelfth day of April, one thousand nine hundred fifty-one (Act No. 21), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State Liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option and repealing existing laws," by providing that whenever any municipality shall vote against the granting of liquor licenses, the Liquor Control Board shall not open or operate a State Liquor Store therein.

Referred to the Committee on Liquor Control.

By Mr. GEER.

HOUSE BILL No. 1087.

An Act to further amend clause (d) of subsection 1, of Section 10 of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1237), entitled "An act affecting marital relations; prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages; and amending, revising, and consolidating the law relating thereto," by reducing the period during which a desertion must have been continued as a grounds for divorce.

Referred to the Committee on Judiciary.

By Mr. GEER.

HOUSE BILL No. 1088.

An Act relating to the liability of owners of vehicles being operated by other persons by reason of the owners presence therein; providing that no presumption of owner control shall arise from such fact and providing that the negligence of the operator of such vehicle shall not be imputed to the owner merely because of his presence in such vehicle.

Referred to the Committee on Judiciary.

By Mr. SPENCER.

HOUSE BILL No. 1089.

An Act fixing the minimum pensions of policemen and firemen in certain cities.

Referred to the Committee on Cities and County—Second Class.

By Mr. VARNER.

HOUSE BILL No. 1090.

An Act relating to explosives; regulating the sale and other disposition of the same; declaring certain act unlawful; providing for the licensure of persons selling or otherwise disposing of explosives; conferring powers and imposing duties on the Secretary of Mines, and prescribing penalties.

Referred to the Committee on Mines and Mining.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 235.

An Act to further amend Section 814 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by allowing motor vehicles to be equipped with certain warning apparatus approved by the secretary.

Referred to the Committee on Motor Vehicles.

SENATE BILL No. 324.

An Act to further amend Section 102 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing pen-

alties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by defining "monotrailer," and extending to apply to monotrailers the provisions of said act applicable to trailers.

Referred to the Committee on Motor Vehicles.

SENATE BILL No. 453.

An Act to further amend the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 594), entitled "An act establishing certain township roads at State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations, and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," by changing or deleting certain routes in Westmoreland County.

Referred to the Committee on Highways.

SENATE BILL No. 464.

An Act to add Section 17.1 to the act approved the seventeenth day of July, one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status; authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected, and regulating such benefits and collections; providing for the organization and incorporation of such societies and for their supervision, regulation, and examination by the Insurance Commissioner, and for the admission of foreign societies; designating tables of mortality as a basis for rates of contribution; requiring all societies to make annual and other reports; and appointing the Insurance Commissioner as attorney for service of process; providing penalties for any violations of the act; exempting such societies from taxation and certain other societies from its provisions; and requiring beneficial associations, other than fraternal benefit societies, to report to and be supervised by the Insurance Commissioner; and repealing existing laws," by regulating the amendment of articles of incorporation and providing for fees.

Referred to the Committee on Insurance.

SENATE BILL No. 479.

An Act to add subsection (e) to section 501 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by providing for an open season for hunting deer with bows and arrows, requiring a special license therefor and fixing fees.

Referred to the Committee on Game and Forestry.

SENATE BILL No. 510.

An Act to amend Section 4 of the act, approved the tenth day of April, one thousand nine hundred thirty-one (P. L. 23), entitled, as amended, "An act providing for the acceptance by the Commonwealth of a gift of lands from the American Petroleum Institute, located on the left bank of Oil Creek, in Oil Creek Township or Cherry Tree Township, or both, Venango County, to establish and maintain a public museum and park, as the Drake Well Memorial, under the control and supervision of the Pennsylvania Historical Commission, in cooperation

with the Department of Forests and Waters, and an advisory board to be appointed by the American Petroleum Institute; prescribing the powers and duties of the Commission relative to said memorial; authorizing the employment of certain assistants and employes, and for the payment of their salaries; empowering the Department of Property and Supplies to acquire additional lands for such Memorial Park without cost to the Commonwealth; and making an appropriation," by further providing for the acceptance of gifts of money and securities by the Drake Well Memorial Advisory Board.

Referred to the Committee on State Government.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. FILO. (Concurrent) RESOLUTION No. 36.

In the House of Representatives, April 18, 1951.

Whereas, The Territory of Hawaii has been part of this nation since 1898, and became a territory in 1900, and, although deserving, has not been granted Statehood since that time; and

Whereas, This Territory has shown the stamina, ingenuity and vitality of its population who have fashioned a productive economy and vacation wonderland from islands largely volcanic and coral in their inception; and

Whereas, The principal industries of producing sugar cane and pineapples have in recent years been supplemented by, and in the future may be far surpassed by productive ranches and dairies which already have done much to make this Territory largely self-sustaining; and

Whereas, Silk, cotton, tobacco, rubber, vanilla, potato, wheat and flour industries may be enlarged as the various islands reach new heights of development; and

Whereas, The Territory of Hawaii, its islands stretching in a strategically important position almost equidistant from the continents of North America, South America, Asia, and Australia, heralds the far flung frontiers of this nation, and betokens us to admit it to full fledged membership in our great nation which in the past has exemplified its greatness by embracing territory from the rugged rock bound coast of Maine to the shores of southern California which are bathed by the calm, warm waters of the beautiful Pacific Ocean; and

Whereas, It is of utmost importance to this great nation to grant the magnificent benefits of self government inherent in Statehood on this, its distant island possession; therefore be it

Resolved, (If the Senate concur), That the General Assembly of the Commonwealth of Pennsylvania memorialize the Congress of the United States to confer full Statehood upon the Territory of Hawaii within the framework of the Constitution of the United States; and be it further

Resolved, That copies of this resolution be transmitted to the presiding officer of each House of the Congress of the United States and to each Senator and Representative from Pennsylvania in the Congress of the United States.

Referred to the Committee on Rules.

By Mr. FILO. (Concurrent) RESOLUTION No. 37.

In the House of Representatives, April 18, 1951.

Whereas, The Territory of Alaska has assumed an increasingly greater and more important role in our national life throughout the years since it was purchased on October 8, 1867; and

Whereas, The industries of Alaska have shown wide diversification, and the thought of salmon fisheries, fur seals on the Pribiloff Islands, and the rich gold fields of the Yukon have long connoted wealth, industry and a hardy population working endlessly to achieve personal and national success; and

Whereas, The late World War made household words of such names as the Bering Sea, Aleutian Islands, and Attu Island; and

Whereas, This nation must, in order to keep abreast of the fast pace of modern development, incorporate its sturdy northernmost territory into its national federation as a full member; and

Whereas, The cost of governing Alaska will no longer be largely a burden of the national government, but will be assumed to a great degree by the freedom loving citizens of Alaska, upon the assumption of Statehood by that Territory; and

Whereas, It is a matter of vital concern and national honor to grant a large degree of self-government to strategically important areas in these times of worldwide disruption, fear, and emergency; and

Whereas, By incorporating Alaska into this nation as a full partner with the other forty-eight states, the United States of America will present to the world a new and tangible sign of the unity of our nation and the high development of our modern means of transportation and communication, as well as our enlightened social outlook in granting equal political rights to a deserving political, governmental and economic entity, which has done much to earn equality with the forty-eight sovereign states of this nation; therefore, be it

Resolved, (if the Senate concur), That the General Assembly of the Commonwealth of Pennsylvania hereby memorializes the Congress of the United States to admit the Territory of Alaska to full Statehood within the frame work of the United States Constitution; and be it further

Resolved, That copies of this resolution be transmitted to the presiding officers of each House of the Congress of the United States and to each Senator and Representative from Pennsylvania in the Congress of the United States.

Referred to the Committee on Rules.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 222.

An Act to reenact and amend the title of and the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1669) entitled "An act to provide revenue for school districts of the first class by imposing a temporary tax on persons engaging in certain businesses professions occupations trade vocations and commercial activities therein providing for its levy and collection conferring and imposing powers and duties on the Board of Public Education receiver of school taxes and school treasurer in such districts and prescribing penalties" by continuing the provisions thereof for the year one thousand nine hundred fifty-two and succeeding years exempting payments on building and loan and savings and loan stocks and deleting certain obsolete provisions

HOUSE BILL No. 559.

An Act to further amend section sixteen of the act, approved the twenty-fifth day of May, one thousand nine, hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by authorizing taxing authorities to add names to the tax assessment lists and tax duplicates

HOUSE BILL No. 701.

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by changing requirements for contracts and purchases and imposing penalties

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. SCANLON for himself after today's session for the remainder of the week.

REPUBLICAN CAUCUS

The SPEAKER. Immediately upon the calling of a recess there will be a Republican Caucus in the new House Caucus Room.

RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess for twenty minutes. The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Herbert P. Sorg) in the Chair.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. HALL asked and obtained permission for the Committee on Ways and Means to meet during the session of the House.

Mr. WOOD asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

Mr. BOWER asked and obtained permission for the Committee on Elections and Apportionment to meet during the session of the House.

Mr. WATERHOUSE asked and obtained permission for the Committee on Workmen's Compensation to meet during the session of the House.

REPORT FROM COMMITTEE

Mr. SAX from the Committee on Ways and Means, re-reported as committed, House Bill No. 841, entitled:

An Act to reenact the title and to reenact and further amend the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (P. L. 208), entitled, as amended, "An act to provide revenue for State purposes by imposing an excise tax, for a limited period of time, on the net incomes of certain corporations, joint-stock associations, and limited partnerships; providing for the assessment, collection, settlement and resettlement of taxes, and reviews and appeal therefrom; conferring powers, and imposing duties on certain persons, corporations, joint-stock associations, limited partnerships, State and county officers, boards, and departments; making an appropriation; and providing penalties," by increasing the rate of tax, and extending the provisions of the act for a further limited period of time.

REPORT FROM COMMITTEE ON RULES

Mr. SMITH offered a report from the Committee on Rules which was read, considered and adopted as follows:

In the House of Representatives, May 1, 1951.

Resolved, that House Bill No. 841, Printer's No. 145 entitled:

"An Act to reenact and further amend the title and the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (P. L. 208), entitled, as amended, 'Corporate Net Income Tax Act' by increasing the rate of tax, and extending the provisions of the act for a further limited period of time."

be made a special order of business for third reading and final passage immediately.

Charles C. Smith
Wilson L. Yeakel
W. Stuart Helm
Albert W. Johnson
Adam T. Bower
Herbert P. Sorg

HOUSE BILL 841 MADE SPECIAL ORDER

Mr. SMITH. Mr. Speaker, I move that Rule 41 of the House be suspended for the specific purpose of carrying out the provisions of the resolution adopted by this House making House Bill No. 841, Printer's No. 145, a special order of business on third reading and final passage immediately.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 841, as follows:

An Act to reenact the title and to reenact and further amend the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations jointstock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by increasing the rate of tax and extending the provisions of the act for a further limited period of time

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and all the sections of the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and department making an appropriation and providing penalties" as last reenacted and amended by the act approved the twenty-fourth day of March one thousand nine hundred forty-nine (P. L. 345) are hereby reenacted and further amended to read as follows

An Act

To provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties

Section 1 Short Title Be it enacted &c That this act shall be known and may be cited as the "Corporate Net Income Tax Act"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning

"Corporation" A corporation having capital stock joint-stock association or limited partnership either organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency and doing business in this Commonwealth or having capital or property employed or used in this Commonwealth by or in the name of itself or any person partnership association limited partnership joint-stock association or corporation The word "corporation" shall not include building and loan associations banks bank and trust companies national banks savings institutions trust companies title insurance companies beneficial life and limited life insurance companies mutual fire mutual casualty and mutual life insurance companies and foreign stock companies registered in this Commonwealth and therein engaged in doing business as life fire and casualty insurance companies and surety companies

"Department" The Department of Revenue of this Commonwealth

"Net Income" 1 In case the entire business of the corporation is transacted within this Commonwealth net income for the calendar year or fiscal year as returned to and ascertained by the Federal Government or in the case of a corporation participating in the filing of consolidated returns to the Federal Government the net income which would have been returned to and ascertained by the Federal Government if separate returns had been made to the Federal Government for the current and prior taxable years subject however to any correction thereof for fraud evasion or error as finally ascertained by the Federal Government Provided That except as hereinafter otherwise provided additional deductions shall be allowed from net income on account of any Federal income or excess profits taxes paid after deducting therefrom an amount equivalent to any post-war refunds applicable to any such taxes during such calendar or fiscal year for the preceding calendar or fiscal year or accrued during such calendar or fiscal year for such year as the case may be and on account of any dividends received from any other corporation And provided further That in the case of a corporation participating in the filing of consolidated Federal returns the additional deduction allowed from net income on account of any Federal income or excess profits taxes paid or accrued shall be an amount which bears the same ratio to the total Federal income or excess profits taxes of the group after deducting therefrom an amount equivalent to any post-war refunds applicable to any such taxes as the net income of the corporation computed without a deduction for such Federal taxes bears to the sum of the net incomes of the several members of the group computed without a deduction for such Federal taxes And provided further That on reports filed for the calendar year one thousand nine hundred forty-three or for any fiscal year beginning in such calendar year or any calendar or fiscal year thereafter no deduction shall be allowed for any Federal income or excess profits taxes whatsoever except the declared value excess profits tax And provided further That on reports filed for the calendar year one thousand nine hundred

forty-six or for any fiscal year beginning in such calendar year or any calendar or fiscal year thereafter no deduction shall be allowed for net operating losses sustained by the corporation during any other fiscal or calendar year nor shall any net operating loss sustained by the corporation during the calendar year one thousand nine hundred forty-six or during any fiscal year beginning in such calendar year or in any calendar or fiscal year thereafter be allowed as a deduction for any prior calendar or fiscal year And provided further That in the case of stock life fire casualty and indemnity insurance companies doing business on the mutual or participating plan the term "net income" shall not include the dividends paid to policyholders out of net income

2 In case the entire business of any corporation other than a corporation engaged in doing business as an insurance or surety company is not transacted within this Commonwealth the tax imposed by this act shall be based upon such portion of the net income of such corporation for the fiscal or calendar year as defined in clause one hereof as may be determined by allocations and apportionments made as follows

(a) Gains realized and losses sustained from the sale or exchange of capital assets if such assets consist of real estate or tangible personal property situated in the Commonwealth shall be allocated to this Commonwealth

(b) Gains realized and losses sustained from the sale or exchange of capital assets if such assets consist of real estate or tangible personal property situated outside of the Commonwealth shall not be allocated to any part of this Commonwealth

(c) The remainder of such net income shall be divided into three equal parts

(1) Of one-third such portion shall be attributed to business carried on within this Commonwealth as shall be found by multiplying said one-third by a fraction whose numerator is the value of the corporation's tangible property situated within this Commonwealth and whose denominator is the value of all the corporation's tangible property wherever situated

(2) Of one-third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said one-third by a fraction whose numerator is the expenditures of the corporation for wages salaries commissions and other compensation to its employees and assignable to this Commonwealth as hereinafter provided and whose denominator is the total expenditures of the corporation for wages salaries commissions and other compensation to all its employees

(3) Of the remaining third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the amount of the taxpayer's gross receipts from business assignable to this Commonwealth as hereinafter provided and whose denominator is the amount of the taxpayer's gross receipts from all its business

In cases where only two of the foregoing three rules are applicable the remainder of the net income of the corporation shall be divided into two equal parts only each of which shall be apportioned in accordance with one of the remaining two rules If only one of the three rules is applicable the part of the net income received from business carried on within the Commonwealth shall be determined solely by that rule

The amount assignable to this Commonwealth of expenditures of the corporation for wages salaries commissions or other compensation to its employees shall be such expenditures for the taxable year as represent the wages salaries commissions or other compensation of employees not chiefly situated at connected with or sent out from premises for the transaction of business maintained by the corporation outside the Commonwealth

The amount of the corporation's gross receipts from business assignable to this Commonwealth shall be (1) the amount of its gross receipts for the taxable year except those negotiated or effected in behalf of the corporation by agents or agencies chiefly situated at connected with or sent out from premises for the transaction

of business maintained by the taxpayer outside of the Commonwealth and except rentals and royalties and interest and dividends (2) rentals or royalties from property situated or from the use of patents within this Commonwealth and (3) dividends and interest except such dividends and interest attributable to the business conducted on premises maintained by the taxpayer outside the Commonwealth. If a corporation maintains an office warehouse or other place of business in a state other than this Commonwealth for the purpose of reducing its tax under this subsection the department shall in determining the amount of its gross receipts from business assignable to this Commonwealth include therein the gross receipts by the corporation to the business conducted at such place of business in another state. In the case of construction contracts negotiated or effected at an office in the State of Pennsylvania but performed outside the state the gross receipts under such contracts shall be assignable outside the state except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the state and partly outside the state such proportion of the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in Pennsylvania under the contract for the taxable year bear to the total costs incurred thereunder for the taxable year. In the case of construction contracts negotiated or effected at an office outside the state but performed in the state the gross receipts under such contracts shall be assignable to the state except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the state and partly outside the state such proportion of the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in the state under the contract for the taxable year bear to the total costs incurred thereunder for the taxable year.

A rule shall not be deemed to be inapplicable merely because all the tangible property or the expenditures of a corporation for wages salaries commissions or other compensation or the gross receipts of the corporation are found to be situated incurred or received without the Commonwealth.

3 In case the entire business of any corporation engaged in doing business as an insurance or surety company is not transacted within this Commonwealth the tax imposed by this act shall be based upon such portion of the net income of such corporation for the fiscal or calendar year as defined in clause one hereof as shall be attributed to business transacted within this Commonwealth by multiplying such net income by a fraction of which the numerator is the gross premiums received from business transacted within the Commonwealth as herein-after defined and of which the denominator is the amount of the gross premiums received from all its business "Gross Premiums" shall mean the amount of dues fees and premiums stated in the policy contracts and shall include gross premiums of every character and description received during the taxable year from all underwriting activities whether said premiums were received in money or in the form of notes credits or any other substitute for money less the following deductions

(a) All premiums returned on policies cancelled or not taken

(b) In the case of stock companies with participating features an additional deduction for that portion of the premiums returned to the policyholders

(c) In the case of life insurance companies an additional deduction for dividends declared and actually used by policyholders in payment of renewal premiums

"Gross premiums received from business transacted in the Commonwealth" shall mean gross premiums received from policies and annuities written on property or risks located or resident in this Commonwealth whether such premiums were collected in this Commonwealth or elsewhere

"Person" Every natural person association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to associations shall mean the partners or members

thereof and as applied to corporations the officers thereof

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 3 Imposition of Tax Every corporation shall be subject to and shall pay for the privilege of doing business in this Commonwealth or having capital or property employed or used in this Commonwealth by or in the name of itself or any person partnership association limited partnership joint-stock association or corporation a State excise tax at the rate of six per centum per annum upon each dollar of net income of such corporation received by and accruing to such corporation during the calendar year one thousand nine hundred thirty-five except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of six per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal year commencing in the calendar year one thousand nine hundred thirty-five and ending in the calendar year one thousand nine hundred thirty-six a similar tax at the rate of ten per centum per annum upon each dollar of the net income of such corporation received by and accruing to such corporation during the calendar year one thousand nine hundred thirty-six except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of ten per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal year commencing in the calendar year one thousand nine hundred thirty-six and ending in the calendar year one thousand nine hundred thirty-seven and a similar tax at the rate of seven per centum per annum upon each dollar of the net income of such corporation during the calendar year one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty and one thousand nine hundred forty-one and one thousand nine hundred forty-two except when a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of seven per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal years commencing in the calendar years one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty and one thousand nine hundred forty-one and one thousand nine hundred forty-two and a similar tax at the rate of four per centum per annum upon each dollar of the net income of such corporation received by and accruing to such corporation during the calendar years one thousand nine hundred forty-three one thousand nine hundred forty-four one thousand nine hundred forty-five one thousand nine hundred forty-six one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine and one thousand nine hundred fifty except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of four per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal years commencing in the calendar years one thousand nine hundred forty-three one thousand nine hundred forty-four one thousand nine hundred forty-five one thousand nine hundred forty-six one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine and one thousand nine hundred fifty and a similar tax at the rate of five per centum per annum upon each dollar of the net income of such corporation received by and accruing to such corporation during the calendar years one thousand nine hundred fifty-one and one thousand nine hundred fifty-two except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the depart-

ment as required by section four of this act in which case such tax at the rate of five per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal years commencing in the calendar years one thousand nine hundred fifty-one and one thousand nine hundred fifty-two

The tax hereby imposed shall be in addition to all taxes now imposed on any corporation under the provisions of existing laws

Section 4 Report and Payment of Tax For the purpose of ascertaining the amount of tax payable under this act it shall be the duty of every corporation liable to pay tax under this act on or before the fifteenth day of April one thousand nine hundred thirty-six one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one one thousand nine hundred forty-two one thousand nine hundred forty-three one thousand nine hundred forty-four one thousand nine hundred forty-five one thousand nine hundred forty-six one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine one thousand nine hundred fifty [and] one thousand nine hundred fifty-one one thousand nine hundred fifty-two and one thousand nine hundred fifty-three to transmit to the department upon a form prescribed prepared and furnished by the department a report under oath or affirmation of its president vice-president or other principal officer and of its treasurer or assistant treasurer of net income taxable under the provisions of this act Such report shall set forth

(a) A true copy of its return to the Federal Government of the annual net income arising or accruing in the calendar or fiscal year next preceding or such part or portions of said return as the department may designate

(b) If no return was filed with the Federal Government the report made to the department shall show such information as would have been contained in a return to the Federal Government had one been made and

(c) Such other information as the department may require

The failure of any corporation liable to pay tax under this act to procure or receive any report form shall not excuse it from making a report

Every corporation upon the date its report is required herein to be made shall pay to the department not less than one-half of the tax due to the Commonwealth by it for such preceding year and the remaining one-half of such tax shall be paid within the thirty days next succeeding and except as otherwise provided by law no extension of time for the filing of any report granted by the department shall extend the date any tax imposed by this act shall be due and payable The amount of all taxes imposed under the provisions of this act not paid on or before the times as above provided shall bear interest at the rate of six (6) per centum per annum from the date they are due and payable until paid except that if the taxable income has been or is increased by the Commissioner of Internal Revenue or by any other agency or court of the United States interest shall be computed on the additional tax due from thirty days after the corporation receives notice of the change of income until paid Provided however That any corporation may pay the full amount of such tax or any part thereof together with interest due to the date of payment without prejudice to its right to present and prosecute a petition for resettlement a petition for review or an appeal to court If it be thereafter determined that such taxes were overpaid the department shall enter a credit to the account of such corporation which may be used by it in the manner prescribed by law

If the officers of any corporation shall neglect or refuse to make any report as herein required or shall knowingly make any false report an additional ten per centum of the amount of the tax shall be added by the department to the tax determined to be due

If any corporation closes its fiscal year not upon the thirty-first day of December but upon some other date and reports to the Federal Government as of such other date or would so report were it to make a return to the

Federal Government such corporation shall certify such fact to the Department of Revenue and shall make the report herein required within thirty (30) days after the return to the Federal Government is due or would be due were it to be required of such corporation subject in all other respects to the provisions of this act

If the corporation shall claim in its report that the return made to the Federal Government was inaccurate the amount claimed by it to be the net income taxable under this act and the basis of such claim of inaccuracy shall be fully specified

Section 5 Consolidated Reports The department shall not permit any corporation owning or controlling directly or indirectly any of the voting capital stock of another corporation or of other corporations subject to the provisions of this act to make a consolidated report showing the combined net income

Section 6 Extension of Time to File Reports The department may upon application made to it in such form as it shall prescribe on or prior to the last day for filing any report and upon proper cause shown grant to the corporation required to file such report an extension of not more than sixty (60) days within which such report may be filed and in case the Federal income tax authorities at any time grant a longer extension of time for filing such reports with the Federal Government the department may grant an additional extension of time for filing the report under this act of not more than thirty (30) days after the termination of the Federal extension but the amount of tax due shall in such cases nevertheless be subject to interest from the due dates and at the rates fixed by this act

Section 7 Changes Made by Federal Government (a) If the amount of the net income as returned by any corporation to the Federal Government is finally changed or corrected by the Commissioner of Internal Revenue or by any other agency or court of the United States such corporation within thirty (30) days after the receipt of such final change or correction shall make a corrected report under oath or affirmation to the department showing such finally changed or corrected net income upon which the tax is required to be paid to the United States In case a corporation fails to file a report of such correction which results in an increase in net income within the time prescribed there shall be added to the tax a penalty of five dollars (\$5.00) for every day during which such corporation is in default but the department may abate any such penalty in whole or in part

(b) If as a result of such final change or correction there should be any change made in the amount of the net income of any corporation upon which tax is imposed by this act the department shall have the power and its duty shall be to resettle such taxes Whenever a resettlement shall have been made hereunder the department shall resettle the account according to law and shall credit or charge as the case may be the amount resulting from such resettlement upon the current accounts of the corporation with which it is made The resettlement shall be subject to audit and approval by the Department of the Auditor General as in the case of original settlements and in case of the failure of the two departments to agree the resettlement shall be submitted to the Board of Finance and Revenue as in the case of original settlements

(c) Where a report of change correction or redetermination of Federal income or Federal tax has been filed after a petition for review or an appeal has been taken such report shall be deemed a part of the original report upon petition of the taxpayer at any subsequent proceeding as though it had been filed with the original report and no separate petition for review or appeal from the resettlement resulting from such report of change correction or redetermination shall be necessary

(d) The provisions of this section shall not be construed so as to permit a resettlement based upon the allowance of any deduction on account of net operating losses sustained in other fiscal or calendar years that are not allowed as deductions under the definition of "Net Income" as contained in section two of this act

Section 8 Settlement and Resettlement (a) All taxes due under this act shall be settled by the department and such

settlement shall be subject to audit and approval by the Department of the Auditor General and shall so far as possible be made so that notice thereof may reach the taxpayer before the end of a year after the tax report was required to be made

(b) Promptly after the date of any such settlement the department shall send by mail or otherwise a copy thereof to such corporation. The tax imposed by this act shall be settled resettled and otherwise imposed and adjusted in the same manner within the same periods of time and right of resettlement review appeal and refund as provided by law in the case of capital stock and franchise taxes imposed upon corporations

(c) If within a period of two years after the date of any settlement the department is not satisfied with such settlement or if at any time the net income as returned by any corporation to the Federal Government is finally changed or corrected by the Commissioner of Internal Revenue or by any other agency or court of the United States with the result that tax in addition to the amount paid is due under this act the department is hereby authorized and empowered to make a resettlement of the tax due by such corporation based upon the facts contained in the report or upon any information within its possession or that shall come into its possession

Whenever a resettlement shall have been made hereunder the department shall resettle the account according to law and shall credit or charge as the case may be the amount resulting from such resettlement upon the current accounts of the corporation with which it is made

The resettlement shall be subject to audit and approval by the Department of the Auditor General as in the case of original settlement and in case of the failure of the two departments to agree the resettlement shall be submitted to the Board of Finance and Revenue as in the case of original settlements

(d) If any corporation shall neglect or refuse to make any report and payment of tax required by this act the department shall estimate the tax due by such corporation and subject to audit and approval by the Department of the Auditor General settle the amount due by it for taxes penalties and interest thereon as prescribed herein from which settlement there shall be no right of review or appeal but the department with the approval of the Department of the Auditor General may require a report to be filed and thereupon make a settlement based upon such report and cancel the estimated settlement

Section 9 Enforcement Rules and Regulations Inquisitorial Powers of the Department (a) The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations not inconsistent with this act relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes penalties and interest imposed by this act. The department is hereby required to have such rules and regulations promulgated and adopted printed and shall distribute the same to any person upon request

(b) The department or any agent authorized in writing by it is hereby authorized to examine the books papers and records and to investigate the character of the business of any corporation in order to verify the accuracy of any report made or if no report was made by such corporation to ascertain and settle the tax imposed by this act. Every such corporation is hereby directed and required to give to the department or its duly authorized agent the means facilities and opportunity for such examinations and investigations as are hereby provided and authorized. Any information gained by the department as a result of any returns investigations or verifications required to be made by this act shall be confidential except for official purposes and any person divulging such information shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars (\$100.00) or more than one thousand dollars (\$1000.00) and costs of prosecution or to undergo imprisonment for not more

than six (6) months or both in the discretion of the court

(c) Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any reason shall fail to recover costs of record such costs shall be a charge upon the proper county as shall such costs in the event defendant is imprisoned for failure to pay fine or costs or both and shall be audited and paid as are costs of like character in said county

(d) The powers conferred by this act upon the department relating to the administration or enforcement of this act shall be in addition to but not exclusive of any other powers heretofore or hereafter conferred upon the department by law

Section 10 Retention of Records by Corporations Penalty Each corporation shall maintain and keep for a period of three (3) years after any report is filed under this act such record or records of its business within this Commonwealth for the period covered by such report and other pertinent papers as may be required by the department

Any person violating any of the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine not exceeding one thousand dollars (\$1000.00) and costs of prosecution or to undergo imprisonment for not more than six (6) months or both in the discretion of the court

Section 11 Penalties (a) Any person who shall wilfully make a false and fraudulent return of net income made taxable by this act shall be guilty of wilful and corrupt perjury and upon conviction thereof shall be subject to punishment as provided by law. Such penalty shall be in addition to any other penalties imposed by this act

(b) Any person who wilfully fails neglects or refuses to make a report or to pay the tax as herein prescribed or who shall refuse to permit the department to examine the books papers and records of any corporation liable to pay tax under this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars (\$1000.00) and costs of prosecution or to undergo imprisonment not exceeding six (6) months or both in the discretion of the court. Such penalty shall be in addition to any other penalties imposed by this act

Section 12 Constitutional Construction The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act. It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 13 Effective Date This act shall become effective immediately upon its final enactment and shall remain in force only for the imposition and collection of taxes on net income of corporations for the calendar years one thousand nine hundred thirty-five one thousand nine hundred [and] thirty-six one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-two one thousand nine hundred forty-three one thousand nine hundred forty-four one thousand nine hundred forty-five one thousand nine hundred forty-six one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine [and] one thousand nine hundred fifty one thousand nine hundred fifty-one and one thousand nine hundred fifty-two or for the fiscal years ending in the calendar years one thousand nine hundred thirty-six one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one one thousand nine hundred forty-two one thousand nine hundred forty-three one thousand nine hundred forty-four one thousand nine hundred forty-five one thousand nine hundred forty-six one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine one thousand nine hundred fifty [and]

one thousand nine hundred fifty-one one thousand nine hundred fifty-two and one thousand nine hundred fifty-three

Section 2 This reenacting and amending act shall become effective immediately upon its final enactment

On the question,

Will the House agree to the bill on third reading?

Mr. ANDREWS. Mr. Speaker, in order to determine whether or not to ask permission of the House to offer an amendment to this bill, I would like to address an inquiry to the Majority Leader and the Chairman of the House Education Committee, either one or both.

The SPEAKER. The Chair recognizes the Majority leader, the gentleman from Philadelphia, Mr. Smith. Will the gentleman permit himself to be interrogated?

Mr. SMITH. If the question, Mr. Speaker, is pertaining to anything that is in the Committee on Education I will yield to Mr. Sollenberger, the Chairman.

The SPEAKER. Will the gentleman from Blair, Mr. Sollenberger, permit himself to be interrogated?

Mr. SOLLENBERGER. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, can the gentleman from Blair, with the concurrence of the Majority leader, assure this House that if this bill is enacted and all of the other tax measures that have passed the House are finally enacted, that there will be sufficient funds available to make it possible to meet the minimum and maximum schedules in the teachers' salary bill.

Mr. SOLLENBERGER. Mr. Speaker, the gentleman from Cambria used one word that I think is not quite fair to me. He used the word "assure." I should like to reply that we have hopes that if the entire tax program is enacted into law there will be sufficient money to carry out the provisions of House Bill 334.

Mr. ANDREWS. I thank the gentleman.

Does the Majority Leader concur in the statement made by the gentleman from Blair that as far as meeting the provisions of the teachers' salary bill all the majority has at the present is a hope?

Mr. SMITH. Mr. Speaker, if the Chairman of the Committee on Education who has full knowledge of that bill made that statement, I will assure the gentleman, yes.

Mr. ANDREWS. Mr. Speaker, in view of the fact that all we have to depend upon is a hope, for the purpose of making assurance doubly sure, I ask permission of the House to offer the following amendment to House Bill 841.

On the question,

Will the House agree to the bill on third reading?

Mr. ANDREWS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 3), page 16, line 4, by striking out the word "five" and inserting in lieu thereof: six

Amend Sec. 1 (Sec. 3), page 16, line 10, by striking out the word "five" and inserting in lieu thereof: six

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objections? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. ANDREWS. Mr. Speaker, I have no intention of

debating this amendment at any length. I know from the correspondence that I received that many, many teachers in the Commonwealth were led to believe, not by the gentleman from Blair and not by the gentleman from Philadelphia, the Majority Leader, but they were nevertheless led to believe that if the tax program as proposed by the administration was enacted, it would be possible to finance the provisions of the teachers' salary bill.

That belief upon the part of the rank and file of the teachers was one of the motives that led them to sponsor a state-wide campaign to further the enactment of the flat income tax.

We now come to the stage where all that the teachers have is a hope. In 1949 they had a hope; it turned to be a hope deferred. In 1947 they had a hope; it turned to be a hope deferred. In 1945 they had a hope; it turned to be a hope deferred. So I am proposing in order that there may be no doubt whatsoever that the implied promises made for and on behalf of this Legislature by the leaders of the PSEA of this Commonwealth, that those promises may be redeemed, that the rate of tax carried by the corporate net income bill which now stands at five, be raised to six. The bill raises the schedule from four to five.

The estimate is that the increase carried in the bill will bring in \$44 million. The increase that I propose will bring in an additional \$44 million and will place the Commonwealth, the administration, and the General Assembly in a position to finance maximum and minimum salaries for teachers on a level with the competitive states that surround us.

Present maximum and minimum teachers' salaries are disgracefully low. They are not on a level that stimulates or induces young people to enter the teaching profession as a career. If we are going to do something for the schools, make certain that you attract talent into the teaching profession. Therefore, I am submitting the amendment that I have offered upon the basis of its merits.

Mr. Speaker, I ask for a roll call.

Mr. SMITH. Mr. Speaker, I am sure that we feel on this side of the House, that we can give additional money to the teachers as we have promised. We can keep our promises of the present; we can keep our promises of the past. With the income tax and a one percent corporate net income tax we will have sufficient money to do that.

I think the gentleman should be reminded that industry is definitely the life blood of this state. We in Pennsylvania are one of the greatest industrial states in this country. We have done everything possible to attract new business, but there is a law of diminishing returns.

I would also like to remind the gentleman that today Pennsylvania industry is paying approximately dollar for dollar, the entire cost of the education program of our state, and I do not think we should kill the goose that lays the golden egg.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Mr. Andrews and Mr. Lovett and were as follows:

YEAS—75

Andrews,	Hamilton, R. K.,	McNally,	Rosen,
Beaver,	Headlee,	Mihm,	Rovasek,
Berkstresser,	Hersch,	Mills,	Sarraf,
Boles,	Hoggard,	Monroe,	Scanlon,
Breth,	Hunter,	Moran,	Schuster,
Bucchin,	Jenkins,	Muldowney,	Seyler,
Byrne,	Jones, G. E.,	Munley,	Snider,
Cochran,	Jones, J. M.,	Musto,	Swartz,
Conway,	Kamyk,	Needham,	Taylor,
Corr,	Kolankiewicz,	Penglase,	Toll,
Coyle,	Kornick,	Peta,	Varallo,
Duffy,	Kubacki,	Petrosky,	Wargo,
Fenrich,	Leonard, L.,	Pettigrew,	Welsh,
Filip,	Leven,	Pfaff,	Westrick,
Filo,	Limper,	Polaski,	Wheeler,
Gaffney,	Lopresti,	Polen,	Williams,
Good,	Lovett,	Price, R. A.,	Yester,
Guarnieri,	Lutty,	Readinger,	Yetzer,
Hagerty,	McDermitt,	Rose,	

NAYS—114

Banker,	Geer,	Lyons,	Sax,
Barkdoll,	Gibson,	Madden,	Scott,
Baumunk,	Gleason,	Madigan,	Shoemaker,
Bear,	Goodling,	Markley,	Shotwell,
Beech,	Graybill,	Mazza,	Smith,
Blair,	Greenwood,	McConnell,	Sollenberger,
Bolton,	Greer,	McCormack,	Stimmel,
Bomberger,	Gutendorf,	McCullough,	Stoner,
Boorse,	Guthrie,	McInroy,	Tahl,
Bower,	Hall,	McKinney,	Thompson, E. F.,
Breisch,	Hamilton, W. H.,	McMillen,	Thompson, R. L.,
Brown,	Harney,	Metz,	Tompkins,
Cella,	Haudenschild,	Mikula,	Toomey,
Clapper,	Helm,	Mintess,	VanSant,
Clendening,	Hewitt,	Moore, C. E.,	Varnar,
Cooper,	Hocker,	Moore, H. A.,	Wachhaus,
Costa,	Johnson,	Murray,	Waterhouse,
Dalrymple,	Jones, T. H. W.,	Najaka,	Watkins,
Davis,	Jump,	Naugle,	Weidner,
Dennison,	Keller,	Pichney,	Wescott,
Dowling,	Kent,	Pitzer,	Whalley,
DuBois,	Kline,	Price, H. W. Jr.,	White,
Dunn,	Kohl,	Reagan,	Wilt,
Erb,	Kratz,	Reilly, J. M.,	Wood,
Ewing,	Lafore,	Rigby,	Yeakel,
Ferster,	Lelsey,	Riley, R. L.,	Young,
Firmstone,	Leonard, W. C.,	Robertson,	Ziegler,
Flack,	Light,	Royer,	Sorg,
Frost,	Loftus,	Rubin,	Speaker

NOT VOTING—18

Amarando,	Maxwell,	Olsen,	Spencer,
Bloom,	McGee,	Reese,	Stank,
Dougherty,	Miller, H. G.,	Reidenbach,	Swope,
Jones, P. F.,	Miller, J. C.,	Schmidt,	Verona,
Lederer,			

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. LOVETT. Mr. Speaker, I would like to interrogate the Majority Leader.

The SPEAKER. Does the gentleman desire to interrogate the Majority Leader on the merits of the bill?

Mr. LOVETT. Mr. Speaker, I desire to ask the gentleman a question that may not be exactly on the merits of the bill, but it may be important to the House.

The SPEAKER. Does the gentleman object to agreeing to the bill on third reading?

Mr. LOVETT. No, that is all right, Mr. Speaker.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. LOVETT. Mr. Speaker, I would like to interrogate the Majority Leader.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Smith, permit himself to be interrogated?

Mr. SMITH. I will, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, would the gentleman tell the House why we recommitted this bill last week?

Mr. SMITH. Well I think I gave the reason at the time Mr. Speaker, I said for further study.

Mr. LOVETT. And who was supposed to give the bill further study?

Mr. SMITH. The usual procedure would be for the Committee to give it further study.

Mr. LOVETT. I attended the only meeting of the Committee that had that bill.

Mr. SMITH. Did the gentleman study it, Mr. Speaker?

Mr. LOVETT. The Committee did not study it.

Mr. SMITH. Did the Members of the Committee study it?

Mr. LOVETT. Not that I know of.

Mr. SMITH. Well I would say that are rather negligent then; they should have studied it. I know that some of them took it home, Mr. Speaker, to study it over the weekned.

Mr. LOVETT. What very important thing in the bill was there to study, Mr. Speaker?

Mr. SMITH. I would say the entire bill, Mr. Speaker.

Mr. LOVETT. What does the entire bill do?

Mr. SMITH. Well I think that the gentleman, a member of the committee, is negligent in not knowing what the bill does. The bill increases the corporate net income one percent, making it now five percent.

Mr. LOVETT. Does the gentleman think it was necessary for a committee to study the fact that we were increasing it one percent?

Mr. SMITH. It sometimes may be, Mr. Speaker. Because as I said we cannot afford to kill the goose that lays the golden egg.

Mr. LOVETT. Would the gentleman tell this House, Mr. Speaker, that his intention last week in recommitting this bill was for further study and possibly increasing or decreasing the amount?

Mr. SMITH. I do not believe that I said increasing or decreasing the amount, Mr. Speaker; I believe I said the bill was to be recommitted for further study.

Mr. LOVETT. And if we did study the bill, Mr. Speaker, would we increase or decrease?

Mr. SMITH. Well I do not know, Mr. Speaker. That would be entirely the prerogative of the Committee to make a change in a bill before it appears on the floor of the House. If the Committee thought there were no increases or no decreases needed, I would presume then that they would see that the bill would be in proper form to be presented again on the floor of the House.

Mr. LOVETT. Mr. Speaker, I would like to interrogate the Chairman of the Appropriations committee.

The SPEAKER. Will the gentleman from Lancaster, Mr. Wood, permit himself to be interrogated?

Mr. WOOD. I will, Mr. Speaker.

Mr. LOVETT. I beg your pardon, Mr. Speaker. I would like to interrogate the Chairman of the Ways and Means committee.

The SPEAKER. Will the gentleman from Potter, Mr. Hall, permit himself to be interrogated?

Mr. HALL. I will, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, will the Chairman of the Ways and Means Committee tell us, when this bill was recommitted to his Committee, was it his understanding that the Committee was supposed to re-study this bill?

Mr. HALL. I concur with the Majority Leader that the bill was recommitted for further study, Mr. Speaker.

Mr. LOVETT. Does the gentleman feel, as Chairman of the Committee, that the Committee acted in good faith and gave it further study?

Mr. HALL. Mr. Speaker, I believe that the Majority Leader served notice on the House, particularly the Committee membership, that the bill was being recommitted for further study, and I trust that the members of the Committee gave it further study.

Mr. LOVETT. I thank the gentleman, Mr. Speaker.

I am heartily in favor of this bill and intend to vote for it. But I feel in my heart that there was some other reason rather than further study of this legislation when it was recommitted. I have tried to bring that information to the floor of the House very unsuccessfully. So, therefore, I will support this bill whole-heartedly.

Mr. SMITH. Mr. Speaker, I would like to thank the gentleman and further assure him that there has been no collusion on this side.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraff,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Heim,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dairymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weldner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,

Ferster,
Filip,
Filo,
Firmstone,
Flack,
Frost,
Gaffney,
Geer,
Gibson,
Gleason,
Good,

Leven,
Light,
Limper,
Loftus,
Lopresti,
Lovett,
Lutty,
Lyons,
Madigan,
Madden,
Markley,

Readinger,
Reagan,
Reese,
Reidenbach,
Reilly, J. M.,
Rigby,
Riley, R. L.,
Robertson,
Rose,
Rosen,
Rovanssek,

White,
Williams,
Wilt,
Wood,
Yeakel,
Yester,
Yetzer,
Young,
Ziegler,
Sorg,
Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. ANDREWS for himself for the remainder of today's session.

Mr. ANDREWS. Mr. Speaker, the Caucus Chairman, the gentleman from Berks, Mr. Readinger, will act in my place.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair welcomes a former Member of the House, the gentleman from Philadelphia, Hon. William J. Reilly.

GERMANTOWN WOMAN'S CLUB WELCOMED

The SPEAKER. The Chair is pleased to welcome the Germantown Woman's Club who are here today as the guests of the Majority Leader, the gentleman from Philadelphia, Mr. Smith.

REPORTS FROM COMMITTEES

Mr. ROSEN, from the Committee on City and County—First Class, reported as amended, House Bill No. 52, entitled:

An Act empowering cities of the first class of the Commonwealth to make and enforce by ordinances, fire prevention codes regulating the occupation and use of buildings and structures, and the conduct of trades or businesses which, due to the nature thereof, create a fire hazard or danger to life or property by fire or explosion and providing penalties.

Mr. GREER, from the Committee on Judiciary, reported as amended, House Bill No. 109, entitled:

An Act to amend Section 506 of the act, approved the sixth day of April, one thousand nine hundred fifty-one (Act No. 20), entitled "An act relating to the rights, obligations and liabilities of landlord and tenant and of parties dealing with them and amending, revising, changing and consolidating the law relating thereto," by providing that an appeal or certiorari to the court of common pleas in a suit or action by a landlord to recover possession of property shall be a supersedeas.

Mr. SAX from the Committee on Judiciary, reported as committed, House Bill No. 378, entitled:

An Act to further amend the act, approved the fifteenth day of June, one thousand nine hundred thirty-seven (P. L. 1743), entitled as amended "An act relating to magistrates and magistrates' courts in the city of Philadelphia; imposing certain duties upon, and prohibiting certain practices by, magistrates, and fixing their compensation; imposing certain duties on the city controller in regard thereto; authorizing the employment by him of additional clerks and fixing their compensation; regulating the practice in and defining magistrates' courts, the entering of bail, and the issuance of discharges in criminal cases in the county of Philadelphia; conferring certain powers over magistrates and magistrates' courts; and imposing certain duties in connection therewith upon the judges of the courts of common pleas of the county of Philadelphia, the Attorney General, and the District Attorney; providing for the appointment and employment of stenographers to report proceedings in certain cases heard by magistrates; fixing the salaries of persons employed by authority of this act; providing penalties for violations of the provisions thereof; and repealing certain prior acts," by making the increase in salaries of magistrates applicable to all magistrates, including the additional salary of the chief magistrate for his duties as such and increasing the same; and by further providing for the costs of transcripts or reports.

Mr. LOVETT, from the Committee on Appropriations, reported as committed, House Bill No. 517, entitled:

An Act creating the Pennsylvania State Apple Board and defining its powers and duties, providing for the registration and regulation of persons engaged in the growing, producing and harvesting of apples for profit and prescribing fees therefor, prescribing penalties, creating a special fund in the State Treasury to be known as the Apple Promotion Fund and making an appropriation.

Mr. MINTESS, from the Committee on City and County—First Class, reported as amended, House Bill No. 647, entitled:

An Act to further amend Section 4, to amend subsection (d) of Section 4.1, to add Sections 4.2 and 4.3 and to amend paragraph (1) of Section 14 of the act, approved the twentieth day of May, one thousand nine hundred fifteen (P. L. 556), entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities, and all county or other public employes, if any, paid by appropriation of the city councils thereof, and out of the treasury of said cities; and regulating the administration and the payment of such pensions," by clarifying the amount of contributions by certain pensioners, and the method of computing lesser pensions; changing date of completing certain payments and the age to which pension increments may be computed; fixing minimum pensions and providing benefits for surviving spouse.

Mrs. VARALLO, from the Committee on Appropriations, reported as committed, House Bill No. 684, entitled:

An Act providing for the observation of the 175th anniversary of the adoption of the Declaration of Independence; creating a commission to cooperate with like commissions of the government of the United States and of the City of Philadelphia in arranging ceremonies; and making an appropriation.

Mr. ROSE, from the Committee on Insurance, reported as amended, House Bill No. 703, entitled:

An Act to amend subsection three of section one and section four of the act, approved the eleventh day of May, one thousand nine hundred forty-nine (P. L. 1210) entitled "An act relating to group life insurance; describing permitted policies and restrictions thereon, the premium basis thereof and rights thereunder; limiting the amount of such insurance; prescribing standard policy

provisions; and requiring notice of conversion privileges," by extending the types permitted and fixing requirements thereof.

Mr. McMILLEN, from the Committee on Education, reported as committed, House Bill No. 736, entitled:

An Act making an appropriation to the Department of Public Instruction for the training of teachers of the deaf.

Mr. ROBERT K. HAMILTON, from the Committee on Insurance, reported as amended, House Bill No. 776, entitled:

An Act to amend Section 506 of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled, as amended "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," by requiring notice of dissolution of stock or mutual fire insurance companies, associations or exchanges to be given to policyholders or members.

Mr. MINTESS, from the Committee on Judiciary, reported as amended, House Bill No. 794, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," by enlarging the jurisdiction of said court in certain cases of appeals and making said jurisdiction exclusive.

Mr. TAHL, from the Committee on Judiciary, reported as amended, House Bill No. 795, entitled:

An Act to further amend Section 12 of the act approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 626), entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; creating and prescribing the powers and duties of a Board of Property Assessment, Appeals and Review; imposing duties on certain county and city officers; abolishing the board for the assessment and revision of taxes in such counties; and prescribing penalties," by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from the Board of Property Assessment, Appeals and Review.

Mr. TOLL, from the Committee on Judiciary, reported as committed, House Bill No. 798, entitled:

An Act to further amend subsections (a) and (b) of Section 9 of the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for

purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board, prescribing certain penalties," by conferring exclusive jurisdiction on the County Court of Allegheny County in cases of appeals from the Labor Relations Board.

Mr. ROSEN, from the Committee on Judiciary, reported as committed, House Bill No. 796, entitled:

An Act to further amend Section 616 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals by persons whose operator's license or learner's permit has been suspended or who has been deprived of the privilege of applying for an operator's license or learner's permit.

Mr. LEVIN, from the Committee on Judiciary, reported as committed, House Bill No. 797, entitled:

An Act to amend subsection (b) of Section 9 of the act, approved the twentieth day of June, one thousand nine hundred forty-seven (P. L. 845), entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaging in certain occupations and businesses therein; providing for its levy and collection; for the issuance of mercantile licenses upon the payment of fees therefor; conferring and imposing powers and duties on boards of public education; receivers of school taxes and school treasurers in such districts; saving certain ordinances of council of certain cities, and providing compensation for certain officers, and employes and imposing penalties," as reenacted and made permanent, by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from decisions of the collector in administering and enforcing the provisions of the act.

Mr. COSTA, from the Committee on Education, reported as committed, House Bill No. 826, entitled:

An Act to further amend the act, approved the eighteenth day of July, one thousand nine hundred seventeen

(P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by redefining the term "final salary" and further providing the manner of computing employes' annuities.

Mr. LOFTUS, from the Committee on City and County—First Class, reported as amended, House Bill No. 827, entitled:

An Act to further amend the act approved the twentieth day of May, one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities, and all county or other public employes, if any, paid by appropriation of the city councils thereof, and out of the treasury of said cities; and regulating the administration and the payment of such pensions," by reducing the retirement age.

Mr. TAHL, from the Committee on Appropriations, reported as committed, House Bill No. 867, entitled:

An Act transferring money from the Banking fund to the General Fund.

Mr. CLAPPER, from the Committee on Education, reported as committed, House Bill No. 946, entitled:

An Act to amend Article X of the Act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending revising, consolidating and changing the laws relating thereto," by further providing for the appointment and removal of supervisors, their qualifications, term of office, duties, salary and method of filling vacancies.

Mr. BREISCH, from the Committee on Education, reported as committed, House Bill No. 947, entitled:

An Act to amend Sections 1704, 1705 and 1707 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30), entitled, "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools, amending, revising, consolidating and changing the laws relating thereto," by further providing for voting by boards of school directors establishing and maintaining joint schools or departments, method of adopting budget and employing teachers.

Mr. READINGER, from the Committee on Judiciary, reported as committed, House Bill No. 960, entitled:

An Act to amend Section 8 of the act, approved the first day of May, one thousand nine hundred seven (P. L. 135) entitled "An act relating to the appointment of stenographers and assistant stenographers to report proceedings in the several courts of common pleas, and orphans' courts, courts of oyer and terminer and general jail delivery, and courts of quarter sessions of the peace, of this Commonwealth, as well as before commissioners, masters, and special masters in chancery, referees, examiners, auditors, and other officers; prescribing their powers and duties and when such reports shall be evidence of the facts reported; prescribing their compensation and allowances for expenses, when the same shall be paid by the county wherein such stenographers or assistant stenographers are employed, and when by the parties to

such proceedings; and repealing an act, entitled 'An act directing the appointment of official stenographers in the several civil courts of this Commonwealth; authorizing the appointment of stenographers by examiners, masters, referees, commissioners, and auditors; authorizing the appointment of assistant stenographers; repealing 'An act to authorize the appointment of stenographers in the several courts of this Commonwealth, prescribing their duties and fixing their compensation,' approved May fifteenth, one thousand eight hundred and seventy-four; repealing 'An act to authorize the appointment of stenographers in the several courts of this Commonwealth, prescribing their duties and fixing their compensation,' approved May eighth, one thousand eight hundred and seventy-six, and repealing 'An act defining the duty of court stenographers in the several counties in this State,' approved June tenth, one thousand eight hundred and eighty-one,' approved the twenty-fourth day of May, one thousand eight hundred and eighty-seven; but such repeal not to revive any law repealed by the said act of twenty-fourth of May, one thousand eight hundred and eighty-seven," by increasing the compensation of official stenographers for copies of stenographic notes.

Mr. HOCKER, from the Committee on Workmen's Compensation, reported as committed, House Bill No. 990, entitled:

An Act to further amend the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 566), entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employee arising out of and in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine controverted medical issues; establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases; making an appropriation; and prescribing penalties," by amplifying the provisions thereof as to persons entitled to such payments.

Mr. TAHL, from the Committee on Appropriations, reported as committed, House Bill No. 1020, entitled:

An Act transferring money from the Manufacturing Fund to the General Fund.

Mr. HAUDENSHIELD, from the Committee on Appropriations, reported as committed, House Bill No. 1022, entitled:

An Act to amend sections 1 and 7 of the act, approved the twenty-ninth day of May, one thousand nine hundred thirty-five (P. L. 244), entitled "An act creating a Local Government Commission to study and report on functions of local government; their allocation and elimination; the cost of local government and means of reducing it; and the consolidation of local government; and making an appropriation," by providing for the expenditure of any biennial appropriation made to the Local Government Commission.

Mr. SOLLENBERGER, from the Committee on Appropriations, reported as committed, House Bill No. 1023, entitled:

An Act making an appropriation to the Local Government Commission to continue its work.

Mr. KELLER, from the Committee on Education, reported as committed, Senate Bill No. 80, entitled:

An Act to further amend the title and to amend Section 1 of the act approved the twenty-seventh day of May one thousand eight hundred ninety-three (P. L. 171) entitled as amended "An act providing for the acquisition of land and the erection equipment management and operation of the Pennsylvania Soldiers Orphans' School the maintenance of children admitted thereto and regulating the admissions to and discharges from the said Pennsylvania Soldier Orphans' School" by changing the name of the Pennsylvania Soldiers Orphans' Industrial School.

Mr. GAFFNEY, from the Committee on Education, reported as committed, Senate Bill No. 81, entitled:

An Act to amend the title and Sections 1, 2, 3 and 4 of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 302), entitled "An act providing for the admission of children to, and their education and maintenance in, and their discharge from the Pennsylvania Soldiers' Orphans School; prohibiting discharging children or taking children from said school, or children from leaving the same without an order of the Board of Trustees of the Pennsylvania Soldiers' Orphan School; and prescribing penalties," by changing the name of the Pennsylvania Soldiers' Orphan School.

Mr. KOLANKIEWICZ, from the Committee on Education, reported as committed, Senate Bill No. 82, entitled:

An Act to further amend Sections 202, 401 and 1311 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by changing the name of the Pennsylvania Soldiers' Orphan School.

Mr. HAROLD G. MILLER, from the Committee on Insurance, reported as committed, Senate Bill No. 127, entitled:

An Act to further amend section 15 and to amend section 29 of the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing process providing penalties for any violations of the act the Insurance Commissioner as attorney for service of exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" by regulating the transfer of

excess insurance funds to the expense and other funds and providing for the consolidation of any society's funds further regulating reports of valuation of death benefit fund obligations regulating reserves and contributions for benefits

Mr. PFAFF, from the Committee on Insurance, reported as committed, Senate Bill No. 136, entitled:

An Act to amend Section 1 Clause (8) of Section six and Section nine of the act approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1210) entitled "An act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder limiting the amount of such insurance prescribing standard policy provisions and requiring notice of conversion privileges" by further defining policies of group life insurance limiting the amount of an individual policy issued to a person entitled thereto and changing the premium basis and rate of interest thereon.

Mr. STIMMEL, from the Committee on Insurance, reported as committed, Senate Bill No. 140, entitled:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further regulating investments of insurance companies

Mr. ROSE from the Committee on Insurance, reported as committed, Senate Bill No. 128, entitled:

An Act to amend subsections (d) and (f) of section 211.1, and to further amend section 212 and subsection (a) of section 301 of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled as amended, "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," by further regulating assessments made by the Insurance Commissioner against life insurance companies to defray certain expenses; providing for reciprocity with other states in assessing taxes and fees on insurance companies; permitting foreign companies to write workmen's compensation insurance in Pennsylvania; limiting the basis for valuation of reserve liability of life insurance companies organized in foreign countries.

Mr. WEIDNER from the Committee on Education, reported as committed, Senate Bill No. 247, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by regulating the authority of school districts to purchase supplies and to perform and contract for construction reconstruction repairs and work of any nature

Mr. KRATZ from the Committee on Highways, reported as amended, Senate Bill No. 305, entitled:

An Act to facilitate vehicular traffic across the Commonwealth by providing for the construction operation and maintenance of a turnpike from a connection with the Eastern Extension of the Pennsylvania Turnpike System at such point as the Pennsylvania Turnpike Commission may decide is most feasible and practicable to a point on or near the Delaware River between the Commonwealth of Pennsylvania and the State of New Jersey and authorizing the Pennsylvania Turnpike Commission to construct operate and maintain either along or in conjunction with the New Jersey Turnpike Authority for the construction, operation and maintenance of a bridge across the Delaware River or to acquire the use of a bridge heretofore or hereafter constructed for the further extension of the Pennsylvania Turnpike System and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds notes or other obligations of the Commonwealth payable solely from revenues of the Commission, including tolls or from such funds as may be available to the Commission for that purpose to pay the cost of such turnpike and bridge providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds notes or other obligations and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds notes or other obligations exempt from taxation constituting such bonds legal investments in certain instances requiring suits against the commission to be brought in Dauphin County prescribing conditions on which such turnpike shall become free providing for grade separations grade changes relocations restoration and vacation of public roads and State highways affected by the turnpike providing for the purchasing or condemnation of land and procedure for determining damages in condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission and authorizing the issuance of turnpike revenue refunding bonds.

Mr. MILLS from the Committee on Insurance, reported as committed, Senate Bill No. 320, entitled:

An Act to further amend subsection (a) of Section 621.1 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and existing laws" by further defining and regulating group accident and health insurance

Mr. KLINE from the Committee on Insurance, reported as amended, Senate Bill No. 341, entitled:

An Act to further amend Section 2 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 685) entitled "An act designating certain life insurance companies as limited life insurance companies and further describing the powers thereof" by further describing the powers of limited life insurance companies

Mr. LEISEY from the Committee on Insurance, reported as amended, Senate Bill No. 374, entitled:

An Act to amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further regulating health and accident insurance

Mr. MURRAY from the Committee on Elections and Apportionment, reported as committed, Senate Bill No. 432, entitled:

An Act to amend the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county board of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by providing for nominations and elections of county officers in counties about to undergo a change in classification, and imposing certain duties upon county commissioners, county boards of elections, and others.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. ROGER asked and obtained permission for the Committee on Highways to meet during the session of the House.

STUDENTS OF HERSHEY JUNIOR COLLEGE WELCOMED

The SPEAKER. The Chair is pleased to welcome to the House the State and Local Government class of the Hershey Junior College, Hershey, under the supervision of Mr. Schmehl. They are here today as the guests of the gentlemen from Dauphin, Messrs. Swartz and Hocker.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair is pleased to welcome a former Member of the House, the gentleman from Philadelphia, Hon. Thomas H. Lee.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 715, entitled:

An Act establishing a retirement system for game protectors of the Pennsylvania Game Commission providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employees' Retirement Fund under the administration of the State Employees' Retirement Board providing for contributions by game protectors of the Pennsylvania Game Commission and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the members or dependents against certain third parties exempting an-

nuities allowances returns benefits and rights from taxation and judicial processes making an appropriation from the Game Fund and providing penalties

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. GOODLING. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 792, entitled:

An Act providing for treatment and cure in designated State institutions of persons habitually addicted to the use of opiates and for their admission to an care therein and the payment of the cost thereof

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. SARRAF. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 881, entitled:

An Act to further amend Clause L of Section 1202 of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by authorizing increase of appropriations for burial ground maintenance.

And said bill having been read at length the second time and agreed to,

Ordered, To to transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 971, entitled:

An Act to amend the act approved the seventh day of June, one thousand nine hundred one (P. L. 493), entitled, as amended "An act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage and cesspools, in cities of the second class, second class A and third class and imposing fines, penalties and forfeiture for violation thereof," by permitting the use of bituminized-fibre pipe in certain plumbing construction.

And said bill having been read at length the second time and agreed to,

Ordered, To to transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 983, entitled:

An Act requiring wells and cisterns to be covered or sealed and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 486, entitled:

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-three (P. L. 1449) entitled "An act establishing a court of record in the county of Allegheny for control care guidance treatment trial placement and commitment of delinquent neglected and dependent children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging delinquency neglect or dependency of children defining the jurisdiction and powers of the court and regulating procedure therein providing for the transfer thereto of certain powers functions and duties from other courts providing for the election of judges thereof the appointment of probation officers other necessary staff officials and assistants providing for housing of same and providing for detention facilities making the contributing to or encouraging of the delinquency neglect or dependency of children a misdemeanor and providing penalties" by allowing appeals to the county court of Allegheny county and superior court and regulating the procedure therefor

On the question,

Shall the bill pass finally?

Mr. WILT. Mr. Speaker, House Bill 486, Printer's No. 220, was introduced by my colleagues, Mr. Greer and Mr. Jones, from Allegheny County. I knew at the time this bill was introduced, it was introduced with the utmost sincerity and that it was a good bill. I happen to be a member of the Judiciary Committee, and I had the privilege of being a member of the subcommittee on Judiciary.

We took the Committee and held a meeting in the Allegheny County court house approximately two months ago on a Saturday afternoon. We discussed the merits of this bill. We made many textual changes in the bill. We thought then that it was a sound bill.

The bill was brought back and committed, and put on the floor from the Judiciary Committee. From then on it has received much publicity; much opposition. Again there were changes made in the bill. The bill was amended, so that it left but one article in the bill, and that was the appeal from juvenile court to the county courts. Again the bill received much publicity.

From the time that the bill was first introduced there were many in favor of the bill. But due to the opposition and publicity there were many votes changed. So therefore I feel that this bill should be recommitted to the Committee on Judiciary.

The SPEAKER. Does the gentleman make such a motion?

BILL RECOMMITTED

Mr. WILT. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary for further study.

On the question,

Will the House agree to the motion?

Mr. PAUL F. JONES. Mr. Speaker, as the co-sponsor of this piece of legislation, I consider it my duty to point out what we seek to accomplish.

It is true, as the gentleman from Allegheny, Mr. Wilt, has just said, that the bill in its original state provoked a lot of controversy. For the past several weeks we have been working on this bill in an effort to have it made acceptable to all those who were affected, and we have sought to accomplish the original purpose that we intended to accomplish. All that is left in House Bill 486 now is whether or not a person wishing to take an appeal from the decision of the Juvenile Court of Allegheny County, should go to the State Superior Court or whether it should be passed on by the judges of the County Court in Allegheny.

It seems to me, if we are agreed that an appeal should lie, and I believe that we are, the advantages in having an appeal passed on by our judges of the County Court means simply this; rather than wait six months for the Superior Court to come to Allegheny county or on account of the expenses that would be involved in leaving Allegheny county and going to Philadelphia where the Court might be in session, we can facilitate the appeal by having it heard by the judges on our local bench.

There is another provision in the bill, and I do not believe that it is understood. Three judges of that court have to decide first whether or not an appeal will be granted. After they have refused a petition that is filed with them with the court en banc and they examine the merits of the case then permission is given to file an appeal.

Now to say that the judges of the County Court are not competent; certainly it is not a fact. Judge Gunther who is now on the Superior Court, only a few months ago was one of the judges of our County Court. A former Member of this House, Homer Brown, is now sitting on the County Court bench. And those of you here who know him, and know his personal qualifications, certainly would not object to his passing on an appeal from the Juvenile Court.

Our efforts in this bill are to facilitate an appeal from the Court. There have been boasts made that in seventeen years there has not been an appeal taken from the Juvenile Court. I say to you as a practicing attorney, that it is not because that court is infallible; it is only because of the hardship and the inconvenience that is involved in taking an appeal to Superior Court; that is the fundamental reason why no appeals have been taken.

I ask you in all fairness, if you believe that an appeal should be made accessible, if you want to facilitate the appeal of the juveniles who need this protection, I ask you not to recommit the bill, but let us vote one way or the other on it. Either vote it up or vote it down.

Mr. GEER. Mr. Speaker, I say with all deference to Mr. Jones, my co-sponsor on the bill, Mr. Wilt has made the motion on my behalf.

My position on this bill is this: I certainly do not agree in any way with the opposition that has been raised against the Juvenile Court bill. I have felt that may be it would have been better at the time this Legislature provided for an appeal, not to provide for an appeal at all, because none has been used. Then we would possibly have had a better argument for taking an appeal.

However, under the circumstances, under the opposition that has arisen since the bill has come out on the floor and believing that to send the bill in to utter defeat is defeating an issue that I think should be kept alive, I support the position of Mr. Wilt, in due deference to Mr. Jones' position.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 535, as follows:

An Act to further amend section 701 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by eliminating certain restrictions on the possession of game and other birds and animals

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 701 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-seven (P. L. 301) is hereby further amended to read as follows

Section 701 Unlawful Taking Killing [Possession] Etc of Game Except as otherwise provided in this act it is unlawful for any person to take or kill or wound or attempt to take or kill or wound any game except during the open season or to have in possession either living or dead any game or any part thereof except game lawfully taken during the open season which may be had in possession [during the open season therefor and for sixty day thereafter Provided however That any person upon application to the director or any supervisor or district game protector and the payment of a fee of one dollar (\$1.00) may be issued a permit authorizing the possession of the flesh of a lawfully killed game animal or bird or any part thereof for an additional period not to exceed six months] up to and including July first of the year immediately following

The burden of proof that game or any part thereof found in possession of any person after the close of the open season was lawfully taken shall be upon the person in whose possession such game or part thereof is found

This section does not prohibit the possession at any time of game killed or taken outside of this Commonwealth or the possession of the tanned or cured skins or any parts thereof of birds or animals not unlawfully killed or the possession of live raccoons when lawfully taken during the open season [provided the owner thereof applies to the director for a permit within five days after the close of the season which shall be issued without charge]

It is unlawful for any person to use any game that has been unlawfully killed or taken or to aid or assist in the taking possessing concealment or transportation of any game unlawfully killed or to have in possession for any purpose whatsoever or conceal the same any game or any part thereof that has been unlawfully killed or taken

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Banker,	Graybill,	Mazza,	Rubin,
Barkdoll,	Greenwood,	McConnell,	Sarraff,
Baumunk,	Greer,	McCormack,	Sax,
Bear,	Guarnieri,	McCullough,	Scanlon,
Beaver,	Gutendorf,	McDermitt,	Schmidt,
Beech,	Guthrie,	McGee,	Schuster,
Berkstresser,	Hagerty,	McInroy,	Scott,
Blair,	Hall,	McKinney,	Seyler,
Bloom,	Hamilton, R. K.,	McMillen,	Shoemaker,
Boles,	Hamilton, W. H.,	McNally,	Shotwell,
Bolton,	Harney,	Metz,	Smith,
Bomberger,	Haudenshield,	Mihm,	Snider,
Boorse,	Headlee,	Mikula,	Sollenberger,
Bower,	Helm,	Miller, H. G.,	Spencer,
Breisch,	Hersch,	Miller, J. C.,	Stank,
Breth,	Hewitt,	Mills,	Stimmel,
Brown,	Hocker,	Mintess,	Stoner,
Bucchin,	Hoggard,	Monroe,	Swartz,
Byrne,	Hunter,	Moore, C. E.,	Swope,
Cella,	Jenkins,	Moore, H. A.,	Tahl,
Clapper,	Johnson,	Moran,	Taylor,
Clendenning,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Cochran,	Jones, J. M.,	Munley,	Thompson, R. L.,
Conway,	Jones, P. F.,	Murray,	Toll,
Cooper,	Jones, T. H. W.,	Musto,	Tompkins,
Corr,	Jump,	Najaka,	Toomey,
Costa,	Kamyk,	Naugle,	VanSant,
Coyle,	Keller,	Needham,	Varallo,
Dairymple,	Kent,	Olsen,	Varner,
Davis,	Kline,	Pengilase,	Verona,
Dennison,	Kohl,	Peta,	Wachhaus,
Dougherty,	Kolankiewicz,	Petrosky,	Wargo,
Dowling,	Kornick,	Pettigrew,	Waterhouse,
DuBois,	Kratz,	Pfaff,	Watkins,
Duffy,	Kubacki,	Pichney,	Weldner,
Dunn,	Lafore,	Pitzer,	Welsh,
Erb,	Lederer,	Polaski,	Wescott,
Ewing,	Leisey,	Polen,	Westrick,
Fenrich,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Filip,	Leven,	Readinger,	White,
Filo,	Light,	Reagan,	Williams,
Firmstone,	Limper,	Reese,	Wilt,
Flack,	Loftus,	Reidenbach,	Wood,
Frost,	Lopresti,	Reilly, J. M.,	Yeakel,
Gaffney,	Lovett,	Rigby,	Yester,
Geer,	Lutty,	Riley, R. L.,	Yetzer,
Gibson,	Lyons,	Robertson,	Young,
Gleason,	Madden,	Rose,	Ziegler,
Good,	Madigan,	Rosen,	Sorg,
	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—1

Andrews,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 624, as follows:

An Act to amend subsection (b) and (c) of section one thousand two hundred three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the

resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" and to add thereto new subsections (d) and (e) so as to except therefrom the transfer of stock not subject to the transfer inheritance tax owned by deceased residents of an area listed by the Department of Revenue as entitled by law to such exemption and stock formerly owned by the entireties by resident spouses one of whom shall have died and to require the Department of Revenue to list such areas

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsections (b) and (c) of Section one thousand two hundred three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" are hereby amended to read as follows

Section 1203 Procedure Applicable in Cases of Transfer of Corporate Stock Belonging to Decedents' Estates

(b) No executor administrator or trustee of any decedent resident or nonresident shall assign or transfer any stock of any corporation of this Commonwealth or of any national banking association located in this Commonwealth standing in the name of such decedent or in the joint names of such decedent and one or more other persons or in trust for a decedent subject to the transfer inheritance tax imposed by law until such tax has been paid unless the Department of Revenue consents to such transfer prior to such payment as herein provided or unless the decedent was a resident of a state country or territory listed by the Department of Revenue as one whose residents are entitled to the exemption granted by the Act of May 2 1929 (P. L. 1258) entitled "An act concerning taxes on the transfer of personal property of nonresidents and to make uniform the laws of the State with reference thereto"

(c) No corporation of this Commonwealth or national banking association located in this Commonwealth shall transfer any stock of such corporation or of such bank-

ing association standing in the name of a decedent whether resident or nonresident or in the joint names of a decedent and one or more persons or in trust for such decedent subject to the transfer inheritance tax imposed by law unless the Department of Revenue has filed with such corporation or national banking association a certificate that the transfer inheritance tax imposed by law on the transfer of such stock has been fully paid or otherwise consents thereto in writing or unless the decedent was a resident of a state country or territory listed by the Department of Revenue as one whose residents are entitled to the exemption granted by the Act of May 2 1929 (P. L. 1258) entitled "An act concerning taxes on the transfer of personal property of nonresidents and to make uniform the laws of the State with reference thereto" and it shall be lawful for the Department of Revenue either personally or by representative to examine the shares of stock of such decedent at the time of such transfer and also the transfer books of said corporation or association showing such transfer The provisions of this section shall not apply to the transfer of stock assigned by a decedent before his death as collateral security for a loan provided that any lender so holding such stock shall upon selling it send a written report to the Department of Revenue stating the amount for which the stock was sold and the amount which was applied in reduction or payment of the loan Any corporation or national banking association may transfer such stock upon presentation to it of an affidavit of such lender or someone acting on his or its behalf that the stock was held as security at the time of decedent's death

Section 2 Section one thousand two hundred three of said act is hereby amended by adding thereto the following subsections (d) and (e)

(d) Any corporation or national banking association may transfer such stock upon presentation to it of an affidavit of the executor administrator or heir of a decedent or someone acting on his behalf that the decedent died a resident of a particular state country or territory which is listed by the Department of Revenue as aforesaid or that the person in whose name jointly with that of the decedent the stock stands was the spouse of the decedent at the time of his death in that it was not transferred by the decedent to such person and the decedent within one year of the death of the decedent

(e) The Department of Revenue is authorized and directed to prepare revise from time to time and furnish on request a list of the states countries and territories whose residents are entitled to the exemption granted by the Act of May 2 1929 (P. L. 1258) entitled "An act concerning taxes on the transfer of personal property of nonresidents and to make uniform the laws of the state with reference thereto"

Section 3 This act shall be effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Banker,	Graybill,	Mazza,	Rubin,
Barkdoll,	Greenwood,	McConnell,	Serraf,
Baumunk,	Greer,	McCormack,	Sax,
Bear,	Guarnieri,	McCullough,	Scanlon,
Beaver,	Gutendorf,	McDermitt,	Schmidt,
Bech,	Guthrie,	McGeo,	Schuster,
Berkstresser,	Hagerty,	McInroy,	Scott,
Blair,	Hall,	McKinney,	Seyler,
Bloom,	Hamilton, R. K.,	McMillen,	Shoemaker,
Boles,	Hamilton, W. H.,	McNally,	Shotwell,
Bolton,	Haudenshield,	Metz,	Smith,
Bombberger,	Harney,	Mihm,	Snider,

Boorse,	Headlee,	Mikula,	Sollenberger,
Bower,	Helm,	Miller, H. G.,	Spencer,
Brelsch,	Hersch,	Miller, J. C.,	Stank,
Breth,	Hewitt,	Mills,	Stimmel,
Brown,	Hocker,	Mintess,	Stoner,
Buchlin,	Hoggard,	Monroe,	Swartz,
Byrne,	Hunter,	Moore, C. E.,	Swope,
Cella,	Jenkins,	Moore, H. A.,	Tahl,
Clapper,	Johnson,	Moran,	Taylor,
Clendening,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Cochran,	Jones, J. M.,	Munley,	Thompson, R. L.,
Conway,	Jones, P. F.,	Murray,	Toll,
Cooper,	Jones, T. H. W.,	Musto,	Tompkins,
Corr,	Jump,	Najaka,	Toomey,
Costa,	Kamyk,	Naugle,	VanSant,
Coyle,	Keller,	Needham,	Varallo,
Dairymple,	Kent,	Olsen,	Varnier,
Davis,	Kline,	Penglase,	Verona,
Dennison,	Kohl,	Peta,	Wachhaus,
Dougherty,	Kolankiewicz,	Petrosky,	Wargo,
Dowling,	Kornick,	Pettigrew,	Waterhouse,
DuBois,	Kratz,	Pfaff,	Watkins,
Duffy,	Kubacki,	Pichney,	Weidner,
Dunn,	Lafore,	Pitzer,	Welsh,
Erb,	Lederer,	Polaski,	Wescott,
Ewing,	Lelsey,	Polen,	Westrick,
Fenrich,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Filip,	Leven,	Readinger,	White,
Filo,	Light,	Reagan,	Williams,
Firmstone,	Limper,	Reese,	Wilt,
Flack,	Loftus,	Reidenbach,	Wood,
Frost,	Lopresti,	Reilly, J. M.,	Yeakel,
Gaffney,	Lovett,	Rigby,	Yester,
Geer,	Lutty,	Riley, R. L.,	Yetzer,
Gibson,	Lyons,	Robertson,	Young,
Gleason,	Madden,	Rose,	Ziegler,
Good,	Madigan,	Rosen,	Sorg,
	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—1

Andrews,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third heading and consideration of House Bill No. 631. as follows:

An Act to repeal an obsolete act relating to transfer of stock standing in the name of a decedent or in the joint names of a decedent and one or more other persons or in trust for a decedent

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 36 of the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" is hereby repealed absolutely

Section 2 This act shall be effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Banker,	Graybill,	Mazza,	Rubin,
Barkdoll,	Greenwood,	McConnell,	Sarraf,
Baumunk,	Greer,	McCormack,	Sax,
Bea,	Guarnieri,	McCullough,	Scanlon,
Beaver,	Gutendorf,	McDermitt,	Schmidt,
Beech,	Guthrie,	McGee,	Schuster,
Berkstrosser,	Hagerty,	McInroy,	Scott,
Blair,	Hall,	McKinney,	Seyler,
Bloom,	Hamilton, R. K.,	McMillen,	Shoemaker,
Boles,	Hamilton, W. H.,	McNally,	Shotwell,
Bolton,	Harney,	Metz,	Smith,
Bomberger,	Haudenshield,	Mihm,	Snider,
Boorse,	Headlee,	Mikula,	Sollenberger,
Bower,	Helm,	Miller, H. G.,	Spencer,
Brelsch,	Hersch,	Miller, J. C.,	Stank,
Breth,	Hewitt,	Mills,	Stimmel,
Brown,	Hocker,	Mintess,	Stoner,
Buchlin,	Hoggard,	Monroe,	Swartz,
Byrne,	Hunter,	Moore, C. E.,	Swope,
Cella,	Jenkins,	Moore, H. A.,	Tahl,
Clapper,	Johnson,	Moran,	Taylor,
Clendening,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Cochran,	Jones, J. M.,	Munley,	Thompson, R. L.,
Conway,	Jones, P. F.,	Murray,	Toll,
Cooper,	Jones, T. H. W.,	Musto,	Tompkins,
Corr,	Jump,	Najaka,	Toomey,
Costa,	Kamyk,	Naugle,	VanSant,
Coyle,	Keller,	Needham,	Varallo,
Dairymple,	Kent,	Olsen,	Varnier,
Davis,	Kline,	Penglase,	Verona,
Dennison,	Kohl,	Peta,	Wachhaus,
Dougherty,	Kolankiewicz,	Petrosky,	Wargo,
Dowling,	Kornick,	Pettigrew,	Waterhouse,
DuBois,	Kratz,	Pfaff,	Watkins,
Duffy,	Kubacki,	Pichney,	Weidner,
Dunn,	Lafore,	Pitzer,	Welsh,
Erb,	Lederer,	Polaski,	Wescott,
Ewing,	Lelsey,	Polen,	Westrick,
Fenrich,	Leonard, L.,	Price, R. A.,	Whalley,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Wheeler,
Filip,	Leven,	Readinger,	White,
Filo,	Light,	Reagan,	Williams,
Firmstone,	Limper,	Reese,	Wilt,
Flack,	Loftus,	Reidenbach,	Wood,
Frost,	Lopresti,	Reilly, J. M.,	Yeakel,
Gaffney,	Lovett,	Rigby,	Yester,
Geer,	Lutty,	Riley, R. L.,	Yetzer,
Gibson,	Lyons,	Robertson,	Young,
Gleason,	Madden,	Rose,	Ziegler,
Good,	Madigan,	Rosen,	Sorg,
	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—1

Andrews,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,

House Bill No. 705, Printer's No. 227, was passed over temporarily at the request of the SPEAKER.

House Bill No. 769, Printer's No. 204, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 909, as follows

An Act to further amend section 889 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by prohibiting the unauthorized wearing of the insignia badge shield or button of the Air Force Association

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 889 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" as amended by the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 969) is hereby further amended to read as follows

Section 889 Illegally Wearing Military Insignia Whoever wilfully wears the insignia badge shield or button of the Loyal Legion of the United States or the Grand Army of the Republic or the Union Veteran Legion or the Order Sons of Veterans or the Spanish-American War Veterans or the Society of Spanish-American or Philippine Wars or the American Legion or the Veterans of Foreign Wars of the United States or the Disabled American Veterans of the World War or the American Veterans of World War II (AMVETS) or the Marine Corps League or the Air Force Association or the official decorations of any said organizations or uses the same to obtain aid or assistance unless he is entitled to use or wear the same under the constitution and by-laws rules and regulations of such organizations is guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not to exceed one hundred dollars (\$100) or be imprisoned for a period not to exceed sixty (60) days or both

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Banker,	Graybill,	Mazza,	Rubin,
Barkdoll,	Greenwood,	McConnell,	Sarra,
Baumunk,	Greer,	McCormack,	Sax,
Bear,	Guarnieri,	McCullough,	Scanlon,
Beaver,	Gutendorf,	McDermitt,	Schmidt,
Beech,	Guthrie,	McGee,	Schuster,
Berkstresser,	Hagerty,	McInroy,	Scott,
Blair,	Hall,	McKinney,	Seyler,
Bloom,	Hamilton, R. K.,	McMillen,	Shoemaker,
Boles,	Hamilton, W. H.,	McNally,	Shotwell,
Bolton,	Harney,	Metz,	Smith,
Bomberger,	Haudensfield,	Mihm,	Snider,
Boorse,	Headlee,	Mikula,	Sollenberger,
Bower,	Helm,	Miller, H. G.,	Spencer,
Breisch,	Hersch,	Miller, J. C.,	Stank,
Breth,	Hewitt,	Mills,	Stimmel,
Brown,	Hocker,	Mintess,	Stoner,
Bucchin,	Hoggard,	Monroe,	Swartz,
Byrne,	Hunter,	Moore, C. E.,	Swope,
Cella,	Jenkins,	Moore, H. A.,	Tahl,
Clapper,	Johnson,	Moran,	Taylor,
Clendenning,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Cochran,	Jones, P. F.,	Munley,	Thompson, R. L.,
Conway,	Jones, J. M.,	Murray,	Toll,
Cooper,	Jones, T. H. W.,	Musto,	Tompkins,
Corr,	Jump,	Najaka,	Toomey,
Costa,	Kamyk,	Naugle,	VanSant,
Coyle,	Keller,	Needham,	Varallo,
Dalrymple,	Kent,	Olsen,	Varnier,
Davis,	Kline,	Penglase,	Verona,
Dennison,	Kohl,	Peta,	Wachhaus,
Dougherty,	Kolankiewicz,	Petrosky,	Wargo,
Dowling,	Kornick,	Pettigrew,	Waterhouse,
DuBois,	Kratz,	Pfaff,	Watkins,
Duffy,	Kubacki,	Pichney,	Weidner,
Dunn,	Lafore,	Pitzer,	Welsh,
Erb,	Lederer,	Polaski,	Wescott,

Ewing,
Fenrich,
Ferster,
Filip,
Filo,
Firmstone,
Flack,
Frost,
Gaffney,
Geer,
Gibson,
Gleason,
Good,

Lelsey,
Leonard, L.,
Leonard, W. C.,
Leven,
Light,
Limper,
Loftus,
Lopresti,
Lovett,
Lutty,
Lyons,
Madden,
Madigan,
Markley,

Polen,
Price, H. W. Jr.,
Price, R. A.,
Readinger,
Reagan,
Reese,
Reidenbach,
Relly, J. M.,
Rigby,
Riley, R. L.,
Robertson,
Rose,
Rosen,
Rovaneck,

Westrick,
Whalley,
Wheeler,
White,
Williams,
Wilt,
Wood,
Yeakel,
Yester,
Yetzer,
Young,
Ziegler,
Sorg,
Speaker

NAYS—0

NOT VOTING—1

Andrews,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 931, as follows

An Act to further amend Section 719 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing the dog training period

The General Assembly of the Commonwealth of Pennsylvania hereby enacted as follows

Section 1 Section 719 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" as amended by the act approved the thirteenth day of April one thousand nine hundred forty-two (P. L. 28) is hereby further amended to read as follows

Section 719 Training of Dogs on Certain Game Exception for Fox Hunting Except as otherwise provided in this act or in defense of person or property it is unlawful for the owner of any dog or a dog under his control to permit such dog to chase pursue or follow upon the track of any wild bird or wild animal either day or night between the first day of April and the [nineteenth day of August] thirty-first day of July next following Provided however That the commission upon receipt of a petition signed by two hundred and fifty (250) or more residents of a county who held hunting licenses of the previous year or who are farmers or sheep raisers whether licensed to hunt or not shall by resolution notice of which shall be published as required by this act designate any county or part thereof in which hunting foxes with dogs at any time either day or night shall be lawful throughout the entire year except for such sixty-day period as the commission may designate when complying with the provisions of this act relative to hunting licenses or permits

During the hours from sunrise to nine o'clock post-meridian eastern standard time dogs when accompanied by and under control of their owner or handler may be trained upon any game in this Commonwealth except elk deer or bear or wild turkey from the [twentieth] first day of August to the thirty-first day of March next following unless said period be further restricted by resolution of the commission so long as no firearms usually raised at arm's length and fired from the shoulder are carried and no injury is inflicted upon said animals or birds except that during the foregoing period and under the conditions stipulated it shall be lawful to train dogs upon reccoons from sunrise to midnight eastern standard time Provided however (a) That it shall be unlawful to train dogs on

Sunday unless the consent of the owner of the land where such training is being done has first been secured but no such consent shall be required in the case of State and National forest lands and (b) that the commission may by resolution change the daily hours designated in this section to make adjustment for time changes or time designations established by Federal laws or any regulations promulgated under Federal law

"Under control" is hereby defined to mean within call except when actually on a trail or track of legal game

Any person who shall train a dog or dogs or permit a dog or dogs under his control to pursue or follow upon the track of any small game or other bird or animal except elk deer or bear contrary to the foregoing provisions shall upon conviction be sentenced to pay a fine of ten dollars and costs of prosecution for each offense

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—148

Banker,	Geer,	Lyons,	Rovansek,
Barkdoll,	Gibson,	Madden,	Royer,
Baumunk,	Gleason,	Madigan,	Rubin,
Bear,	Good,	Markley,	Sax,
Beaver,	Goodling,	Mazza,	Scott,
Beech,	Graybill,	McConnell,	Seyler,
Berkstresser,	Greenwood,	McCormack,	Shoemaker,
Blair,	Greer,	McCullough,	Shotwell,
Bloom,	Gutendorf,	McDermitt,	Smith,
Bolton,	Guthrie,	McInroy,	Snider,
Bomberger,	Hall,	McKinney,	Sollenberger,
Boorse,	Hamilton, R. K.,	McMillen,	Spencer,
Bower,	Hamilton, W. H.,	McNally,	Stimmel,
Brelsach,	Harney,	Metz,	Stoner,
Breth,	Haudenshield,	Mikula,	Swartz,
Brown,	Headlee,	Miller, H. G.,	Tahl,
Bucchin,	Helm,	Miller, J. C.,	Thompson, E. F.,
Cella,	Hewitt,	Milla,	Thompson, R. L.,
Clapper,	Hocker,	Mintess,	Tompkins,
Clendening,	Johnson,	Moore, C. E.,	Toomey,
Oochran,	Jones, J. M.,	Moore, H. A.,	VanSant,
Cooper,	Jones, T. H. W.,	Munley,	Wachhaus,
Costa,	Jump,	Murray,	Wargo,
Dalrymple,	Keller,	Musto,	Waterhouse,
Davis,	Kent,	Najaka,	Watkins,
Dennison,	Kline,	Naugle,	Weidner,
Dowling,	Kohl,	Needham,	Westcott,
DuBois,	Kornick,	Petrosky,	Westrick,
Dunn,	Kratz,	Pichney,	Whalley,
Erb,	Lafore,	Pitzer,	Wheeler,
Ewing,	Lelsey,	Polaski,	White,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Wilt,
Fillip,	Leven,	Readinger,	Wood,
Firmstone,	Light,	Reagan,	Yeakel,
Flack,	Loftus,	Reilly, J. M.,	Yetzer,
Frost,	Lopresti,	Riley, R. L.,	Ziegler,
Gaffney,	Lovett,	Robertson,	Sorg,

Speaker

NAYS—31

Boles,	Jones, G. E.,	Moran,	Taylor,
Byrne,	Jones, P. F.,	Muldowney,	Toll,
Corr,	Kamyk,	Pengilase,	Varnar,
Fenrich,	Kolankiewics,	Peta,	Verona,
Filo,	Kubacki,	Pettigrew,	Welsh,
Hoggard,	Leonard, L.,	Polen,	Yester,
Hunter,	Lutty,	Sarrafi,	Young,
Jenkins,	Mihm,	Schuster,	

NOT VOTING—28

Amarando,	Hagerty,	Olsen,	Rosen,
Andrews,	Hersch,	Pfaff,	Scanlon,
Conway,	Lederer,	Price, R. A.,	Schmidt,
Coyle,	Limper,	Reese,	Stank,
Dougherty,	Maxwell,	Reidenbach,	Swope,
Duffy,	McGee,	Rigby,	Varallo,
Guarnieri,	Monroe,	Rose,	Williams,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 958, as follows:

An Act to further amend subsections (a) of Sections 1016 and 1112 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates alderman justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the requirements for stop signs

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of Section 1016 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1718) is hereby further amended to read as follows

Section 1016 Vehicles Must Stop at Through Highways and Stop Intersections

(a) It shall be unlawful for the driver or operator of any vehicle street car or trackless trolley omnibus except as is otherwise provided in this section before entering a through highway to fail to come to a full stop within a reasonable distance before entering the intersection on such through highway when an official "Thru Traffic Stop" or "Stop" sign or signs have been erected in accordance with the provisions of this act

Section 2 Subsection (a) of Section 1112 of said act as amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 751) is hereby further amended to read as follows

Section 1112 Establishment of Thru Highways and Stop Intersections

(a) The Secretary of Highways of this Commonwealth with reference to State highways and local authorities in counties cities boroughs incorporated towns and townships of the first class with reference to highways under their jurisdictions are hereby authorized to designate through highways by erecting at the entrance thereto from intersecting highways signs bearing the [words "Thru Traffic Stop"] word "Stop" the word "Stop" to be in letters at least six (6) inches in height [and the letters of the words "Thru" and "Traffic" shall be of the form and size approved by the Secretary of Highways of this Commonwealth] Provided That no stop sign shall be erected at an intersection where at all times there is control by either a traffic signal or by a flashing signal

Signs bearing the word "Stop" shall be legal at intersections with through highways immediately upon the final enactment of this amendment and signs bearing the word "Thru Traffic Stop" shall be legal until the first day of June one thousand nine hundred fifty-two

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Banker,	Graybill,	Mazza,	Rubin,
Barkdoll,	Greenwood,	McConnell,	Sarraf,
Baumunk,	Greer,	McCormack,	Sax,
Bear,	Guarnieri,	McCullough,	Scanlon,
Beaver,	Gutendorf,	McDermitt,	Schmidt,
Beech,	Guthrie,	McGee,	Schuster,
Berkstresser,	Hagerty,	McInroy,	Scott,
Blair,	Hall,	McKinney,	Seyler,
Bloom,	Hamilton, R. K.,	McMillen,	Shoemaker,
Boles,	Hamilton, W. H.,	McNally,	Shotwell,
Bolton,	Harney,	Metz,	Smith,
Bomberger,	Haudenschild,	Mihm,	Snider,
Boorse,	Headlee,	Mikula,	Sollenberger,
Bower,	Helm,	Miller, H. G.,	Spencer,
Breisch,	Hersch,	Miller, J. C.,	Stank,
Breth,	Hewitt,	Mills,	Stimmel,
Brown,	Hocker,	Mintess,	Stoner,
Bucchin,	Hoggard,	Monroe,	Swartz,
Byrne,	Hunter,	Moore, C. E.,	Swope,
Cella,	Jenkins,	Moore, H. A.,	Tahl,
Clapper,	Johnson,	Moran,	Taylor,
Clendenning,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Cochran,	Jones, J. M.,	Munley,	Thompson, R. L.,
Conway,	Jones, P. F.,	Murray,	Toll,
Cooper,	Jones, T. H. W.,	Musto,	Tompkins,
Corr,	Jump,	Najaka,	Toomey,
Costa,	Kamyk,	Naugle,	VanSant,
Coyle,	Keller,	Needham,	Varallo,
Dalrymple,	Kent,	Olsen,	Varnier,
Davis,	Kline,	Penglase,	Verona,
Dennison,	Kohl,	Peta,	Wachhaus,
Dougherty,	Kolankiewicz,	Petrosky,	Wargo,
Dowling,	Kornick,	Pettigrew,	Waterhouse,
DuBols,	Kratz,	Pfaff,	Watkins,
Duffy,	Kubacki,	Pichney,	Weidner,
Dunn,	Lafore,	Pitzer,	Welsh,
Erb,	Lederer,	Polaski,	Wescott,
Ewing,	Lelsey,	Polen,	Westrick,
Fenrich,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenster,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Filip,	Leven,	Readinger,	White,
Filo,	Light,	Reagan,	Williams,
Firmstone,	Limper,	Reese,	Wilt,
Flack,	Loftus,	Reidenbach,	Wood,
Frost,	Lopresti,	Reilly, J. M.,	Yeakel,
Gaffney,	Lovett,	Rigby,	Yester,
Geer,	Lutty,	Riley, R. L.,	Yetzer,
Gibson,	Lyons,	Robertson,	Young,

Gleason,
Good,

Madden,
Madigan,
Markley,

Rose,
Rosen,
Rovansek,

Ziegler,
Sorg,
Speaker

NAYS—0

NOT VOTING—1

Andrews,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 168, as follows:

An Act to amend the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" by further regulating the sales made upon order of court and extending the time limit when certain properties must be sold

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 612 of the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its power and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing

districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" is hereby amended to read as follows

Section 612 Hearing and Order If upon hearing the court is satisfied that service of the rule has been made upon the parties named in the rule in the manner provided by this act and that the facts stated in the petition are true it shall order and decree that said property be sold at a subsequent day to be fixed by the court freed and cleared of all tax and municipal claims mortgages liens charges and estates of whatsoever kind to the highest bidder and that the purchaser at such sale shall take and thereafter have an absolute title to the property sold free and clear of all tax and municipal claims mortgages liens charges and estates of whatsoever kind except ground rents separately taxed Out of the proceeds of such sale shall be paid the costs set forth in the upset price at the prior sale and the additional costs incurred relative to this sale including the fee for title search not to exceed fifteen dollars (\$15) and the court order may specify that no sale shall be made except to the county unless a bid equal to such costs is offered The remainder of said proceeds shall be distributed by the county treasurer as hereinbefore provided After the purchaser shall have paid over the purchase price the bureau shall make and deliver a deed in the manner hereinbefore provided When aforesaid petition for sale is presented within three (3) months after the date of the former sale the court on its order shall direct that no further advertisement is required In cases where said petition is presented after the three (3) month period has expired the court shall in its order fixing a subsequent sale direct that the advertisement of such sale need not be published three (3) consecutive weeks nor include a list and description of the lands to be sold but need only be advertised by one (1) insertion in one (1) or two (2) newspapers as hereinbefore provided for such advertisements at least (30) days prior to the sale and include the purpose the time and place and the terms of such sale with a reference to the prior advertisement

In any such petition for sale the bureau may if it deems the same advantageous request the court to fix the place of sale at the property to be sold and if the court is convinced the taxing districts interested will be benefited thereby it shall order the sale to be held on the property to be sold

Section 2 Section 612.1 of said act as added by the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1579) is hereby amended to read as follows

Section 612.1 County Commissioners May Bid and Purchase Property [When no Bids Offered] Whenever any property shall be put up for public sale upon order of court as provided in section six hundred twelve the county commissioners are hereby authorized to bid [the sum of one dollar (\$1)] for said property at such sale and if no higher bid is offered the property [is] shall be sold to them for the county and the county shall take and have an absolute title free and clear of all tax and municipal claims mortgages liens and charges and estates of whatsoever kind except ground rents separately taxed in the same manner and to the same extent as a private purchaser would have taken

Any property purchased at such sale by the county may thereafter by the county commissioners be (1) leased to any taxing district to be used for public purposes (2) used for any suitable public purpose by the county or (3) sold in the manner as any other real property owned in fee simply by the county

Section 3 Section 703 of said act as amended by the acts approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1579) and the twentieth day of May one thousand nine hundred forty-nine (P. L. 1602) is hereby further amended to read as follows

Section 703 Such Properties to be Sold Under Pro-

visions of Article VI All properties so turned over to the bureau which have not been sold at private sale as hereinbefore provided with the exception of such properties leased to a previous owner or other member of his family dwelling therein and receiving or within the preceding sixty (60) days having received assistance from any public agency shall be sold by the bureau at public sale held not later than the first day of June one thousand nine hundred [fifty-one] fifty-two or at a public sale held not later than [two] three years after this act [becomes effective as to] has been accepted by such taxing district Such sales shall be made if requested by the county commissioners taxing district or trustee which delivered possession thereof to the bureau in the same manner as if said property was being sold at a first sale on a tax claim as provided in Articles III and VI and if no such request is made upon petition to court for an order to sell clear and free of all claims liens mortgages and estates in the same manner with like proceedings and with like effect as if said properties had been first exposed to public sale as provided in Article VI but not sold because of insufficient bid The sale of properties turned over to the bureau under the provisions of this article shall except as herein otherwise provided be subject to all the provisions of Article VI in so far as they may be applicable and when sold at public sale by order of court as above provided such properties shall be sold free and discharged from all tax and municipal claims mortgages liens charges and estates whatsoever

It is the intent of this section that where said property is exposed to a first public sale at the request of the county commissioners or trustee as above provided but is not sold because of insufficient bid the property shall thereafter be sold by order of court as herein provided freed and discharged from all liens and encumbrances as provided under Article VI

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Banker,	Graybill,	Mazza,	Rubin,
Barkdoll,	Greenwood,	McConnell,	Sarrat,
Baumunk,	Greer,	McCormack,	Sax,
Bear,	Guarnieri,	McCullough,	Scanlon,
Beaver,	Gutendorf,	McDermitt,	Schmidt,
Beech,	Guthrie,	McGee,	Schuster,
Berkstresser,	Hagerty,	McInroy,	Scott,
Blair,	Hall,	McKinney,	Seyler,
Bloom,	Hamilton, R. K.,	McMillen,	Shoemaker,
Boles,	Hamilton, W. H.,	McNally,	Shotwell,
Bolton,	Harney,	Metz,	Smith,
Bomberger,	Haudenshield,	Mihm,	Snider,
Boorse,	Headlee,	Mikula,	Sollenberger,
Bower,	Helm,	Miller, H. G.,	Spencer,
Brelsch,	Hersch,	Miller, J. C.,	Stank,
Breth,	Hewitt,	Mills,	Stimmel,
Brown,	Hocker,	Mintess,	Stoner,
Bucchin,	Hoggard,	Monroe,	Swartz,
Byrne,	Hunter,	Moore, C. E.,	Swope,
Cella,	Jenkins,	Moore, H. A.,	Tahl,
Clapper,	Johnson,	Moran,	Taylor,
Clendenning,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Cochran,	Jones, J. M.,	Munley,	Thompson, R. L.,
Conway,	Jones, P. F.,	Murray,	Toll,
Cooper,	Jones, T. H. W.,	Najaka,	Tompkins,
Corr,	Kamyk,	Naugle,	Toomey,
Costa,	Keller,	Needham,	VanSant,
Coyle,	Kent,	Olsen,	Varallo,
Dalrymple,	Kilne,	Penglase,	Varnier,
Davis,	Kohl,	Peta,	Verona,
Dennison,	Kolankiewicz,	Petrosky,	Wachhaus,
Dougherty,	Kornick,	Pettigrew,	Wargo,
Dowling,			Waterhouse,

DuBois,	Kratz,	Pfaff,	Watkins,
Duffy,	Kubacki,	Pichney,	Weidner,
Dunn,	Lafore,	Pitzer,	Welsh,
Erb,	Lederer,	Polaski,	Wescott,
Ewing,	Leisey,	Polen,	Westrick,
Fenrich,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Filip,	Leven,	Readinger,	White,
Filo,	Light,	Reagan,	Williams,
Firmstone,	Limper,	Reese,	Wilt,
Flack,	Loftus,	Reidenbach,	Wood,
Frost,	Lopresti,	Reilly, J. M.,	Yeakel,
Gaffney,	Lovett,	Rigby,	Yester,
Geer,	Lutty,	Riley, R. L.,	Yetzer,
Gibson,	Lyons,	Robertson,	Young,
Gleason,	Madden,	Rose,	Ziegler,
Good,	Madigan,	Rosen,	Sorg,
	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—1

Andrews,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection

Senate Bill No. 362, Printer's No. 114

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill 394, as follows:

An Act to further amend section eight hundred six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by eliminating the provision making it unlawful to carry unloaded rifles and shotguns in or on any vehicle or conveyance unless said rifles and shotguns are in cases or securely wrapped and also eliminating the provision making it unlawful to possess cartridges or shells for hunting in vehicles or conveyances unless they are in unbroken original cartons or securely wrapped

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eight hundred six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" as amended by the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 386) is hereby further amended to read as follows

Section 806 Possession of Loaded Firearms [and Certain Ammunition Restricted] (a) Except as otherwise provided by law it is unlawful for any person to have in his possession a loaded rifle or loaded shotgun or a rifle or shotgun from the magazine of which all shells and cartridges have not been removed in or on any vehicle or conveyance or its attachments while standing upon or along or being driven upon or along any public highway or a highway open to use or used by the public within this Commonwealth [Provided however That except as hereafter provided between five o'clock postmeridian of one day and seven o'clock antemeridian eastern standard time of the day following any unloaded rifle or shotgun being lawfully carried in accordance with the foregoing provisions shall be so carried only when in a case or

taken apart and securely wrapped but this requirement relative to carrying rifles and shotguns in cases or securely wrapped shall not apply during the period extending from the day before the regular small game hunting season which normally opens on the first day of November to the thirty-first day of December next following both dates inclusive]

[(b) Except during the period enumerated in subsection (A) of this section it is unlawful for any person to have in possession in or on any vehicle conveyance or its attachments while standing upon or along or being driven upon or along any public highway or a highway open to use by the public within this Commonwealth except as hereinafter provided between five o'clock postmeridian of one day and seven o'clock antemeridian eastern standard time of the day following any rifle cartridge (larger than a .22 caliber long rifle) or any shotgun shell containing either a single bullet or pellets larger than a BB unless all such cartridges or shells are carried in unbroken original cartons or securely wrapped]

[(c) Provided however (a) that during the period from July first to September thirtieth inclusive of each year the foregoing requirements relative to carrying certain unloaded firearms and ammunition shall be applicable only from eight-thirty o'clock postmeridian to five o'clock antemeridian eastern standard time and (b) that the commission may by resolution change the daily hours stipulated in subsections (a) (b) and (c) of this section to make adjustment for time changes or time designations established by Federal law or by any regulations promulgated under Federal law]

[(d)] (b) The provisions of this section shall not be construed to apply to a public police officer engaged in the performance of his official duty or to an officer whose duty it is to enforce the game law and engaged in the performance of his official duty

[(e)] (c) Any person violating any of the provisions of this section while the vehicle is in motion or is being used as a blind from which to kill or attempt to kill game while the vehicle is not in motion shall upon conviction be sentenced to pay a fine of twenty-five dollars and costs of prosecution Any other violation of the provisions of this section shall upon conviction subject the person responsible therefor to a fine of ten dollars and costs of prosecution

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Banker,	Graybill,	Mazza,	Rubin,
Barkdoll,	Greenwood,	McConnell,	Sarraf,
Baumunk,	Greer,	McCormack,	Sax,
Bear,	Guarnieri,	McCullough,	Scanlon,
Beaver,	Gutendorf,	McDermitt,	Schmidt,
Beech,	Guthrie,	McGee,	Schuster,
Berkstresser,	Hagerty,	McInroy,	Scott,
Blair,	Hall,	McKinney,	Seyler,
Bloom,	Hamilton, R. K.,	McMillen,	Shoemaker,
Boles,	Hamilton, W. H.,	McNally,	Shotwell,
Bolton,	Harney,	Metz,	Smith,
Bomberger,	Haudenschild,	Mihm,	Snider,
Boorse,	Headlee,	Mikula,	Sollenberger,
Bower,	Helm,	Miller, H. G.,	Spencer,
Breisch,	Hersch,	Miller, J. C.,	Stank,
Breth,	Hewitt,	Mills,	Stimmel,
Brown,	Hocker,	Mintess,	Stoner,
Buccin,	Hoggard,	Monroe,	Swartz,
Byrne,	Hunter,	Moore, C. E.,	Swope,
Cella,	Jenkins,	Moore, H. A.,	Tahl,
Clapper,	Johnson,	Moran,	Taylor,
Clendening,	Jones, G. E.,	Muldowney,	Thompson, E. F.,

Cochran,	Jones, J. M.,	Munley,	Thompson, R. L.,
Conway,	Jones, P. F.,	Murray,	Toll,
Cooper,	Jones, T. H. W.,	Musto,	Tompkins,
Corr,	Jump,	Najaka,	Toomey,
Costa,	Kamyk,	Naugle,	VanSant,
Coyle,	Keller,	Needham,	Varallo,
Dairymple,	Kent,	Olsen,	Varner,
Davis,	Kline,	Penglase,	Verona,
Dennison,	Kohl,	Peta,	Wachhaus,
Dougherty,	Kolankiewicz,	Petrosky,	Wargo,
Dowling,	Kornick,	Pettigrew,	Waterhouse,
DuBols,	Kratz,	Pfaff,	Watkins,
Duffy,	Kubacki,	Pichney,	Weldner,
Dunn,	Lafore,	Pitzer,	Welsh,
Erb,	Lederer,	Polaski,	Wescott,
Ewing,	Lelsey,	Polen,	Westrick,
Fenrich,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Filip,	Leven,	Readinger,	White,
Filo,	Light,	Reagan,	Williams,
Firmstone,	Limper,	Reese,	Wilt,
Flack,	Loftus,	Reidenbach,	Wood,
Frost,	Lopresti,	Reilly, J. M.,	Yeakel,
Gaffney,	Lovett,	Rigby,	Yester,
Geer,	Lutty,	Riley, R. L.,	Yetzer,
Gibson,	Lyons,	Robertson,	Young,
Gleason,	Madden,	Rose,	Ziegler,
Good,	Madigan,	Rosen,	Sorg,
	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—1

Andrews.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Weidner.

The House resumed the consideration on final passage of House Bill No. 726, as follows:

An Act to amend the title and further amend Subsections A and C of Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" by including townships of the second class within the classes of political subdivisions authorized to impose taxes under the provisions thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum

limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" is hereby amended to read as follows

An Act

Empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class townships of the second class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court

Section 2 Subsections A and C of Section 1 of said act as amended by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 898) are hereby further amended to read as follows

Section 1 A Delegation of Taxing Powers and Restrictions Thereon The duly constituted authorities of the following political subdivisions cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class townships of the second class school districts of the second class school districts of the third class and school districts of the fourth class may in their discretion by ordinance or resolution for general revenue purposes levy assess and collect or provide for the levying assessment and collection of such taxes on persons transactions occupations privileges subjects and personal property within the limits of such political subdivisions as they shall determine except that such local authorities shall not have authority by virtue of this act (1) to levy assess and collect or provide for the levying assessment and collection of any tax on a privilege transaction subject occupation or personal property which is now or does hereafter become subject to a State tax or license fee or (2) to levy assess or collect a tax on the gross receipts from utility service of any person or company whose rates and services are fixed and regulated by the Pennsylvania Public Utility Commission or on any public utility services rendered by any such person or company or on any privilege or transaction involving the rendering of any such public utility service or (3) except on sales of admission to places of amusement or on sales or other transfers of title or possession of property to levy assess or collect a tax on the privilege of employing such tangible property as is now or does hereafter become subject to a State tax or (4) to levy assess and collect a tax on goods and articles manufactured in such political subdivision or on the by-products of manufacture or on minerals timber natural resources and farm products produced in such political subdivision or on the preparation or processing thereof for use or market or on any privilege act or transaction related to the business of manufacturing the production preparation or processing of minerals timber and natural resources or farm products by manufacturers by producers and by farmers with respect to the goods articles and products of their own manufacture production or growth or on any privilege act or transaction relating to the business of processing by-products of manufacture or on the transportation loading unloading or dumping or storage of such goods articles products or by-products (5) to levy assess or collect a tax on salaries wages commissions compensation and earned income of nonresidents of the political subdivision Provided That this limitation (5) shall apply only to school districts of the second third and fourth classes (6) to levy assess or collect a tax on per-

sonal property subject to taxation by counties or on personal property owned by persons associations and corporations specifically exempted by law from taxation under the county personal property tax law Provided That this limitation (6) shall not apply to cities of the second class

* * * * *

C Over-all Limit of Tax Revenues The aggregate amount of taxes imposed by enactment of an ordinance or resolution by any political subdivision under this section and in effect during any fiscal year shall not exceed an amount equal to the product obtained by multiplying the total assessed valuation of real estate in such political subdivision at the time of the said enactment by ten (10) mills in cases of cities of the second class cities of the second class A cities of the third class boroughs towns [and] townships of the first class and townships of the second class and by fifteen (15) mills in cases of school districts of the second class third class and fourth class

On the question,

Shall the bill pass finally?

Mr. GOOD. Mr. Speaker, in regard to House Bill 726 now before you, it is a simple measure correcting an obvious injustice. We do not debate nor do we feel the merits of House Bill 481, or any part of it are involved in this bill.

When House Bill 481 became a law in 1947 for some unknown or at least publicly unknown reason second class townships were excluded from its provisions. They are the only class of local governments so excluded.

We now representing these citizens, those of us especially from second class townships, are asking you to end this discrimination and in the name of simple justice to those of us in the 1513 townships, that you support this measure.

We do not feel that this power will be exercised by many of these townships, but those who do need it, ask your support to end this discrimination by passing House Bill 726.

Mr. LOVETT. Mr. Speaker, House Bill 726 extends the power of Act 481. While I have continually opposed Act 481 and the enactment of that bill during the last session of the Legislature or previous sessions of the Legislature, I agree with the gentleman that there is some discrimination in regard to second class townships. That is the only reason why I would support this bill.

In supporting this bill I hope that the time will come in this session of the Legislature when we can repeal Act 481 and then there will be no discrimination of anybody. For that reason and that reason alone I am going to support this bill.

On the question recurring.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—122

Banker,	Greer,	Loftus,	Sarraff,
Barkdoll,	Guarnieri,	Lovett,	Sax,
Baumunk,	Gutendorf,	Lyons,	Schuster,
Beaver,	Guthrie,	Madden,	Scott,
Beech,	Hagerty,	Madigan,	Shoemaker,
Blair,	Hall,	Markley,	Smith,
Bloom,	Hamilton, W. H.,	McCormack,	Snider,
Bolton,	Harney,	McCullough,	Sollenberger,
Boorse,	Headlee,	McInroy,	Stimmel,
Bower,	Helm,	McMillen,	Tahl,
Breisch,	Hersch,	McNally,	Taylor,
Brown,	Hewitt,	Miller, H. G.,	Thompson, E. F.,
Byrne,	Hocker,	Miller, J. C.,	Thompson, R. L.,
Cella,	Hoggard,	Mintess,	Tompkins,

Clapper,	Johnson,	Moore, C. E.,	VanSant,
Clendening,	Jones, J. M.,	Moore, H. A.,	Varner,
Conway,	Jones, P. F.,	Murray,	Verona,
Cooper,	Jones, T. H. W.,	Naugle,	Wachhaus,
Costa,	Jump,	Peta,	Waterhouse,
Dalrymple,	Kamyk,	Pettigrew,	Watkins,
Dennison,	Keller,	Pitzer,	Weldner,
DuBois,	Kent,	Price, H. W. Jr.,	Wescott,
Dunn,	Kline,	Readinger,	Wheeler,
Fenrich,	Kolankiewicz,	Reagan,	White,
Ferster,	Kratz,	Reilly, J. M.,	Williams,
Firmstone,	Kubacki,	Riley, R. L.,	Wilt,
Frost,	Lafore,	Robertson,	Yeakel,
Gaffney,	Lederer,	Rose,	Yetzer,
Geer,	Lelsey,	Rosen,	Young,
Gleason,	Leven,	Royer,	Sorg,
Good,	Limper,	Rubin,	Speaker

NAYS—54

Amarando,	Hamilton, R. K.,	Metz,	Seyler,
Berkstresser,	Jenkins,	Mikula,	Spencer,
Boles,	Jones, G. E.,	Moran,	Stoner,
Bomberger,	Kohl,	Munley,	Toll,
Breth,	Kornick,	Musto,	Toomey,
Bucchin,	Leonard, L.,	Najaka,	Varallo,
Cochran,	Leonard, W. C.,	Needham,	Wargo,
Coyle,	Light,	Penglase,	Welsh,
Davis,	Lopresti,	Petrosky,	Westrick,
Erb,	Lutty,	Pichney,	Whalley,
Ewing,	Mazza,	Polaski,	Wood,
Filo,	McConnell,	Polen,	Yester,
Graybill,	McDermitt,	Rigby,	Ziegler,
Greenwood,	McKinney,	Rovanseck,	

NOT VOTING—31

Andrews,	Flack,	Mihm,	Reese,
Bear,	Gibson,	Mills,	Reidenbach,
Corr,	Goodling,	Monroe,	Scanlon,
Dougherty,	Haudenschild,	Muldowney,	Schmidt,
Dowling,	Hunter,	Olsen,	Shotwell,
Dunay,	Maxwell,	Pfaff,	Stank,
Filip,	McGee,	Price, R. A.,	Swartz,
			Swope,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 362, as follows:

An Act to further amend the act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupations for county borough town township school and poor purposes authorizing the appointment of subordinate assessors a solicitor engineers and clerks providing for their compensation payable by such counties abolishing the office of ward borough and township assessors so far as the making of assessments and valuations for taxation is concerned and providing for the acceptance of this act by cities" by authorizing the payment of additional compensation to subordinate assessors by the boroughs townships and school districts in which he makes assessments

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the twenty-sixth day of June one thousand nine hundred thirty-one

(P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupations for county borough town township school and poor purposes authorizing the appointment of subordinate assessors a solicitor engineers and clerks providing for their compensation payable by such counties abolishing the office of ward borough and township assessors so far as the making of assessments and valuations for taxation is concerned and providing for the acceptance of this act by cities" as amended by the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1848) is hereby further amended to read as follows

Section 4 The said board shall divide the county into convenient districts which it may change as occasion may require and shall appoint subordinate assessors for said districts The subordinate assessors shall receive such compensation as the salary board shall fix which salaries shall be paid out of the county treasury In addition to the compensation so fixed and paid by the county any such subordinate assessor may be paid by any borough township or school district in which he makes assessments such compensation as may be authorized by the taxing authorities of such political subdivision who are hereby empowered to make such additional payments as they may from time to time by ordinance or resolution prescribe The said board shall also have the right to appoint an engineer or engineers and such clerks at such salaries as the salary board of the county may allow for the proper discharge of the duties of said board which salaries shall be paid out of the county treasury

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. MORAN. Mr. Speaker, I wonder if there is anybody who can explain the purpose of this bill or just what it does. For the information of the Majority Leader it is Senate Bill 362, Printer's No. 114 on page 9 of the calendar.

Mr. KRATZ. Mr. Speaker, this bill simply adds to an assessor's income from various other sources in the county. I will read the additional paragraph.

"In addition to the compensation so fixed and paid by the county any such subordinate assessor may be paid by any borough township or school district in which he makes assessments such compensation as may be authorized by the taxing authorities of such political subdivision who are hereby empowered to make such additional payments as they may from time to time by ordinance or resolution prescribe."

In Montgomery County at the present time we have a certain salary fixed for the sub-assessors. That is fixed by the salary board. Where a man is on full time that is generally not adequate, so to supplement that salary we have been following the custom of allowing him to work for the school board for any other adjacent political sub-division, and compensation has been fixed by ordinance. That is the practice in the county, and we seek only to legalize it by this bill. This only affects third class counties, by the way.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Amarando,	Good,	Markley,	Rosen,
Banker,	Goodling,	Maxwell,	Rovanssek.
Barkdoll,	Graybill,	Mazza,	Royer,
Baumunk,	Greenwood,	McConnell,	Rubin,
Bear,	Greer,	McCormack,	Sarraf,
Beaver,	Guarnieri,	McCullough,	Sax,
Beech,	Gutendorf,	McDermitt,	Scanlon,
Berkstresser,	Guthrie,	McGee,	Schmidt,
Blair,	Hagerty,	McInroy,	Schuster,
Bloom,	Hall,	McKinney,	Scott,
Boles,	Hamilton, W. H.,	McMillen,	Shoemaker,
Bolton,	Harney,	McNally,	Shotwell,
Bomberger,	Haudenschild,	Metz,	Smith,
Boorse,	Headlee,	Mihm,	Snider,
Bower,	Helm,	Mikula,	Sollenberger,
Breisch,	Hersch,	Miller, H. G.,	Spencer,
Breth,	Hewitt,	Miller, J. C.,	Stank,
Brown,	Hocker,	Mills,	Stimmel,
Bucchin,	Hoggard,	Mintess,	Stoner,
Byrne,	Hunter,	Monroe,	Swartz,
Cella,	Jenkins,	Moore, C. E.,	Swope,
Clapper,	Johnson,	Moore, H. A.,	Tahl,
Clendenning,	Jones, G. E.,	Muldowney,	Taylor,
Cochran,	Jones, J. M.,	Munley,	Thompson, E. F.,
Conway,	Jones, P. F.,	Murray,	Thompson, R. L.,
Cooper,	Jones, T. H. W.,	Musto,	Toll,
Corr,	Jump,	Najaka,	Tompkins,
Costa,	Kamyk,	Naugle,	Toomey,
Coyle,	Keller,	Needham,	VanSant,
Dalrymple,	Kent,	Olsen,	Varallo,
Davis,	Kline,	Penglase,	Varner,
Dennison,	Kohl,	Peta,	Verona,
Dougherty,	Kolankiewicz,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
DuBols,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Watkins,
Dunn,	Lederer,	Pitzer,	Weidner,
Erb,	Leisey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,
Fentrich,	Leonard, W. G.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leven,	Price, R. A.,	Whalley,
Filip,	Light,	Readinger,	White,
Filo,	Limper,	Reagan,	Williams,
Firmstone,	Loftus,	Reese,	Wilt,
Flack,	Lopresti,	Reidenbach,	Wood,
Frost,	Lovett,	Reilly, J. M.,	Yeakel,
Gaffney,	Lutty,	Rigby,	Yetzer,
Geer,	Lyons,	Riley, R. L.,	Young,
Gibson,	Madden,	Robertson,	Ziegler,
Gleason,	Madigan,	Rose,	Sorg,

Speaker

NAYS—6

Hamilton, R. K.,	Moran,	Wheeler,	Yester,
Kornick,	Seyler,		

NOT VOTING—1

Andrews,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceed to the third reading and consideration of House Bill No. 705, as follows:

An Act to amend the act approved the nineteenth day of June one thousand nine hundred thirteen (P. L. 534) entitled "An act relating to appointment of deputy constables" by defining the jurisdiction of deputy constables

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the nineteenth

day of June one thousand nine hundred thirteen (P. L. 534) entitled "An act relating to appointment of deputy constables" is hereby amended to read as follows

Section 1 Be it enacted &c That on and after the passage of this act the sole power to appoint a deputy constable or constables in any ward borough or township shall be vested in the constable of such ward borough or township subject to the approval of the court of quarter sessions as provided by law and that no person shall be appointed as a deputy constable unless he shall be at the time of his appointment a bona fide resident of the ward borough or township for which he shall have been appointed and shall continue to be a bona fide resident for the time during which such appointment is made and it shall be unlawful for any such deputy constable to exercise any powers or duties relative to or arising out of any case or action originating in or brought before the court of any magistrate alderman or justice of the peace outside of the ward borough or township in which such appointing constable was elected

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. FILO. Mr. Speaker, I would like to interrogate the sponsor of the bill.

The SPEAKER. Will the gentleman from Allegheny, Mr. Wilt permit himself to be interrogated?

Mr. WILT. Mr. Speaker, I will.

Mr. FILO. Mr. Speaker, I would like to know whether the gentleman would consider holding this bill over for tomorrow's session?

Mr. WILT. Mr. Speaker, I will not.

Mr. FILO. Thank you. Mr. Speaker, I would like to have the sponsor tell us just what the body of the bill contains.

Mr. WILT. Mr. Speaker, this bill is a deputy constable bill. First, for a deputy constable to be appointed, the elected constable must go into the court of Allegheny County and petition the court that he is in need of a deputy constable. The procedure is that he usually takes the squire or alderman with him who also says that he does have work for the additional deputy. Whether it be one deputy or two deputies or ten deputies, the court in good faith appoints these deputies because he has been requested by the elected constable of that ward. After these constables are appointed, instead of working for the alderman or squire who has them appointed, he seeks work from various squires and aldermen all over the county.

My bill says if this squire or alderman appoints them through his elected constable, that is where they should work. It does not cut down the jurisdiction of where he is allowed to go in the county to serve the warrant. All it does is say that the deputies that have been appointed must work for the alderman or squire where the elected constable had him appointed.

Mr. FILO. Mr. Speaker, is the gentleman not a constable, an elected constable?

Mr. WILT. Mr. Speaker, that is correct.

Mr. FILO. Mr. Speaker, does he have deputies working for him?

Mr. WILT. Mr. Speaker, I do not.

Mr. FILO. Mr. Speaker, does he as a constable work for the squire or the justice of the peace in his particular borough or district?

Mr. WILT. Mr. Speaker, when possible.

Mr. FILO. Mr. Speaker, can the gentleman tell me how many constables or deputy constables would be affected by this bill in the state of Pennsylvania? There are a lot of them who are working for a living as deputy constables; how many would it affect in the state?

Mr. WILT. Mr. Speaker, I could not answer that question.

Mr. FILO. Mr. Speaker, can the gentleman tell me approximately how many deputy constables it might affect in Allegheny County alone?

Mr. WILT. Mr. Speaker, I believe that the truth is not known. I believe there is no one who can answer that question of how many deputies we have in Allegheny County, only the constables themselves and their association.

Mr. FILO. Mr. Speaker, I can inform the gentleman, Mr. Speaker, that there are approximately 300 deputy constables in Allegheny County alone, the majority of whom make their living just as deputy constables.

Is there any particular reason why the gentleman thinks these deputy constables should work in their own district? I understand there are several kinds of deputy constables, that their work varies in particular fields, and that some are in exclusive fields. Now what would be the reason to limit these deputy constables?

Mr. WILT. Mr. Speaker, my answer to that is in the first place, if the elected constable has a squire or alderman in that particular ward, borough or township who did not need those constables in the first place, I do not think they should ever have been appointed. There must be some reason to appoint them if he swears in court that he needs them and he does not use them.

Mr. FILO. Mr. Speaker, the gentleman was elected as a constable. He can go throughout the entire state of Pennsylvania, is that not correct?

Mr. WILT. Mr. Speaker, my answer to that is, I can go in Allegheny County only, and the only way, if I am correct, that a man can go out of his county to serve a paper as a constable is by permission of the district attorney.

Mr. FILO. Mr. Speaker, yet he would limit the deputy constable within his own district. Why?

Mr. WILT. Mr. Speaker, I did not say as far as his powers are concerned. I am located in the township where I am elected and I assure you I do not go out of my township.

Mr. FILO. Mr. Speaker, the gentleman is one exception.

I do not want to extend this debate. I think the bill may have some merit, but on the other hand we are going to have a lot of deputy constables throughout Allegheny county and throughout the state that are going to be without jobs if this bill should go through. And I think we should look at it that way, and see that we do not jeopardize someone's job.

Mr. PAUL F. JONES. Mr. Speaker, I wish to question the sponsor of this bill.

The SPEAKER. Will the gentleman from Allegheny County, Mr. Wilt, permit himself to be interrogated?

Mr. WILT. Mr. Speaker, I shall.

Mr. PAUL F. JONES. Mr. Speaker, I would like to know if the sponsor is a member of the Minor Judiciary of Allegheny County? That is their association?

Mr. WILT. Mr. Speaker, I have to answer that this way: In Allegheny County the Minor Judiciary is separate from the constables' association. In the first place I think, and I am almost sure of this, because I have been a member of the Minor Judiciary—the only way that a constable can become a member of the Minor Judiciary is only as an associated member. But, to the second part of the question, we do have a constables' association in Allegheny County, of which I am a member.

Mr. PAUL F. JONES. Mr. Speaker, I would like to ask the gentleman further if he has taken up this bill, if it has been discussed in that association, and if he will give the House the benefit of the decision that the group affected reached.

Mr. WILT. Mr. Speaker, I shall answer that question this way: In the township which I represent there are two elected constables. The man that was elected at the time that I was went, as he told me and which I requested him to do, before the constables' association, and asked them about this bill, and he came back to me with the information that they would leave that up to their legislative body.

Mr. PAUL F. JONES. Mr. Speaker, I would like to question the sponsor further. Is he aware of the fact that for the last three weeks there has been a delegation down here from that organization to oppose this particular piece of legislation?

Mr. WILT. Mr. Speaker, I would like to answer that question also. I am aware of that and let me assure you that in those three weeks the first time those gentlemen ever approached me was this week.

Mr. PAUL F. JONES. Mr. Speaker, well now that the gentleman has been approached, will he tell the House please, what their attitude was, so that we will be in a position to know?

Mr. WILT. Mr. Speaker, they asked me if I would withdraw my bill, and I informed them that I would not.

Mr. PAUL F. JONES. Mr. Speaker, one last question and I am finished.

I think we are correct in assuming that the gentleman from Allegheny when he proposed this bill, had certain abuses in mind that he sought to correct. I think they ought to be enumerated on the floor of the House. I think that is the best way to determine whether or not this is good or bad legislation. If there are abuses that he seeks to correct as a result of the present system and he wishes to change the status quo, so to speak, I think he ought to inform every one of the Members here, because from what I gathered, we have been somewhat hesitant about changing things unless it is for the better. I would like to know what the gentleman seeks to do by this bill, the abuses that are prevalent now that the bill will correct.

Mr. WILT. Mr. Speaker, first I would like to state that last Sunday I was invited to the Constables' Association, in fact I was invited, but bought two tickets—so nobody thinks I went there free.

At that particular meeting I was taken to task by an alderman of Allegheny County.

In the first place, he told the audience that a Member of the Legislature was there and I had presented a bill to tear down the constables, squires and magistrates association. I sat at the table and I listened to all these conversations and speeches.

He said: "I want to tell you folks that this bill has three strikes on it already. First, the man did not come before the Constables' Association to ask them if they were in favor of it; second, he did not come before the Magistrates' Association to ask those folks if they were in favor of it and third," I think his remarks were "they did not think it was my own bill."

I assure every Member of this Legislature that it is my own bill. I had the bill prepared myself by the Legislative Reference Bureau.

As far as his question is concerned if I know of any abuses in the county as to deputy constables, I think the man has answered that question himself when he told you that Allegheny County has approximately 300 deputy constables and they are all fee jobs.

Mr. PAUL F. JONES. Mr. Speaker, has the gentleman concluded? Is that the extent of the abuses that he wishes to point out?

Mr. WILT. Yes, Mr. Speaker.

Mr. PAUL F. JONES. Mr. Speaker, when I asked the gentleman, the sponsor of this bill, to give us his reasons, I did not ask that question facetiously but in an honest effort to get the truth. I believe if he had given us some light we would all have been in a better position to vote on it.

I know this: so far as the individuals connected and affected by this piece of legislation, they all have been passed on by the Court of Quarter Session in our county. The need for their appointment was passed upon.

If an alderman were to go in and ask for additional help, it is predicated on a basis of need, and to say that that constable must work for that man does not take into consideration a change in the volume of work that might affect a particular office. If a man is engaged in this work as a livelihood,—and we do have a need for constables,—to say that he can only work for an alderman that has no work can amount to telling him that he does not have a job.

I have listened in all fairness and I hate to take issue with the gentleman as we have been together on so many questions; but he has not, I submit, given us any reason why we should vote for this bill, and because of the untold confusion that will follow in the wake of its passage, I respectfully ask the House to vote it down.

Mr. GEER. Mr. Speaker, as co-sponsor of the bill, I want to point out several things.

In the first place, if there is any confusion about whether a deputy constable is restricted in his activities, let me point out that he is not restricted so long as he works in the borough or township where he is appointed. The only restriction is that he cannot run into some other person's neighborhood and carry on his constable service in another territory.

Now let me point out that when we have an elective system for constables throughout this Commonwealth, whether it be criticized or whether it be not criticized, let us look at its virtues. When a constable is elected in a particular district, he is elected because the makers of our government felt that a constable should be responsible in the territory wherein he was elected.

The deputy constable system, as it now stands and what it has grown into, is a system whereby from the first ward of the city of Pittsburgh a deputy constable

can be appointed by people who do not know anything about the township of, let us say, Pine. That deputy constable has the authority to do work for a squire in the township of Pine. Now that is in direct defiance of the system of election of constables, because if you have a constable in that district who is not active enough, a deputy constable can go up there, and he is not responsible to those people. Nobody cares if he mistreats anyone or acts wrongfully, which sometimes human beings will do. He is not responsible; he still has his own job down in the first ward of the city of Pittsburgh.

This is another important point. If we are going to elect constables, let us elect them. If we are going to appoint them, then appoint them; but appoint them from the district wherein they are supposed to serve.

If this bill goes through, and it should, then a constable cannot run into somebody else's neighborhood where he knows nobody, and is responsible for his actions, unless the case or cause of action originated in his own borough or township. He can go anywhere in the county so long as it originates in the place where he was appointed; but he cannot run somewhere else and take cases that originated in other districts. I hope that helps to clarify any points.

Mr. PAUL F. JONES. Mr. Speaker, I am more confused than ever, because I submit to you that Mr. Geer's position is not similar to that of Mr. Wilt's.

A constable can go into another district, if I understand the terms of this bill, and work. The only difference is whether or not he has to work for the constable who appointed him originally. There is nothing to circumscribe his sphere of operation now, so to speak. He can work anywhere in Allegheny County.

I submit to you and I want to ask this question further from the sponsor of this bill, if he will permit himself to be interrogated.

The SPEAKER. Will the gentleman from Allegheny, Mr. Wilt, permit himself to be interrogated?

Mr. WILT. I shall, Mr. Speaker.

Mr. PAUL F. JONES. Mr. Speaker, will the gentleman point out to this House, the jurisdiction of the squire or the justice of the peace? Cannot he take informations from anywhere, originating anywhere within the county?

Mr. WILT. Mr. Speaker, that is correct; but he is elected.

Mr. PAUL F. JONES. Mr. Speaker is not a constable elected, too?

Mr. WILT. Mr. Speaker, I did not limit the jurisdiction of an elected constable.

Mr. PAUL F. JONES. Well, does he mean to tell the House now that he wants an elected constable to have certain rights and privileges, but he wants them to be denied to his deputies? Is that the gentleman's position?

Mr. WILT. My bill says the jurisdiction of a deputy constable—

Mr. PAUL F. JONES. I will ask the question again, perhaps the gentleman did not understand me. Is it his position that the elected constable should have jurisdiction anywhere in the county, but that jurisdiction should be denied his deputy?

Mr. WILT. That is correct.

Mr. PAUL F. JONES. What would be the advantage, Mr. Speaker.

Mr. WILT. I want to point out that the constable first is elected. I did not curtail his working. The only curtailment is placed upon the deputy constable, for the simple reason the elected constable goes into court and takes the stand in court that he has need for these deputy constables in that particular ward, or that particular alderman or justice of the peace.

Mr. PAUL F. JONES. Well, Mr. Speaker, I see no reason why we should prolong the debate. I submit to you that if we grant jurisdiction throughout the county to the elected constable, then to facilitate the work of the elected constable and the constable who is his deputy, the same privileges should be extended to the deputy constable. I have failed to gather in any of the remarks that have come from the sponsors of this bill any situations that they seek to correct by this piece of legislation, and I ask the House again, rather than to have untold confusion, let it remain in status quo.

Mr. SEYLER. Mr. Speaker, I have listened to the discussion and I am somewhat confused at this point. I have heard all the discussion emanating from representatives of the county of Allegheny, but it is my understanding from the discussion that this bill applies to all counties.

I would like briefly to interrogate the sponsor. I would like just to clear up that situation.

The SPEAKER. Will the gentleman from Allegheny, Mr. Wilt, permit himself to be interrogated?

Mr. WILT. I shall, Mr. Speaker.

Mr. SEYLER. Mr. Speaker, did I understand the gentleman to say that this bill will apply to constables in all counties?

Mr. WILT. Mr. Speaker, to deputy constables in all counties.

Mr. SEYLER. Mr. Speaker, to deputy constables in all counties. I would like to ask the gentleman this question. Much has been said of the difficulties in Allegheny County, and hints have been made that the situation there is bad. Does the gentleman from Allegheny County contend that this situation which he deplores in Allegheny is also prevalent in the other counties in the Commonwealth?

Mr. WILT. Mr. Speaker, I would like to answer that question this way: If they would check on the lobbyists who are lobbying against this bill, they would find out where they are from.

Mr. SEYLER. Mr. Speaker, I have no knowledge of the lobbyists. I have very seldom been approached by lobbyists. I do not know much about them; but my question to the gentleman is this: Does he believe that the condition he describes as deplorable in Allegheny County also exists in other counties, York County that I come from, and other counties?

Mr. WILT. Mr. Speaker, I do not mean that the situation exists in other counties.

Mr. SEYLER. Mr. Speaker, does the gentleman want to inflict this restriction on the deputy constables in our other counties then, in the light of the fact that he does not believe that we have a serious condition?

Mr. WILT. I may answer that, Mr. Speaker, in this way: In any other way the bill would be unconstitutional.

Mr. SEYLER. In other words, Mr. Speaker, I take it that this is a special piece of legislation, but must be

expressed in general terms in order to be constitutional.

Up to now I have been kind of neutral, but at this point, Mr. Speaker, I have the opinion very strongly that this is a special piece of legislation intended for a situation in Allegheny County, but which will incidentally inflict itself upon all the other counties. On that ground I feel that I must oppose the bill.

Mr. KAMYK. Mr. Speaker, I rise in opposition to this bill. Listening to these arguments, I am very much confused but I have some arguments of my own in mind.

I understand the problems of a deputy constable. The deputy constable is appointed by the court upon recommendation of an elected constable.

First of all, a deputy constable is just like any other person who is trying to make a living, whether he is a lawyer, a doctor, a laborer, or a coal miner; he has to make a living. Sometimes it so happens in a squire's office or the office of a justice of the peace that there is too much work for the elected constable. It sometimes happens that the elected constable does not feel well, so they have to have a deputy constable appointed. Maybe there is not enough work in that squire's office to have this deputy constable make a living and therefore, he has to go outside to other offices and do constable work also.

It also happened one time I recall that a squire became ill. He could not handle the cases, so his cases were handled by another squire. They were all transferred to another squire's office and his deputy constables also did the work from that office.

Now it helped these deputies, to make a living. There are some really good deputies. I think they are doing good service to the state and to the county, and I do not think we should curtail their possibilities. For that reason I rise in opposition to this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—124

Banker,	Gibson,	Madigan,	Shoemaker,
Barkdoll,	Gleason,	Markley,	Shotwell,
Baumunk,	Goodling,	Mazza,	Smith,
Beech,	Graybill,	McConnell,	Sollenberger,
Blair,	Greenwood,	McCormack,	Spencer,
Bloom,	Greer,	McCullough,	Stank,
Bolton,	Gutendorf,	McInroy,	Stimmel,
Bomberger,	Guthrie,	McKinney,	Stoner,
Boorse,	Hall,	McMillen,	Swartz,
Bower,	Hamilton, W. H.,	Metz,	Tahl,
Breisch,	Harney,	Mikula,	Thompson, E. F.,
Brown,	Haudenshield,	Miller, H. G.,	Thompson, R. L.,
Bucchin,	Helm,	Miller, J. C.,	Tompkins,
Cella,	Hocker,	Mintess,	Toomey,
Clapper,	Jenkins,	Moore, C. E.,	VanSant,
Clendening,	Johnson,	Moore, H. A.,	Varnier,
Cooper,	Jones, T. H. W.,	Murray,	Wachhaus,
Corr,	Jump,	Naugle,	Waterhouse,
Costa,	Keller,	Pichney,	Watkins,
Dalrymple,	Kent,	Pitzer,	Weldner,
Davis,	Kline,	Polen,	Wescott,
Dennison,	Kohl,	Price, H. W. Jr.,	Whalley,
Dowling,	Kratz,	Reagan,	Wheeler,
DuBois,	Lafore,	Reilly, J. M.,	White,
Erb,	Leisey,	Rigby,	Williams,
Ewing,	Leonard, W. C.,	Riley, R. L.,	Wilt,
Ferster,	Light,	Robertson,	Wood,
Firmstone,	Loftus,	Royer,	Yeakel,
Flack,	Lovett,	Rubin,	Young,
Frost,	Lyons,	Sax,	Ziegler,
Geer,	Madden,	Scott,	Sorg,

Speaker

NAYS—56

Amarando,	Good,	Lopresti,	Readinger,
Bear,	Guarnieri,	Lutty,	Rovansek,
Beaver,	Hagerty,	McDermitt,	Sarrafi,
Berkstresser,	Hamilton, R. K.,	McNally,	Schuster,
Boles,	Headlee,	Monroe,	Seyler,
Byrne,	Hoggard,	Moran,	Snider,
Cochran,	Jones, P. F.,	Muldowney,	Taylor,
Coyle,	Kamyk,	Munley,	Toll,
Dougherty,	Kolankiewicz,	Musto,	Varallo,
Dunn,	Kornick,	Needham,	Wargo,
Fenrich,	Kubacki,	Penglase,	Welsh,
Fillip,	Leonard, L.,	Peta,	Westrick,
Filo,	Leven,	Pfaff,	Yester,
Gaffney,	Limper,	Polaski,	Yetzer,

NOT VOTING—27

Andrews,	Jones, G. E.,	Najaka,	Rose,
Breth,	Jones, J. M.,	Olsen,	Rosen,
Canway,	Lederer,	Petrosky,	Scanlon,
Duffy,	Maxwell,	Pettigrew,	Schmidt,
Hersch,	McGee,	Price, R. A.,	Swope,
Hewitt,	Mihm,	Reese,	Verona,
Hunter,	Mills,	Reidenbach,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. TOMPKINS asked and obtained unanimous consent to add additional sponsors to a resolution to be introduced by him.

Mr. GEER asked and obtained unanimous consent to add additional sponsors to a resolution to be introduced by him.

RESOLUTIONS

Mr. SOLLENBERGER offered a resolution which was filed with the Clerk.

Mr. HARNEY offered a resolution which was filed with the Clerk.

Mr. TOMPKINS offered a resolution which was filed with the Clerk.

Mr. GEER offered a resolution which was filed with the Clerk.

Mr. YETZER offered a resolution which was filed with the Clerk.

RESOLUTION

CERTIFIED COPY OF SENATE BILLS Nos. 244 and 245

Mr. BOORSE offered a resolution which was read, considered and adopted as follows:

LOST BILL RESOLUTION

In the House of Representatives, May 1, 1951.

Whereas Senate Bill No. 244, Printer's No. 73, entitled:

"An Act to further amend the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled as amended "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employees' Retirement System and for Pension Annuity Contracts and in certain other cases into the State Employees' Retirement Fund for certain purposes" by vesting all equities benefits dividends or rights under

pension annuity contracts in the policemen or their dependents providing for deductions to defray expenses for auditing providing for return of funds if not used within a certain time by the various political subdivisions."

and whereas Senate Bill No. 245, Printer's No. 74, entitled:

"An Act to further amend subsection (a) of Section 2 of the act approved the twenty-eighth day of June one thousand eight hundred ninety-five (P. L. 408) entitled as amended "A supplement to the twenty-fourth section of an act entitled 'An act to provide revenue by taxation approved the seventh day of June one thousand eight hundred and seventy-nine' approved the first day of June one thousand eight hundred and eighty-nine amending the twenty-fourth section by providing for the payment by the State Treasurer of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities towns townships and boroughs within this Commonwealth" by providing for payment to the Department of the Auditor General to defray costs and expenses of auditing the fund and accounts receiving disbursements restricting payments to firemen and their dependents."

the official copies of which were referred to the House Committee on Municipal Corporations, Tuesday, March 20th have been lost.

Therefore be it resolved, That the Chief Clerk of the House is hereby directed to request the Senate to furnish to the House Committee on Municipal Corporations, a certified copy of Senate Bill No. 244, Printer's No. 73 and Senate Bill No. 245, Printer's No. 74, which copies shall be substituted for the original bills.

RESOLUTION

CERTIFIED COPY OF HOUSE BILL No. 568

Mr. TAHL offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, May 1, 1951.

Whereas House Bill No. 568 entitled:

"An Act to further amend section one, of the act, approved the twenty-fourth day of May, one thousand eight hundred and ninety-three (P. L. 129), entitled "An act to empower boroughs and cities to establish a police pension fund, to take property in trust therefor and regulating and providing for the regulation of the same," by further prescribing for the management, administration, application and regulation of such fund in cities of the first class."

the official copy of which was referred to the Committee on City and County—First Class, Wednesday, March 7th has been lost.

Therefore be it resolved, That the Chief Clerk of the House is hereby directed to furnish to the Committee on City and County—First Class, a certified copy of House Bill No. 568, which copy shall be substituted for the original

RESOLUTION

CONDOLENCE

Mrs. MARKLEY and Messrs. STIMMEL and VAN SANT offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, May 1, 1951.

Another distinguished and very popular statesman has made the inevitable last bow to his earthly friends and scenes.

On April 25th, Harry J. Smith, more affectionately known as "Candy," quietly passed away at the Allentown Hospital.

Mr. Smith's saga of life's adventures and vicissitudes reads like a page from Horatio Alger. From youthful

poverty and obscurity he struggled against hardship and privation with an indomitable spirit and an inexhaustible cheerfulness to emerge at an early age as one of the best loved and most admired personalities in Lehigh County.

No matter what sphere of human activity—fraternism, politics or business—Mr. Smith enlivened it with his ingratiating charm and incessant energy.

His popular and long known sobriquet of "Candy" not only suggests an early association with the manufacture of confections, but is much more aptly descriptive of a geniality and a warmth that won for him an expanding circle of friends.

As a fraternalist, Candy Smith was a member of every Masonic body, of the Elks, of Kiwanis, The Sons of Veterans, The Knights of the Golden Eagle, The Allentown Band—a truly representative group of fraternal organizations to which he generously dedicated his loyalty and services.

His business interests, although varied and dissimilar, flourished under the stimulating influence of his unusual industry and ability. Their range—of blacker boy in a shoe factory through the stages of candy manufacturer and salesman of cement to the superintendency of the State Employment Office—is an eloquent testimonial not only of a diversification of his interests but of his many faceted personality with which to express them.

His political career was long and interesting and productive of many accomplishments of merit and honor. As a representative from 1921 to 1929, Candy Smith became well known for a friendly relationship with his fellow members and an intimacy of knowledge concerning all of their legislative problems. As long ago as 1898, he was a delegate at the convention which nominated William McKinley and throughout the ensuing years he has been a tower of strength and direction to the Republican Party. In his capacity as Nestor of his Party, he has enriched with his political sagacity and philosophic statesmanship all who were privileged to be associated with him; therefore be it

Resolved, That this House of Representatives express its deep sorrow at the inestimable loss of one of its outstanding members, tender to the people of Lehigh County its sympathy at their deprivation of a revered leader, and declare its belief that the memory of "Candy" Smith will remain forever enshrined in the hearts of his many friends and admirers; and be it further

Resolved, That the Chief Clerk of this House of Representatives be instructed to transmit a copy of this resolution to his surviving son, Raymond Smith, Americus Hotel, Allentown.

RESOLUTION

CONDOLENCE

Messrs. SARRAF and SCHMIDT offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, May 1, 1951.

John R. Bentley, a Member of the General Assembly, 1941 to 1946, recently passed away at the early age of forty-four years.

Mr. Bentley's career, although distressingly brief, was nevertheless extremely alive with a variety of activities. He was born in Pittsburgh, attended the public schools of Pittsburgh, and secured his Bachelor of Arts from the University of Pittsburgh in 1929. Four years later he was awarded the Bachelor of Laws degree at the Harvard Law School. While at Harvard, Mr. Bentley held the Robert T. Swaine Memorial Scholarship and the Harvard Law Review Scholarship. He was a member of the Phi Delta Theta Fraternity and Editor of the Harvard Law Review.

For active participation in politics, he was appointed Assistant Solicitor of Pittsburgh, 1937 to 1941; Special Assistant Solicitor, 1941 to 1942; First Assistant Solicitor, 1942 to 1944; and Solicitor for the City Controller, 1944 to 1951.

Mr. Bentley was associated with a number of clubs

and fraternal organizations—The Young Democratic Club of Allegheny County, the F. and A. M., the I.O.O.F., and the Pittsburgh Field Club.

At the zenith of his intellectual powers and with the prospect of many years of civic service with which to enrich the life of his community, he was abruptly summoned by the Angel of Death to his heavenly home; therefore be it

Resolved, That this House of Representatives express its poignant sorrow at the premature death of one of its distinguished ex-members and its deepest sympathy to the City of Pittsburgh upon the loss of one of its outstanding public servants.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 77

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 77, entitled:

An Act to further amend Section 319 of the act, approved the second day of June, one thousand nine hundred fifteen (P. L. 736), entitled, as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," by providing for the proration of attorney's fees and expenses in subrogation cases

And has appointed Messrs. Berger, Watson and Rosenfeld a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

Mr. JOHNSON. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill No. 77 and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 77

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. Waterhouse, Dowling and Reader.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. TOLL asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 201.

An Act to amend Section 1705 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating

and changing the law relating thereto" by authorizing investment of sinking fund moneys in deposits insured by the Federal Deposit Insurance Corporation and in shares of building and loan or Federal savings and loan associations insured by the Federal Savings and Loan Insurance Corporation.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 169.

An Act to amend Section 602 and subsections (a) and (g) of Section 607 of the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1368), entitled "An act amending, revising and consolidating the laws relating to delinquent county, city, except of the first and second class and second class A, borough, town, township, school district, except of the first class and school districts within cities of the second class A, and institution district taxes; providing when, how and upon what property, and to what extent liens shall be allowed for such taxes; the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the lien of such tax claims the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property, and the proceedings therefor; creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws," by further regulating the giving of notice of sale, the effect of failing to give notice as required by the act, and the bureau's return of sale to court for confirmation.

SENATE BILL No. 201.

An Act to amend Section 1705 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by authorizing investment of sinking fund moneys in deposits insured by the Federal Deposit Insurance Corporation and in shares of building and loan or Federal savings and loan associations insured by the Federal Savings and Loan Insurance Corporation

SENATE BILL No. 239.

An Act to further amend Section 412 of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled, "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by providing for audits of accounts of expenditures of organizations of the National Guard by controllers or auditors of counties.

SENATE BILL No. 240.

An Act to further amend clause 35 of Section 2403 of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by

providing for audit of accounts of expenditures of organizations of the National Guard by controllers of cities of the third class.

SENATE BILL No. 241.

An Act to amend Section 2 of the act, approved the tenth day of March, one thousand nine hundred thirty-seven (P. L. 39), entitled "An act authorizing cities of the first class, second class, and second class A to make appropriations for the support, maintenance, discipline, and training of units of the National Guard; providing for the paying over expenditure, and accounting for of such appropriations; and repealing existing laws," by providing for audit of accounts of expenditures of organizations of the National Guard by controllers of cities of the first class, second class and second class A.

SENATE BILL No. 304.

An Act authorizing, in certain cases, the renewal of motor vehicle operators' licenses for persons honorably discharged from the armed forces of the United States or from any women's organization officially connected therewith, without a learner's permit, examination or additional fee; and while in such service the operation of motor vehicles without renewal of operator's license; and the temporary suspension of existing laws requiring the same.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

ANNOUNCEMENT

The SPEAKER. The Chair wishes to inform the Members that the provisions of "House Bill No. 1951" are still in effect. The Members, employes and personnel previously invited are again invited to attend, as guests of the Chair and the Majority Leader, the party at the American Legion on Monday evening, May 7, immediately after the adjournment of the session.

HOUSE RESOLUTION No. 34

Mr. MADIGAN. Mr. Speaker, I call up on page 10 of today's calendar, House Resolution No. 34.

The resolution was read, considered and adopted as follows:

In the House of Representatives, April 16, 1951.

Whereas There are now on Pennsylvania farms dairy animals poultry and general livestock worth in the aggregate more than \$412,000,000 producing approximately 75 per cent of the total annual income of Pennsylvania agriculture or in monetary terms about \$575,000,000 a year and

Whereas The greatest economic losses to the dairy poultry and general livestock industry are occasioned by the inroads of animal diseases and parasites and

Whereas Existing facilities for training persons qualified for the practice of veterinary medicine within the Commonwealth of Pennsylvania are inadequate to meet the existing and still growing need for doctors of veterinary medicine and

Whereas The Pennsylvania State College by virtue of its scientific personnel its resources for research its close

working relationship with dairy poultry and general livestock raisers throughout the State and its physical location is the appropriate institution to develop the needed facilities therefore be it

Resolved (if the Senate concur) That the members of the General Assembly hereby request the Board of Trustees of the Pennsylvania State College to authorize the establishment of a school of Veterinary Medicine at the Pennsylvania State College and at the earliest possible time to erect such buildings employ such personnel and establish such programs of research and instruction as in their judgment are requisite to the proper maintenance and operation of such a school of veterinary medicine and be it further

Resolved That the members of the General Assembly hereby pledge their support in obtaining the funds required to construct and to equip essential research instructional clinical and administrative buildings for a school of Veterinary Medicine at the Pennsylvania State College and for the operation and maintenance of the proposed School of Veterinary Medicine it being understood however that funds cannot be appropriated for such buildings and their maintenance at the 1951 Session of the General Assembly and be it further

Resolved That it is the understanding and intention of the members of the General Assembly that funds ultimately appropriated for the construction and equipment of such buildings and for the operation and maintenance of such a School of Veterinary Medicine shall be in addition to the amount appropriated at that time for the general operation and maintenance of the Pennsylvania State College as then constituted and be it further

Resolved That the trustees of the Pennsylvania State College be requested to prepare and to present to the members of the 1953 Session of the General Assembly specific and detailed information concerning the nature and estimated cost of requisite buildings and equipment and also an estimate of the annual expense involved in the operation and maintenance of a School of Veterinary Medicine at the Pennsylvania State College under conditions which in the judgment of the said trustees would best meet the reasonable needs of the Commonwealth and its citizens for such veterinary medical service and be it further

Resolved That the Chief Clerk of this House send a copy of this resolution to the Board of Trustees of the Pennsylvania State College

Ordered, That the Clerk present the same to the Senate for concurrence.

COMMITTEE MEETINGS

State Government, Mr. Watkins, Chairman, Room 324, Wednesday May 2, at 10:00 a. m.

There will be a Public Hearing on House Bill No. 56, New House Caucus Room, Wednesday, May 2, at 10:30 a. m., EST.

Members of the Education Committee please note.

ADJOURNMENT

Mr. MULDOWNEY. Mr. Speaker, I move that this House do now adjourn until Wednesday, May 2, 1951, at 11:00 a. m. EST.

The motion was agreed to, and (at 5:30 p. m. EST) the House adjourned.

Legislative Journal.

Session 1951.

139th of the General Assembly.

Vol. 32.

HARRISBURG, PA., WEDNESDAY, MAY 2, 1951.

No. 43.

SENATE

WEDNESDAY, May 2, 1951.

The Senate met at 9:00 o'clock, a. m., Eastern Standard Time.

The MAJORITY FLOOR LEADER (John M. Walker) in the Chair.

PRAYER

The Chaplain, Rev. HARWOOD C. BOWMAN, JR., Pastor of St. Paul's Episcopal Church, Kittanning, Pennsylvania, offered the following prayer:

In the name of the Father and of the Son and of the Holy Ghost, let us pray.

Most gracious God, we humbly beseech Thee as for the people of this State in general, and especially for their Senate assembled, that Thou wouldst be pleased to direct and prosper all of their consultations to the advancement of Thy glory, the safety, honor and welfare of Thy people; that all things may be so ordered and settled by their endeavors upon the best and surest foundation, that peace and happiness, truth and justice, religion and piety, may be established among us all, all of which we ask through the mediation of Jesus Christ, our most Blessed Lord and Savior. Amen.

JOURNAL APPROVED

The MAJORITY FLOOR LEADER. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HARE and Mr. SCARLETT, further reading was dispensed with, and the Journal was approved.

PRESIDENT PRO TEMPORE, M. HARVEY TAYLOR,
HOSPITALIZED

The MAJORITY FLOOR LEADER. The Chair would like to advise the gentlemen of the Senate that the President pro tempore, as a result of his fall, is in the hospital, and we hope that he will speedily recover.

PRESIDING OFFICER OF THE SENATE

Mr. HARE. Mr. President, I move that Senator T. N. Wood, of Luzerne County, be invited to the rostrum as Presiding Officer.

Mr. HALUSKA. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDING OFFICER (T. N. Wood) in the Chair.

LEAVE OF ABSENCE

Mr. Walker asked and obtained leave of absence for Mr. TAYLOR, because of illness.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on May 2, 1951.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 2, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the dates shown:

To compute from date of confirmation

ALLEGHENY COUNTY

Eugene Bartins, Pittsburgh, 1000 N. Lincoln Av.
Mrs. Clara Conflenti, Coraopolis.
Miss Ruth M. Erfort, Pittsburgh, 2529 Jane St.
Mrs. Esther Modele, Pittsburgh, Morris Paper Co., 40th and Butler Sts.
Nicholas A. Stinger, Pittsburgh, Baltimore & Ohio R. R. Shops.

CENTRE COUNTY

Miss Miriam C. Krebs, State College.
Mrs. Kathryn B. Livingston, State College.

CLEARFIELD COUNTY

Miss Marie C. Sansone, Clearfield.

COLUMBIA COUNTY

Martin J. Bowman, Millville.

DAUPHIN COUNTY

J. J. Brotherton, Harrisburg.
Miss Dorothy J. Ogelsby, Harrisburg.

DELAWARE COUNTY

Miss Sara Jane Bigger, Media.
Lewis S. Chester, Jr., Radnor Twp., Wayne.

ERIE COUNTY

Richard D. Agresti, Erie.

LANCASTER COUNTY

J. Harold Merkey, Manheim.
Mrs. Pauline F. Schneebeli, Lancaster.

LEHIGH COUNTY

Mrs. Kathleen E. Bierbauer, Allentown.
Miss Christine S. Mager, Allentown.
Mrs. Edith M. Rieben, Emmaus.

LUZERNE COUNTY

Miss Sadies C. McNelis, Hazleton.

MONTGOMERY COUNTY

George A. Stokes, Norristown.

PHILADELPHIA COUNTY

Mrs. Addie M. Demby, Phila., 1847 N. 19th St.
W. H. Geary, Jr., Phila., 5433 Baltimore Av.
Paul W. Grimes, Phila., Rm. 103 Public Ledger Bldg.
David H. McCarty, Phila., 23 S. 23rd St.
Glenn A. Walde, Phila., 220 S. Broad St.
Richard J. Walsh, Phila., 1331 W. Cumberland St.

WASHINGTON COUNTY

Mrs. Stella Reichert, Washington.
Paul L. Schultz, Canonsburg.

WAYNE COUNTY

Miss Ann R. Hittinger, Honesdale.

WESTMORELAND COUNTY

Martin H. Custer, Hempfield Twp., Greensburg.

To compute from the dates set opposite their names

LUZERNE COUNTY

Frank P. Scrudato, Pittston, May 1, 1951.

PHILADELPHIA COUNTY

Miss Rose Squires, Phila., 12 S 12th St., May 3, 1951.

CUMBERLAND COUNTY

Elmer E. Zinn, Shippensburg, May 5, 1951.

BLAIR COUNTY

J. E. Ake, Williamsburg, May 19, 1951.

CARBON COUNTY

Charles E. Wildoner, Mauch Chunk, May 19, 1951.

CRAWFORD COUNTY

Mrs. Gladys Gordon, Meadville, May 19, 1951.

CUMBERLAND COUNTY

Michael J. Kaschak, New Cumberland, May 19, 1951.

LACKAWANNA COUNTY

George A. Hornbeck, Jr., Carbondale, May 19, 1951.

LYCOMING COUNTY

Mrs. Doris C. Shaheen, Montoursville, May 19, 1951.

PHILADELPHIA COUNTY

William F. Bishop, Phila., 2103 Finance Bldg., May 19, 1951.

H. George Dobkin, Phila., 1336 Olney Av., May 19, 1951.
George W. Finley, Jr., Phila., 2628 N. Mascher St., May 19, 1951.

Samuel B. Forman, Phila., 6419 N. 11th St., May 19, 1951.
Mrs. Catherine B. Mackell, Phila., Ederer Inc. Bldg., Unity and Elizabeth Sts., May 19, 1951.

WASHINGTON COUNTY

Mrs. A. Bertha Walker, Finleyville, May 19, 1951.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 2, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the dates shown:

To compute from date of confirmation

ALLEGHENY COUNTY

Leo T. Tasz, Carnegie.
Miss Carmela L. Vara, Pittsburgh, 307 5th Ave.
Mrs. H. C. Wilding, Pittsburgh, 1621 Brownsville Rd.
Julius L. Zangrille, Jr., Pittsburgh, 7926 Frankstown Ave.

BEAVER COUNTY

Miss Mary Grace Galietti, Ambridge.

BUTLER COUNTY

Chas. E. Leasure, Butler Twp., Butler.

DELAWARE COUNTY

John E. DeYoung, Media.
Herman Mandell, Chester.

LUZERNE COUNTY

Frank R. Krevens, Hazleton.

PHILADELPHIA COUNTY

Miss Anne Hild, Phila., 5043 Frankford Ave.
Miss E. P. Hunt, Phila., 135 S. Broad St.
Thomas B. McDyer, Phila., 430 S. 54th St.
Randall A. Snyder, Phila., 225 S. 15th St.

YORK COUNTY

Mrs. Edna H. Detwiler, West York.

To compute from the date set opposite her name

BERKS COUNTY

Mrs. Pauline E. Colove, Robesonia, May 5, 1951.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. HARE, That the Senate do advise and consent to said nominations. On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Toole,
Berger,	Kephart,	Pechan,	Wade,
Blass,	Kessler,	Peelor,	Wagner,
Byrne,	Lane,	Proper,	Walker,

Chapman,	Leader,	Robinson,	Watkins,
Crowe,	Letzler,	Rosenfeld,	Watson,
Dent,	Mahany,	Ruth,	Wolfe,
Diehm,	Mallery,	Scarlett,	Yosko,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Presiding Officer
Freed,	McMenamin,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

REPORTS FROM COMMITTEES

Mr. RUTH, from the Committee on Education reported as committed, Senate Bill No. 397, entitled:

An Act to further amend Section 11 of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employees; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by providing for retroactive service allowance of certain employees.

Mr. PROPERT, from the Committee on Banking reported as amended, Senate Bill No. 122, entitled:

An Act to further amend paragraph (8) of subsection A and subsection B of section 1208, section 1209, and subsection C of section 1210 of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled, as amended, "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers and employees' mutual banking associations defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers and employees' mutual banking associations, and of the officers, directors, trustees, shareholders, attorneys, and other employees of all such corporations, employees' mutual banking associations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further providing for authorized investments and limitations on loans and discounts of savings banks.

He also, from the Committee on Banking reported as amended, Senate Bill No. 123, entitled:

An Act to re-enact, amend, and revise the title and the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 796), entitled "An act providing for the preservation of the records of banks, bank and trust companies, trust companies, savings banks, and private banks; and imposing penalties for violations," as amended; by extending the provisions thereof to na-

tional banking associations; making photostatic film reproductions, or photographic or photostatic copies of original records admissible in evidence equally and with the same force and effect as such original records; providing a means for the final adjustment and settlement of depositors' accounts, and saving certain parts of acts from repeal.

He also, from the Committee on Banking reported as committed, Senate Bill No. 124, entitled:

An Act to further amend subsection A of Section 1006 of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled, as amended, "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers and employees' mutual banking associations; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers and employees' mutual banking associations, and of the officers, directors, trustees, shareholders, attorneys, and other employees of all such corporations, employees' mutual banking associations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further providing for the powers and limitations upon powers of banks and banks and trust companies.

He also, from the Committee on Banking reported as committed, Senate Bill No. 125, entitled:

An Act to further amend subsection E of section nine hundred eight of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled, as amended, "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers and employees' mutual banking associations; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers and employees' mutual banking associations, and of the officers, directors, trustees, shareholders, attorneys, and other employees of all such corporations, employees' mutual banking associations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further providing for the powers and limitations on powers of corporations authorized to engage in the banking business.

He also, from the Committee on Banking reported as committed, Senate Bill No. 282, entitled:

An Act to further amend Section 620 of the act, approved the fifth day of May, one thousand nine hundred thirty-

three (P. L. 457), entitled "An act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities, and immunities of such associations, and of their officers, directors, shareholders, solicitors, and other employees; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions, and officers; establishing limitation of actions; imposing penalties; and repealing certain acts and parts of acts," by increasing the maximum amount to be set aside as reserve for contingent losses.

He also, from the Committee on Banking reported as committed, Senate Bill No. 526, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employees prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" by further regulating the withdrawals of certain optional payment shares providing that accounts of less than a certain amount need not be credited with dividends further regulating the terms or mortgage contracts and the terms of bonds securing mortgages and the types of property upon which mortgages may be taken.

Mr. BERGER, from the Committee on Education reported as committed, Senate Bill No. 501, entitled:

An Act to further amend Section 2 of the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 951), entitled, as amended "An act defining and providing for the licensing and regulation of private academic schools; conferring powers and imposing duties on the Department of Public Instruction; and imposing penalties," by exempting therefrom schools for the blind, deaf and dumb receiving State appropriations.

BILL RE-REFERRED

Mr. FLEMING, from the Committee on Education reported as committed, Senate Bill No. 486, entitled:

An Act relating to and defining chiropractic and the right to practice chiropractic requiring licensure conferring powers and imposing duties upon the State Board of Medical Education and Licensure providing for the granting suspension and revocation of licenses issued by the board conferring jurisdiction upon the court of common pleas of Dauphin County and prescribing penalties.

which was re-referred to the Committee on Public Health and Welfare.

REPORTS FROM COMMITTEES

Mr. WATKINS, from the Committee on Education reported as committed, Senate Bill No. 383, entitled:

An Act to further amend the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said

funds; imposing powers and duties upon boards having the employment of public school employes, exempting annuities, allowances, returns, benefits and rights from taxation and judicial process; and providing penalties," by permitting employes to make up back payments to the retirement system from the time they entered school service, and securing to such employes the full benefits of the retirement system from the time they entered school service.

Mr. KESSLER, from the Committee on Education reported as amended, Senate Bill No. 381, entitled:

An Act to amend further Section 1146 of the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing revised minimum salaries for certain part-time teachers and supervisors of general extension education classes and activities.

BILL RE-REFERRED

Mr. BANE, from the Committee on Education, reported as committed, Senate Bill No. 158, entitled:

An Act to amend the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing for the election of school directors in school districts of the second, third and fourth classes by nonpartisan ballots at special elections, subject to local option.

which was re-referred to the Committee on Elections.

REPORTS FROM COMMITTEES

Mr. BANE, from the Committee on Education reported as amended, House Bill No. 368, entitled:

An Act relating to the practice of professional nursing; providing for the licensing of nurses and for the revocation and suspension of such licenses subject to appeal and for their reinstatement; providing for the annual renewal of such licenses; regulating nursing in general; prescribing penalties and repealing certain laws.

He also, from the Committee on Education reported as committed, House Bill No. 369, entitled:

An Act to further amend sections two hundred two, four hundred eighteen and one thousand three hundred ten of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct for the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of state normal schools, or teachers colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain department, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," by changing the name of the State Board of Examiners for Registration of Nurses.

BILLS INTRODUCED AND REFERRED

Mr. LANE read in his place and presented to the Chair Senate Bill No. 595, entitled:

An Act to further amend subsections (b), (c) and (e) of section 4, of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties," by clarifying the identity of certain taxing districts.

Which was committed to the Committee on Local Government.

Mr. WATKINS read in his place and presented to the Chair Senate Bill No. 596, entitled:

An Act making an appropriation to The Brandywine Battlefield Park Commission for the payment of necessary expenses.

Which was committed to the Committee on Appropriations.

PERMISSION TO ADDRESS SENATE

Mr. HOLLAND asked and obtained unanimous consent to address the Senate.

Mr. HOLLAND. Mr. President, since the beginning of the Session there has been a great deal of discussion among the Senators, both in the cloak rooms and in the dining rooms and in the hotel lobbies, of the lack of respect given to Members of the General Assembly, due to the fact that the position as representatives in the General Assembly has fallen to a very low; that they not use the prerogatives that they should use, and that due to the lack of information and consultation, we are not able to do our job as Senators. We are not in any position to consult with experts, certified public accountants and economists, in discussing the budget; neither do we have any opportunity of going to the various bureaus and departments to find out whether or not they are overspending and have more employees than they should.

Mr. President, I think it is the consensus of all the Members that we should be given at least an opportunity to meet on the same grounds as the administrative department meets by having the benefit of accountants, economists, and budget controllers.

It is with this in mind that I have prepared a resolution and I hereby, Mr. President, offer the following resolution and ask for its unanimous adoption.

RESOLUTION REFERRED TO COMMITTEE

REQUESTING THAT MAIN AND COMPANY BE EMPLOYED TO ADVISE SENATE FINANCE COMMITTEE AT PUBLIC HEARING ON BUDGET

Mr. HOLLAND offered the following resolution which was twice read as follows:

In the Senate, May 2, 1951.

Whereas, Each biennium the members of the General Assembly are called upon to accept at face value the budget estimating the fiscal policy for the administration of the governmental functions of the Commonwealth of Pennsylvania; and

Whereas, The estimated income from taxes to be levied and appropriation required for conducting of the business of the Commonwealth as well as special grants to Education are prepared by the administration budget officer and the members of the General Assembly are not afforded any special assistance by auditors, certified public accountants or economists to prove or disapprove the estimated income from taxes or the need of the monies spent by the different department or special grants; and

Whereas, The Main and Company certified public accountant firm has played an important part in the Republican Administrations of Governor Sproul, Governor Pinchot and Governor Fisher in affecting economy in government, and also in establishing the budget system now in use in the Commonwealth; therefore be it

Resolved, (if the House of Representatives concur) That in the absence of qualified consultants to assist the Members of the General Assembly and especially the Members of Senate Finance Committee the firm of Main and Company, certified public accountants shall be employed to sit and advise the Members of Senate Finance Committee at the public hearing on Monday, May 7, on the budget for the biennium of 1951-1952; and be it further

Resolved, That Main and Company be given the authority to question and cross examine the budget officer on the authenticity of the figures contained in the Budget and examine the Books of each department as well as question those in charge of each department on any matters concerning expenditures; and be it further

Resolved, That the General Assembly make sufficient appropriation to defray the cost incurred by Main and Company in assisting the members of the Senate Finance Committee in securing a true and truthful picture of the need of new taxes and for the need of appropriation appearing in 1951-1952 Budget submitted by the Governor.

REQUEST THAT RULE 39 BE SUSPENDED

Mr. HOLLAND. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDING OFFICER. Is there objection?

Mr. WALKER. Mr. President, I object.

The PRESIDENT. The resolution is referred to the Committee on Rules:

INTERROGATION

Mr. YOSKO. Mr. President, may I interrogate the Majority Floor Leader, Senator Walker?

The PRESIDING OFFICER. Will the gentleman from Allegheny, Mr. Walker, permit himself to be interrogated?

Mr. WALKER. Certainly, Mr. President.

Mr. YOSKO. Mr. President, I just want to clarify something in my own mind, at least. In connection with this hearing or hearings that we are going to have beginning on Monday morning, are these hearings to be confined strictly to the income tax bill or will it include the calling of the departmental heads before this committee to substantiate their budget requests?

Mr. WALKER. Mr. President, If I might paraphrase what was said here on the floor yesterday by the very distinguished gentleman from Luzerne, the Chairman of the Finance Committee, the Finance Committee felt that the Appropriations Committees of the House and the Senate have been for the last several weeks calling in department heads and have been holding hearings, to which all of the members of the committee were invited, to discuss the appropriations with them, and it was the thought of the Finance Committee of the Senate that their atten-

ion, at least at this hearing, would be directed to the tax program.

Mr. YOSKO. Mr. President, it seems to me that under this procedure that has been adopted here on these hearings, that you are putting the cart before the horse. You are going to determine or try to determine whether or not you need an income tax in Pennsylvania or whether or not you need any new taxes. Before that determination is made, we ought to find out what the true financial condition of the Commonwealth is; we ought to find out whether or not the budget requests made by the various departments, boards and commissions of the Commonwealth are correct and whether or not the money requested is needed; we ought to find out just what the condition of the Department of Revenue is so far as collections are concerned. In other words, we ought to find out what the exact financial condition of the Commonwealth is at this time, or what it will be on May 31, 1951, before we go into the tax program.

Mr. President, just let me say this about the hearings before the Appropriations Committee. I understood, at least, that these hearings were confined to the Members of the Appropriations Committee. They were the only ones that were given notice of the hearings, and the Members of the Appropriations Committee take the attitude that they are extending a courtesy to any Member of the Senate that is not a member of the Appropriations Committee to come in there and question.

Mr. President, I might add this, too. These hearings before the Appropriations Committee are scheduled every half hour. I defy anybody in the Commonwealth of Pennsylvania to say that they can properly examine a departmental head or a series of departmental representatives in a half an hour relative to their budget requests. If you allowed a day or at least a half a day to go into all of the details that a person is required to go into relative to a budget request by a department, it would be one thing, but to schedule hearings a half hour apart to me is simply a joke. It just cannot be done.

Mr. President, the other day it was announced in here that the Department of Public Assistance, for instance, was to meet at eight o'clock in the evening—I think it was last Wednesday—and it was called off and it was stated that there would be another announcement of the date for this hearing. Maybe I was not around, I do not know, but I did not hear any announcement of a hearing of the Department of Public Assistance on its budget request, but they had one and I certainly would have liked to have been there, if I would have known that the hearing was going to be held.

Mr. President, I believe that what we are doing here is putting the cart before the horse. What we ought to do is find out the true financial condition of the Commonwealth, have these departments substantiate their budget requests and then go into the tax program to determine just how much money we are going to need to meet those budget requests.

POINT OF INFORMATION

Mr. NEFF. Mr. President, I rise on a point of information in regard to the Finance Committee hearings scheduled for nine o'clock or nine-thirty Monday morning.

The PRESIDING OFFICER. The gentleman from Lawrence, Mr. Neff, will state his point of information.

Mr. NEFF. Mr. President, I think my point of information might well be directed to the Presiding Officer inasmuch as he is the Chairman of the Finance Committee.

I understand that a list of the individuals who were to be invited to testify would be available in the next day or two. Do you have that information at this time?

The PRESIDING OFFICER. I do not have that information; I am sorry.

Mr. WALKER. Mr. President, may I inquire if the interrogatory was directed to the Chair?

Mr. NEFF. It was, Mr. President. It was so stated.

Mr. President, will that information be available to the Members of the Senate?

The PRESIDING OFFICER. Senator Neff, would you be willing to withhold your questions until such time as I am not presiding?

Mr. NEFF. I will, Mr. President.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 535, entitled:

An Act to further amend section 701 of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," by eliminating certain restrictions on the possession of game and other birds and animals.

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 624, entitled:

An Act to amend subsections (b) and (c) of section one thousand two hundred three of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "Fiscal Code," and to add thereto new subsections (d) and (e) so as to except therefrom the transfer of stock not subject to the transfer inheritance tax owned by deceased residents of an area listed by the Department of Revenue as entitled by law to such exemption and stock formerly owned by the entireties by resident spouses, one of whom shall have died, and to require the Department of Revenue to list such areas.

Which was committed to the Committee on Judiciary General.

House Bill No. 631, entitled:

An Act to repeal an obsolete act relating to transfer of stock standing in the name of a decedent, or in the joint names of a decedent and one or more other persons, or in trust for a decedent.

Which was committed to the Committee on Judiciary General.

House Bill No. 705, entitled:

An Act to amend the act, approved the nineteenth day of June, one thousand nine hundred thirteen (P. L. 534), entitled "An act relating to appointment of deputy constables," by defining the jurisdiction of deputy constables.

Which was committed to the Committee on Judiciary General.

House Bill No. 726, entitled:

An Act to amend the title and further amend Subsections A and C of Section 1 of the act approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 1145) entitled "An act empowering cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, townships of the first class, school districts of the second class, school districts of the third class and school districts of the fourth class to levy, assess, and collect or to provide for the levying, assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court," by including townships of the second class within the classes of political subdivisions authorized to impose taxes under the provisions thereof.

Which was committed to the Committee on Local Government.

House Bill No. 909, entitled:

An Act to further amend section 889 of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "The Penal Code," by prohibiting the unauthorized wearing of the insignia, badge, shield or button of the Air Force Association.

Which was committed to the Committee on Military Affairs and Aeronautics.

House Bill No. 931, entitled:

An Act to further amend Section 719 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," by changing the dog training period.

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 958, entitled:

An Act to further amend subsections (a) of Sections 1016 and 1112 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled, "Vehicle Code," by changing the requirements for stop signs.

Which was committed to the Committee on Highways.

HOUSE CONCURS IN SENATE BILL No. 168

He also returned to the Senate, Senate Bill No. 168, entitled:

An Act to amend the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax

sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" by further regulating the sales made upon order of court and extending the time limit when certain properties must be sold

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 362

He also returned to the Senate, Senate Bill No. 362, entitled:

An Act to further amend the act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such boards by the county commissioners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupations for county borough town township school and poor purposes authorizing the appointment of subordinate assessors a solicitor engineers and clerks providing for their compensation payable by such counties abolishing the office of ward borough and township assessors so far as the making of assessments and valuations for taxation is concerned and providing for the acceptance of this act by cities" by authorizing the payment of additional compensation to subordinate assessors by the boroughs townships and school districts in which he makes assessment.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 394

He also returned to the Senate, Senate Bill No. 394, entitled:

An Act to further amend section eight hundred six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by eliminating the provision making it unlawful to carry unloaded rifles and shotguns in or on any vehicle or conveyance unless said rifles and shotguns are in cases or securely wrapped and also eliminating the provision making it unlawful to possess cartridges or shells for hunting in vehicles or conveyances unless they are in broken original cartons or securely wrapped.

with the information that the House has passed the same without amendments.

HOUSE CONCURRENT RESOLUTION REFERRED TO COMMITTEE

He also presented extract from the Journal of the House, which was twice read as follows and referred to the Committee on Agriculture:

SCHOOL OF VETERINARY MEDICINE ESTABLISHED AT PENNSYLVANIA STATE COLLEGE

In the House of Representatives, April 17, 1951.

Whereas, There are now on Pennsylvania farms dairy animals, poultry and general livestock worth in the aggregate more than \$412,000,000, producing approximately 75 per cent of the total annual income of Pennsylvania agriculture or in monetary terms about \$575,000,000, a year; and

Whereas, The greatest economic losses to the dairy, poultry and general livestock industry are occasioned by the inroads of animal diseases and parasites; and

Whereas, Existing facilities for training persons qualified for the practice of veterinary medicine within the Commonwealth of Pennsylvania are inadequate to meet the existing and still growing need for doctors of veterinary medicine; and

Whereas, The Pennsylvania State College by virtue of its scientific personnel; its resources for research; its close working relationship with dairy, poultry and general livestock raisers throughout the State and its physical location is the appropriate institution to develop the needed facilities; therefore be it

Resolved, (if the Senate concur) That the members of the General Assembly hereby request the Board of Trustees of the Pennsylvania State College to authorize the establishment of a school of Veterinary Medicine at the Pennsylvania State College and at the earliest possible time to erect such buildings; employ such personnel and establish such programs of research and instruction as in their judgment are required to the proper maintenance and operation of such a school of veterinary medicine; and be it further

Resolved, That the members of the General Assembly hereby pledge their support in obtaining the funds required to construct and to equip essential research, instructional, clinical, and administrative buildings for a School of Veterinary Medicine at the Pennsylvania State College, and for the operation and maintenance of the proposed School of Veterinary Medicine; it being understood, however, that funds cannot be appropriated for such buildings and their maintenance at the 1951 Session of the General Assembly; and be it further

Resolved, That it is the understanding and intention of the members of the General Assembly that funds ultimately appropriated for the construction and equipment of such buildings, and for the operation and maintenance of such a School of Veterinary Medicine shall be in addition to the amount appropriated at that time for the general operation and maintenance of the Pennsylvania State College as then constituted; and be it further

Resolved, That the trustees of the Pennsylvania State College be requested to prepare and to present to the members of the 1953 Session of the General Assembly specific and detailed information concerning the nature and estimated cost of requisite buildings and equipment, and also an estimate of the annual expense involved in the operation and maintenance of a School of Veterinary Medicine at the Pennsylvania State College under conditions which, in the judgment of the said trustees, would best meet the reasonable needs of the Commonwealth and its citizens for such veterinary medical service; and be it further

Resolved, That the Chief Clerk of this House send a copy of this resolution to the Board of Trustees of the Pennsylvania State College.

HOUSE INSISTS UPON ITS AMENDMENTS NON- CONCURRED BY THE SENATE TO SENATE BILL No. 77 AND APPOINTS COMMITTEE OF CONFER- ENCE

He also informed the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 77, entitled:

An Act to further amend Section 319 of the act ap-

proved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by providing for the proration of attorney's fees and expenses in subrogation cases

and has appointed Messrs. WATERHOUSE, DOWLING and READINGER as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill. L.

SENATE CONCURS IN HOUSE RESOLUTION

He also presented extract from the Journal of the House, which was twice read as follows, considered and agreed to:

LOST BILL RESOLUTION

In the House of Representatives, May 1, 1951.

Whereas Senate Bill No. 244, Printer's No. 73, entitled:

"An Act to further amend the act, approved the twelfth day of May, one thousand nine hundred forty-three (P. L. 259), entitled, as amended, 'An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies, to the treasurers of the several cities, boroughs, towns and townships, and for the payment thereof into police pension funds, and in certain cases into the Municipal Employees' Retirement System, and for Pension Annuity Contracts, and in certain other cases into the State Employees' Retirement Fund, for certain purposes' by vesting all equities, benefits dividends or rights under pension annuity contracts in the policemen or their dependents; providing for deductions to defray expenses for auditing; providing for return of funds if not used within a certain time by the various political subdivisions."

And Whereas Senate Bill No. 245, Printer's No. 74, entitled

"An Act to further amend subsection (a) of Section 2 of the act, approved the twenty-eighth day of June, one thousand eight hundred ninety-five (P. L. 408), entitled, as amended 'A supplement to the twenty-fourth section of an act, entitled 'An act to provide revenue by taxation, approved the seventh day of June, one thousand eight hundred and seventy-nine,' approved the first day of June, one thousand eight hundred and eighty-nine, amending the twenty-fourth section, by providing for the payment by the State Treasurer of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities, towns, townships and boroughs, within this Commonwealth' by providing for the return of funds if not used within a certain time by the political subdivision for payment to the Department of the Auditor General to defray costs and expenses of auditing the fund and accounts receiving disbursements: restricting payments to firemen and their dependents." the official copies of which were referred to the House Committee on Municipal Corporations, Tuesday, March 20th have been lost.

Therefore Be It Resolved, That the Chief Clerk of the House is hereby directed to request the Senate to furnish to the House Committee on Municipal Corporations, a certified copy of Senate Bill No. 244, Printer's No. 73, and Senate Bill No. 245, Printer's No. 74, which copies shall be substituted for the original bills.

Ordered, That the Clerk inform the House of Representatives accordingly.

STUDENTS FROM HONEY BROOK SCHOOL PRESENTED TO SENATE

Mr. SCARLETT. Mr. President, I am proud to announce

that we have with us today a group of school children from Honey Brook, under the guidance of their teacher, Mr. Hunter.

The PRESIDING OFFICER. The Chair is pleased to welcome the students from Honey Brook School.

CALENDAR

THIRD READING CALENDAR

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 303, as follows:

An Act relating to the apportionment of estate taxes and providing procedure for enforcement of contribution or exoneration

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definitions The following words when used in this act unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

(1) "Person" includes a corporation partnership and association as well as a natural person whether acting in a separate or in a fiduciary capacity

(2) "Estate Tax" means gross Federal estate tax including interest and penalty thereon

(3) "Persons interested in property includible in gross estate" includes persons liable for payment of estate tax and persons whose property is subject to a lien for the estate tax It includes personal representatives guardians and trustees individual or corporate

(4) "Gross Estate" means all property of every description required to be included in computing the estate tax

(5) "Fiduciary" includes executors administrators of any description and trustees

Section 2 Equitable Apportionment Estate tax except as provided in subsection (a) of section three shall be apportioned equitably as near as may be in accordance with the principles hereinafter stated among all persons interested in property includible in gross estate whether resident or nonresident of the Commonwealth and they shall pay the amounts apportioned against them

Section 3 General Rules

(a) Powers of Testator or Settlor A testator settlor or possessor of any appropriate power of appointment may direct how the estate tax shall be apportioned or allocated or grant a discretionary power to another so to direct Any such direction shall take precedence over the provisions of this act in so far as the direction provides for the payment of the estate tax or any part thereof from property the disposition of which can be controlled by the instrument containing the direction or delegating the power to another

(b) Present and Remainder Interests When estate tax shall be apportioned in a situation involving both a present and future interest the amount apportioned including interest and penalties shall be paid entirely from principal even though the holder of the present interest also has rights in the principal

(c) Separate Apportionment of Interest and Penalties Special Circumstances When the orphans' court shall find that it is inequitable to apportion interest and penalties in the same manner as the principal of the estate tax by reason of special circumstances it may direct apportionment of interest and penalties in a manner different from principal

Section 4 Method of Apportionment

(a) Basis of Apportionment Apportionment of the estate tax except as provided in section three shall be made among the persons interested in property includible in gross estate in the proportion that the value of the interest of each such person bears to the value of the net estate

before exemption The values used in determining the amount of tax liability shall be used for this purpose

(b) Treatment of Deductions and Credits The following principles shall apply with respect to deductions and credits allowable (1) Deductions allowed by Federal revenue laws in determining the value of decedent's net estate Any interest for which deduction is allowable under Federal revenue laws in determining the value of decedent's net estate such as property passing to or in trust for a surviving spouse and charitable public or similar gifts or bequests to the extent of the allowed deduction shall not be included in the computation provided in subsection (a) of section four hereof and to that extent no apportionment shall be made against such interest except that when such an interest is subject to a prior present interest which is not allowable as a deduction the estate tax apportionable against the present interest shall be paid from principal

(2) Property Previously Taxed and Gift Tax Any deduction for property previously taxed and any credit for gift taxes or taxes of a foreign country paid by the decedent or his estate shall inure to the proportionate benefit of all persons liable to apportionment

(3) Credit for State Taxes Any credit for inheritance succession or estate taxes or taxes in the nature thereof in respect to property or interests includible in the gross estate shall inure to the benefit of the persons or interests chargeable with the payment of such taxes to the extent or in proportion that the tax paid or payable reduces the estate tax

(4) Inheritance or Death Tax Effect To the extent that property passing to or in trust for a surviving spouse or any charitable public or similar gift or bequest does not constitute an allowable deduction solely by reason of an inheritance tax or other death tax imposed upon and deductible from such property it shall not be included in the computation provided for in subsection (a) of section four hereof and to that extent no apportionment shall be made against such property

Section 5 Enforcement of Contribution or Exoneration

(a) Fiduciary's Duty The fiduciary charged with the duty to pay the tax shall be entitled and it shall be his duty to recover from persons liable to apportionment or from whoever is in possession of property includible in the gross estate not in the fiduciary's possession the amounts of tax apportionable thereto

(b) Suspending Distribution Distribution of property includible in the gross estate to any person other than a fiduciary charged with the duty to pay the tax shall not be required of any fiduciary until the tax apportionable with respect thereto is paid or if the tax has not been determined and apportionment made until adequate security for such payment is furnished to the person making such distribution

(c) Court Decrees The orphans' court upon petition or at an accounting or in any appropriate action or proceeding shall make such decrees or orders as it shall deem advisable apportioning the tax It may also direct a fiduciary to collect the apportioned amounts from the property or interest in his possession of any persons against whom such apportionment has been made and direct all other persons against whom the tax has been or may be apportioned or from whom any part of the tax may be recovered to make payment of such apportioned amounts to the fiduciary When it is ascertained that the fiduciary holds property of the person liable to apportionment insufficient to satisfy the apportioned tax the court may direct that the balance of the apportioned amount of tax shall be paid to the fiduciary by the person liable Should an overpayment of the tax be made by any person or on his behalf the court may direct an appropriate reimbursement for the overpayment If the fiduciary cannot recover the tax apportioned against a person benefited such an unrecovered amount shall be charged in such manner as the orphans' court may determine

Section 6 Severability If any provision of this act or the application thereof to any person or circumstances is held invalid the remainder of this act and the application of such provision to other persons or circumstances shall not be affected thereby and to this end the provisions of this act are declared to be severable

Section 7 Short Title This act shall be known and may be cited as the "Estate Tax Apportionment Act of 1951"

Section 8 Repeals Sections forty-eight point one of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisal of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estate of decedents" as added by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2762) is hereby repealed

Subsection four of Section eleven of the act approved the third day of July one thousand nine hundred forty-seven (P. L. 1283) entitled "An act concerning the ascertainment of principal and income and the appointment of receipts and expenses among tenants and remaindermen" is hereby repealed in so far as it is inconsistent with the provisions of this act

All other acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

Section 9 Effective Date The provisions of this act shall become effective immediately upon final enactment and shall apply to the apportionment of estate taxes with respect to any estate for which the original Federal estate tax return is filed thereafter regardless of when the decedent died

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Toole,
Berger,	Kephart,	Pechan,	Wade,
Blass,	Lane,	Peelot,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Kessler,	Robinson,	Watkins,
Crowe,	Letzler,	Rosenfeld,	Watson,
Dent,	Mahany,	Ruth,	Wolfe,
Diehm,	Mallery,	Scarlett,	Yosko,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Presiding Officer
Freed	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 357, on third reading, entitled:

An Act to reenact revise and amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto."

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 387, as follows:

An Act to amend Section 404 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violations of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing for additional clerks of election districts having more than twelve hundred qualified electors in counties of the fourth class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 404 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" is hereby amended to read as follows

Section 404 Clerks of Election Machine Inspectors Prior to the opening of the polls at each primary and election in districts in which voting machines are not used each inspector shall appoint one clerk to serve at such primary or election One clerk shall be appointed by the minority inspector in each district in which a voting machine or machines are used and in each district in which more than one voting machine is used the county board of elections shall prior to each primary and election appoint for each additional voting machine to be used in such district one qualified registered elector of the county to serve as machine inspector therein for such primary or election In election districts having more than twelve hundred qualified electors in counties of the fourth class the majority inspector with the approval of the county board of elections prior to or on the day of each primary and election may appoint one or more additional clerks The qualification of clerks and machine inspectors shall be the same as herein provided for election officers

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question.

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Toole,
Berger,	Kephart,	Pechan,	Wade,
Blass,	Kessler,	Peelor,	Wagner,
Byrne,	Lane,	Propert,	Walker,
Chapman,	Leader,	Robinson,	Watkins,
Crowe,	Letzler,	Rosenfeld,	Watson,
Dent,	Mahany,	Ruth,	Wolfe,
Diehm,	Mallery,	Scarlett,	Yosko,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Presiding Officer
Freed	McMenamin		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 456, as follows:

An Act to further amend the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 368) entitled "An act to protect consumers in the purchase for fuel purposes of the hard coal known as anthracite providing for and regulating the sale offering for sale resale delivery and shipment of anthracite according to a standard provided for in this act requiring producers and dealers and persons engaged in the sale and resale of anthracite from storage yards or otherwise to consumers to keep certain records conferring powers on the Anthracite Committee and its agents and providing penalties" by defining "Retail Dealer" "Wholesale Dealer" "Municipal Weighmaster" and "Municipality" requiring producers wholesale dealers and municipal weighmasters to issue certain statements and keep certain records imposing and changing penalties providing for the payment of fines for violations to the Commonwealth and providing for injunctions to restrain violations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (d) of section 2 of the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 368) entitled "An act to protect consumers in the purchase for fuel purposes of the hard coal known as anthracite providing for and regulating the sale offering for sale resale delivery and shipment of anthracite according to a standard provided for in this act requiring producers and dealers and persons engaged in the sale and resale of anthracite from storage yards or otherwise to consumers to keep certain records conferring powers on the Anthracite Committee and its agents and providing penalties" is hereby amended to read as follows

Section 2 Definitions The following words and phrases as used in this act shall be construed to mean

Section 2 Definitions The following words and phrases as used in this act shall be construed to mean

(1) "Wholesale Dealer" a person association partnership or corporation purchasing anthracite for resale to retail dealers or consumers in lots exceeding 20,000 pounds

(m) "Municipal Weighmaster" a licensed weighmaster designated by a municipality to weigh solid fuels destined for sale or delivery within the municipality

(n) "Municipality" a city borough incorporated town or township of the first class

Section 3 Section 3 4 5 6 7 and 8 of said act as amended by the act approved the eighteenth day of May one thousand nine hundred forty-nine (P. L. 1467) are hereby further amended to read as follows

Section 3 Statements by Producers as to Quality of Anthracite Every producer shall issue with each sale and delivery at or railroad car or motor vehicle shipment of anthracite from his preparation plant to the operator of the motor vehicle or to the retail dealer or wholesale dealer or person to whom delivery is made or to be made a written or printed statement attesting that the anthracite so sold delivered or shipped is "Standard Anthracite" or "Substandard Anthracite" as the case may be [Such statement may be shown] In the case of shipments by motor vehicles such statement shall be placed on the weighmaster's certificate issued in conformity with the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" and its amendments and in all other cases shall be placed on the invoice to the purchaser or consignee

In the case of anthracite hauled from a preparation plant directly to the consumer it shall be the duty of the operator of the motor vehicle to deliver [such] the producer's statement to the consumer [at the time the anthracite is delivered to him] simultaneously with the delivery of the anthracite which it attests In all other cases [it] the producer's statement shall be delivered to the retail dealer or wholesale dealer or person to whom delivery or shipment of the anthracite is made

It shall be unlawful for an operator of a motor vehicle to fail or neglect to deliver [any such] the producer's statement to the consumer retail dealer wholesale dealer or person to whom delivery or shipment of the anthracite is made or to deliver any substituted or forged statement [to a consumer] Provided That where the original weighmaster's certificate is surrendered to municipal authorities in conformity with an ordinance relating to the sale of fuel within a municipality and a new weighmaster's certificate issued as provided in section 4 of this act containing the attestations required by this section the operator of the motor vehicle may deliver the same in lieu of the original weighmaster's certificate

Section 4 Statements by Dealers and [Others] Municipal Weighmasters As to Quality of Anthracite Unlawful Acts Any retail dealer [operating a place of storage] or person hauling anthracite direct from a railroad car to a consumer or wholesale dealer who has had issued to him [by a producer] a producer's statement as required by section three of this act shall in the resale of such anthracite [so purchased issue on the weighmaster's certificate a written or printed statement and] deliver [the same] to the [consumer] person to whom delivery is made or to be made a written or printed statement attesting that the anthracite so sold is standard anthracite or substandard anthracite as the case may be Any municipal weighmaster who lawfully demands the surrender of the original weighmaster's certificate pursuant to the requirements of local ordinances regulating the sale of fuel within the municipality shall when a new weighmaster's certificate covering the shipment is issued place thereon a written or printed statement attesting that such anthracite is standard anthracite or substandard anthracite as the case may be

(d) "Retail Dealer" a person association partnership or corporation or his or its legal representative purchasing anthracite for resale to consumers for fuel purposes and who maintains a place for the storage of anthracite

Section 2 Section 2 of said act is hereby amended by adding at the end thereof three new clauses to read as follows

It [is] shall be unlawful for any retail dealer [or his or its] or wholesale dealer or any person hauling anthracite direct from a railroad car to a consumer or any other person by himself agent or employee to mix together standard anthracite and substandard anthracite designated as such on the producer's or wholesale dealer's statement for sale or resale purposes [in or at his place of storage or elsewhere] of the same or different size or to issue any statement attesting that anthracite [known by him to be wholly or partly substandard anthracite is standard anthracite]

A retail dealer or a person engaged in hauling anthracite from a railroad car direct to the consumer or wholesale dealer who has preserved his records as required by this act and who has not been guilty of making mixtures prohibited by this act or a municipal weighmaster shall be entitled to rely upon the producer's or wholesale dealer's statement [issued to him by a producer] and shall not be subject to prosecution under this act for issuing a statement in [accordance with] reliance on the producer's or wholesale dealer's statement [issued to him by the producer for] pertaining to the particular anthracite [purchased by him under] to which such statement relates

Section 5 Contents of Statements Statements issued under the provisions of sections three and four of this act by producers wholesale dealers retail dealers and persons hauling anthracite from a railroad car direct to the consumer and municipal weighmasters shall set forth in ink or indelible pencil the date of the sale resale or shipment of the anthracite to whom sold delivered or shipped [and] the size and weight of the anthracite the railroad car number and the model and registration of the vehicle in which the anthracite is being transported Provided That any information appearing on the weighmaster's certificate need not be duplicated in the statement Each statement shall [have thereon the signature of] bear the name under which the producer wholesale dealer retail dealer or other person [which may be a facsimile signature] does business and the signature or facsimile of the producer wholesale dealer retail dealer or other person if an individual or of an officer or partner if a corporation partnership or association or the signature or facsimile signature of the municipal weighmaster where a statement of quality is issued by such weighmaster under the provisions of the act

Section 6 Preservation of Records It shall be the duty of every producer to keep a record of all sales deliveries and shipments of anthracite showing the name of the person to whom sold or delivered the date thereof the size and net weight [and] the point of delivery the railroad car number the model and registration of the vehicle in which the anthracite was transported and whether the anthracite so sold delivered or shipped was sold delivered or shipped as standard anthracite or substandard anthracite

It shall be the duty of every wholesale dealer [and] retail dealer of every person engaged in hauling anthracite from a railroad car direct to a consumer and municipal weighmaster to keep [a record of] and retain all statements issued to or retained by him [by producers of anthracite] in accordance with the provisions of [section three of] this act [and also] It shall also be the duty of every retail dealer and every person engaged in hauling anthracite from a railroad car direct to a consumer and every municipal weighmaster to keep a duplicate [record] of the weighmaster's certificate and of every wholesale dealer of the invoice issued by [the dealer or other person] him in accordance with the provisions of section four of this act

All such records shall be written and preserved for a period of two years and shall be open to inspection by [the] duly accredited agents of the Commonwealth and of the Anthracite Committee during regular business hours

Section 7 Powers of Agents of Anthracite Committee Any duly accredited agent of the Commonwealth or of the Anthracite Committee shall have full access to every preparation plant and premises of a producer including railroad cars or railroad sidings and the storage yard and premises of every retail dealer and to any railroad car or motor vehicle transporting anthracite wherever the same

may be and shall have the legal right to take samples of anthracite thereat or therefrom for the purpose of testing the same upon paying or tendering where demanded the value of the sample so taken and to examine the weighmaster's certificate or statement of quality accompanying the shipment as required by this act They shall have the right to inspect the books and records of every producer [and] retail dealer wholesale dealer municipal weighmaster and other persons required to keep records by this act relating to the sale resale reweighing shipment and delivery of anthracite Such agents shall make a report of all inspections and tests to the Anthracite Committee which shall be open to public inspection

Section 8 Penalty Any producer retail dealer wholesale dealer municipal weighmaster or other person who shall fail neglect or refuse to issue a statement when required to do so by section three or section four of this act or who shall issue any written or printed statement attesting that anthracite sold resold shipped delivered or marketed by him is standard anthracite when in fact such anthracite is wholly or partly substandard anthracite or who shall sell resell ship deliver or market anthracite as grade A or premium anthracite or use any other similar designation leading or tending to lead the public to believe that the anthracite being sold resold shipped delivered or marketed is standard anthracite when in fact such anthracite is wholly or partly substandard anthracite or who shall use any label marking or design copyrighted or controlled by the Anthracite Committee or the Commonwealth indicating that anthracite being sold resold shipped delivered or marketed conforms to the requirements of this act or is standard anthracite without having first secured permission in writing from the Commonwealth or the Anthracite Committee or who shall refuse the duly accredited agents of the Commonwealth of the Anthracite access to records which they are required by this act to keep on their premises as permitted by this act or who shall refuse to permit the duly accredited agents of the Commonwealth or the Anthracite Committee to take samples of anthracite as authorized by this act or any operator of any motor vehicle transporting anthracite on the public highways who shall refuse to permit the duly accredited agents of the Commonwealth or the Anthracite Committee to take a sample of the shipment being transported in the vehicle which they are operating as permitted by this act or who shall refuse to exhibit the weighmaster's certificate upon demand by the duly accredited agents of the Commonwealth or the Anthracite Committee or any producer retail dealer municipal weighmaster operator of a motor vehicle or other person who shall otherwise violate any of the provisions of this act shall upon conviction thereof in a summary proceeding be sentenced for a first offense to pay a fine of [not more than] \$300 and costs of prosecution and in default of the payment of such fine and costs of prosecution shall be imprisoned for [not less than 10 days or more than 20] 30 days

Any producer retail dealer wholesale dealer municipal weighmaster or operator of a motor vehicle or other person [guilty of] committing a second or subsequent violation of this act shall be guilty of a misdemeanor and upon conviction thereof the producer retail dealer wholesale dealer municipal weighmaster or other person or the member or members or officer or officers of any association partnership or corporation responsible for such violation shall [upon conviction thereof] be sentenced to pay a fine of not more than \$1000 or suffer imprisonment for [not more than] 6 months or both in the discretion of the court

All fines imposed pursuant to the provisions of this section shall be payable to the Commonwealth and shall be paid into the General Fund in the State Treasury through the Department of Revenue

Section 4 Said act is hereby amended by adding at the end thereof a new section to read as follows

Section 9 Injunctions In addition to any other remedy at law or in equity or under this act the Attorney General may apply to the court of common pleas of Dauphin County for relief by injunction to enforce compliance with or restrain violations of any provisions of this act or rule regulation or order made pursuant thereto The

said court of common pleas of Dauphin County is hereby vested with jurisdiction to hear and determine all such actions by the Attorney General regardless of where they may arise in the Commonwealth.

The remedy prescribed in this section shall be deemed concurrent or contemporaneous with any other remedy and the existence or exercise of any one remedy shall not prevent the exercise of any other remedy.

Section 5 This act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Toole,
Berger,	Kephart,	Pechan,	Wade,
Blass,	Kessler,	Peelor,	Wagner,
Byrne,	Letzler,	Propert,	Walker,
Chapman,	Lane,	Robinson,	Watkins,
Crowe,	Leader,	Rosenfeld,	Watson,
Dent,	Mahany,	Ruth,	Wolfe,
Diehm,	Mallery,	Scarlett,	Yosko,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Presiding Officer
Freed,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 490, as follows:

An Act to further amend section two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 216) entitled "An act relating to dentistry defining and providing for the licensing and registration of dentists and dental hygienists and for the revocation and suspension of such licenses and registrations subject to appeal and for their reinstatement defining the powers and duties of the State Dental Council and Examining Board and the Department of Public Instruction providing penalties and repealing existing laws" by further defining the term "Practice of Denistry".

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Section two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 216) entitled "An act relating to dentistry defining and providing for the licensing and registration of dentists and dental hygienists and for the revocation and suspension of such licenses and registrations subject to appeal and for their reinstatement defining the powers and duties of the State Dental Council and Examining Board and the Department of Public Instruction providing penalties and repealing existing laws" as last amended by the act approved the twentieth day of April one thousand nine hundred forty-nine (P. L. 660) is hereby further amended to read as follows:

Section 2 Definitions A person engages in the "Practice of Dentistry" within the meaning of this act who diagnoses treats operates on or prescribes for any disease pain or injury or regulates any deformity or physical condition of the human teeth jaws or overlaying tissues or who fits constructs and inserts any artificial appliance plate or denture for the human teeth or jaws or who holds him-

self or herself out as being able or legally authorized to do so. The term "Practice of Dentistry" does not include:

(a) The practice of any of the healing arts by duly licensed practitioners.

(b) The extracting of teeth or relieving pain by a licensed physician or surgeon in emergencies or the making of applications for such purposes.

(c) The taking of X-ray pictures of the human teeth jaws or adjacent structures.

(d) The calling into this Commonwealth for consultation of a duly licensed practitioner of dentistry of any other state or country with respect to any case under treatment or demonstrating before any duly authorized dental society in this Commonwealth.

(e) The practice of dentistry by bona fide students of dentistry in clinical departments and laboratories of approved dental colleges.

(f) The practice of dentistry in a dental clinic operated not for profit and under the direct supervision of a licensed and registered dentist during a period of internship not to exceed two (2) years by persons having acquired the preliminary and professional education required for licensure to practice dentistry in this Commonwealth after notification to the board.

A "Dental Hygienist" is one who is legally licensed as such by the said dental council and examining board to remove tartar deposits accretions and stains from the exposed surfaces of the teeth and directly beneath the free margin of the gums and to make application of sodium fluoride as defined by the board to the exposed surfaces of the teeth for the prevention of dental caries in the office of a dentist or any public or private institutions such as schools hospitals orphan asylums and sanitoriums or State health cars under the general supervision of a licensed and registered dentist and not otherwise and who does not perform any other operation or work on the teeth jaws gums or mouth whatever.

The word "board" as used in this act means the State Dental Council and Examining Board.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Haluska,	McPherson, Jr.,	Stevenson,
Bane,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Toole,
Berger,	Kephart,	Pechan,	Wade,
Blass,	Kessler,	Peelor,	Wagner,
Byrne,	Lane,	Propert,	Walker,
Chapman,	Leader,	Robinson,	Watkins,
Crowe,	Letzler,	Rosenfeld,	Watson,
Dent,	Mahany,	Ruth,	Wolfe,
Diehm,	Mallery,	Scarlett,	Yosko,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Presiding Officer
Freed,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMENDED

Mr. WALKER. Mr. President, I move that Senate Bill No. 516, on third reading, entitled:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-seven (P. L. 1987) entitled as amended "An act to preserve and improve the purity of the waters of the Com-

monwealth for the protection of public health animal and aquatic life and for industrial consumption and recreation empowering and directing the creation of indebtedness or the issuing of nondebt revenue bonds by political subdivisions to provide works to abate pollution providing protection of water supply providing for the jurisdiction of courts in the enforcement thereof requiring the approval of the Attorney General for prosecutions thereunder providing additional remedies for abating pollution of waters imposing certain penalties and repealing certain acts authorizing the acquisition by purchase or condemnation or otherwise of easements and rights of ways the acquisition or construction of pipes conduits drains or tunnels by the Sanitary Water Board and providing for payment of the costs thereof by the Commonwealth authorizing the Sanitary Board to establish standards of purity and to determine the time for compliance with certain provisions of the act in certain cases and making it unlawful to open reopen or continue operation of any coal mine or to change any approved draining or disposal plan without prior approval by the Sanitary Water Board" by increasing maximum time after notice for discontinuance of discharge or treatment of sewage or discharge of industrial waste

be recommitted to the Committee on State Government, for the purpose of further study.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 700, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by further defining clarifying adding to and otherwise changing the laws relating to the affairs of townships

And said bill having been read at length the third time,
On the question,

Will the Senate agree to the bill on third reading?

Mr. MALLERY. Mr. President, on behalf of Mr. Stevenson, I ask unanimous consent to offer strike-out amendments.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 7 (Sec. 702), page 12, line 19, by striking out the following "and to regulate the method to be followed in"; amend Sec. 7 (Sec. 702), page 13, line 1, by striking out the following: "the extinguishment of fires."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 700, on third reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

SECOND READING CALENDAR

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 14, entitled:

An Act to amend clause (c) of Section 3 of the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 359) entitled "A supplement to the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 299) entitled 'An act providing for the establishment in counties of the second class of the lot and block plan for the registration of land titles for the accumulation of county tax liens and for the enumeration of the parcels of real estate to be assessed for county city borough township school and dinstitution district taxation providing for the incurring of indebtedness for the installation thereof and imposing duties upon the county controller and the deed registrar in each of such counties' providing for the use in counties of the second class of the lot and block descriptive number in the making of assessments in the preparation of tax bills and tax receipts in the filing of liens for delinquent taxes and in the sale of real estate for taxes and imposing duties upon certain county officials in second class counties and upon treasurers tax collectors and solicitors of cities boroughs towns townships and school districts in said counties" by further providing for the contents of instruments to be received for recording by the recorder of deeds and imposing duties on him relating thereto.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 51, entitled:

An Act to amend Section 5 of he act approved the first day of June one thousand nine hundred forty-five (P. L. 1358) entitled "An act relating to chattel mortgages on any chattel or chattels or any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties" by providing for postponement of the lien and operation of chattel mortgages in certain cases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 153, entitled:

An Act to amend Section 209 of Article II of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by authorizing cemetery and burial corporations to transfer trust funds to corporate fiduciaries with the approval of the Orphans' Court and by providing for the filing of accounts by such fiduciaries and the audit and confirmation thereof by said court

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 256, entitled:

An Act to further amend Section 14 of the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 233) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the Bureau of Police in cities of the second class providing a pension fund for said employees and providing for the payment of certain dues fees assessments fines and appropriations thereto regulating membership therein creating a board for the management thereof providing the amount mode and manner of payment to beneficiaries thereof and for the care and disposition of said fund providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds organizations corporations or associations having the same or similar purposes and of such additional monies as may be necessary to carry out the provisions of this act" by fixing and changing the amount of pension payments to beneficiaries

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendment:

Amend Sec. 1 (Sec. 14), page 3, line 13, by striking out "\$175.00" and inserting in lieu thereof: "\$200.00."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 276, entitled:

An Act to amend Subsection C of Section 315 of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by the act imposing penalties and repealing certain acts and parts of acts relating to corporations" by authorizing cemetery and burial corporations to transfer trust funds to corporate fiduciaries with the approval of the orphans' court and by providing for the filing of accounts by such fiduciaries and the audit and confirmation thereof by said court

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 341, entitled:

An Act giving liens against real property priority over each other in point of time fixing the time from which priorities extend and imposing duties on judges and certain court and county officers and employees

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 398, entitled:

An Act to further amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the bureau of fire in cities of the second class creating a board for the management thereof providing the mode and manner of payment to beneficiaries and for the care and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created" by changing the compensation of the Secretary-Treasurer of the board and changing the amounts of contributions by members to the fund and changing the amounts of payments to beneficiaries

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendment:

Amend Sec. 2 (Sec. 12), page 6, line 10, by striking out the figures "\$175.00" and inserting in lieu thereof "\$200.00."

It was agreed to.

The section was agreed to as amended.

The third and fourth sections and title were read and agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 458, on second reading, entitled:

An Act to amend Section 5 and to add Section 5.1 to the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by requiring certain bonds issued for certain purposes to be offered for sale at open and competitive bidding in certain cases.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 500, entitled:

An Act to further amend the title of and the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1286) entitled as amended "An act empowering counties of the second class cities boroughs incorporated towns and townships to charge and collect from owners of and water users in property served thereby annual rentals rates or charges for the use of certain sewers sewerage systems and sewage treatment works including charges for operation inspection maintenance repair depreciation and the amortization of indebtedness and interest thereon empowering counties of the second class cities boroughs incorporated towns and townships to contract with authorities organized by counties of the second class for sewer sewerage and sewage treatment services to grant convey lease transfer encumber mortgage and pledge to such authorities their sewers sewerage systems and sewage treatment works to assign and pledge to such authorities rentals rates and charges charged and collected by them for the use thereof and to assign to such authorities their power to charge and collect the same and validating all such contracts grants conveyances leases transfers assignments encumbrances mortgages and pledges heretofore made" by extending to authorities organized by cities of the third class the provisions affecting authorities organized by counties of the second class

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 513, entitled:

An Act to amend section 2 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by providing that certain appeals may be taken to the court of common pleas of the county in which the aggrieved person resides.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 525, entitled:

An Act to further amend Section 2 of the act approved the twenty-fifth day of June one thousand eight hundred ninety-five (P. L. 275) entitled "An act dividing the cities of this State into three classes with respect to their population and designating the mode of ascertaining and changing the classification thereof in accordance therewith" by providing for the regression in classification of cities upon their decrease in population

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 527, entitled:

An Act to amend clause (h) of section one hundred two clauses (c) and (f) section two hundred two clause (c) of section two hundred five clauses (a) (b) (c) (d) (e) and (f) of section two hundred ten section three hundred six clause (c) of section five hundred two and clause (g) of section two hundred five of the act approved the twenty-fifth day of June one thousand nine hundred and forty-one (P. L. 159) entitled "An act amending revising consolidating and changing the law relating to the borrowing of money by certain political subdivisions the authorization issuance and sale of general obligation bonds as herein defined of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes and to the funding of debt and the refunding of bonds regulating the keeping and use of sinking funds imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions imposing penalties and repealing existing laws" by clarifying and correcting the provisions of said sections and setting forth provisions and requirements for contesting the

validity of any election proceedings under section two hundred five

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 681, entitled:

An Act to further amend the title and Section 1 of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 477) entitled as amended "An act providing for the payment of the salary medical and hospital expenses of policemen and firemen by cities boroughs towns and townships who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period" by extending the provisions thereof to park guards

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 122, entitled:

An Act to further amend paragraph (8) of subsection A and subsection B of section 1208 section 1209 and subsection C of section 1210 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers directors trustees shareholders attorneys and other employees of all such corporations employees' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for authorized investments and limitations on loans and discounts of savings banks.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 123, entitled:

An Act to re-enact and amend the title and the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 796) entitled "An act providing

for the preservation of the records of banks bank and trust companies trust companies savings banks and private banks and imposing penalties for violations" by extending the provisions thereof to national banking associations making photostatic film reproductions or photographic or photostatic copies of original records admissible in evidence equally and with the same force and effect as such original records providing a means for the final adjustment and settlement of depositors' accounts and saving certain parts of acts from repeal.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 124, entitled:

An Act to further amend subsection A of Section 1006 of the act approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled, as amended, "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers and employees' mutual banking associations; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers and employees' mutual banking associations, and of the officers, directors, trustees, shareholders, attorneys, and other employees of all such corporations, employees' mutual banking associations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further providing for the powers and limitations upon powers of banks and banks and trust companies.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 125, entitled:

An Act to further amend subsection E of section nine hundred eight of the act approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled, as amended, "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers and employees' mutual banking associations; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers and employees' mutual banking associations, and of the officers, directors, trustees, shareholders, attorneys, and other employees of all such corporations, employees' mutual banking associations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporations; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further providing for the powers and limitations on powers of corporations authorized to engage in the banking business.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 282, entitled:

An Act to further amend Section 620 of the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 457), entitled "An act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities, and immunities of such associations, and of their officers, directors, shareholders, solicitors, and other employees; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions, and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," by increasing the maximum amount to be set aside as reserve for contingent losses.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 368, entitled:

An Act relating to the practice of professional nursing providing for the licensing of nurses and for the revocation and suspension of such licenses subject to appeal and for their reinstatement providing for the annual renewal of such licenses regulating nursing in general prescribing penalties and repealing certain laws.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 369, entitled:

An Act to further amend Sections 202 418 and 1310 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by changing the name of the State Board of Examiners for Registration of Nurses.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 381, entitled:

An Act to further amend Section 1146 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing revised minimum salaries for certain part-time teachers and supervisors of general extension education classes and activities.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 383, entitled:

An Act to further amend the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees retirement system and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employees, exempting annuities, allowances, returns, benefits and rights from taxation and judicial process; and providing penalties," by permitting employees to make up back payments to the retirement system from the time they entered school service, and securing to such employees the full benefits of the retirement system from the time they entered school service.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 397, entitled:

An Act to further amend Section 11 of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employees; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by providing for retroactive service allowance of certain employees.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 501, entitled:

An Act to further amend Section 2 of the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 951), entitled, as amended "An act defining and providing for the licensing and regulation of private academic schools; conferring powers and imposing duties on the Department of Public Instruction; and imposing penalties," by exempting therefrom schools for the blind, deaf and dumb receiving State appropriations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 526, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457), entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employees prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts," by further regulating the withdrawals of certain optional payment shares providing that accounts of less than a certain amount need not be credited with dividends further regulating the terms of mortgage contracts and the terms of bonds securing mortgages and the types of property upon which mortgages may be taken.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

REPORTS FROM COMMITTEES

Mr. WAGNER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WAGNER, from the Committee on Banking, reported as amended, Senate Bill No. 242, entitled:

An Act to amend the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled, as amended, "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers and employees' mutual banking associations; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers and employees' mutual banking associations, and of the officers, directors, trustees, shareholders, attorneys, and other employees of all such corporations, employees mutual banking associations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further providing for establishment of branch offices, agencies and facilities and the approval thereof by the Department of Banking.

He also from the Committee on Banking reported as amended, Senate Bill No. 327, entitled:

An Act to further amend clause four of subsection A of Section 1001 of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled, as amended "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing

of private bankers and employees' mutual banking associations; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers and employees' mutual banking associations, and of the officers, directors, trustees, shareholders, attorneys, and other employees of all such corporations, employees' mutual banking associations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation; association, or persons, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further regulating the making of installment loans.

He also from the Committee on Banking, reported as committed, Senate Bill No. 370, entitled:

An Act relating to adverse claims to bank deposits, prescribing the manner in which such claims must be supported to be entitled to recognition and limiting the effect of attachments or restraining orders against banking institutions having branch offices.

He also from the Committee on Education re-reported as amended, Senate Bill No. 375, entitled:

An Act to amend clause (b) of Section 1 of the act, approved the thirtieth day of June, one thousand nine hundred forty-seven (P. L. 1183) entitled "An act relating to strikes by public employees; prohibiting such strikes; providing that such employees by striking terminate their employment; providing for reinstatement under certain conditions; providing for a grievance procedure; and providing for hearings before civil service and tenure authorities, and in certain cases before the Pennsylvania Labor Relations Board," by changing method of selecting panels for the adjustment of grievances of school district employees; and imposing additional duties on such panels.

BILLS ON FIRST READING

Mr. WAGNER. Mr. President, I move that the Senate do now proceed to the first reading of the bills just reported from committees for the first time at today's session.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 242, entitled:

An Act to amend the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers directors trustees shareholders attorneys and other employees of all such corporations employees' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts

prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for establishment of branch offices agencies and facilities and the approval thereof by the Department of Banking.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 327, entitled:

An Act to further amend clause four of subsection A of Section 1001 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or with fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers directors trustees shareholders attorneys and other employees of all such corporations employees' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further regulating the making of installment loans.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bil No. 370, entitled:

An Act relating to adverse claims to bank deposits, prescribing the manner in which such claims must be supported to be entitled to recognition and limiting the effect of attachments or restraining orders against banking institutions having branch offices.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

DOCTOR M. LOUISE RUTHERFORD AND JAPANESE OFFICIALS PRESENTED TO SENATE

The PRESIDING OFFICER. The Chair at this time would like to call attention to the presence in the Senate Chamber of Doctor Rutherford and three very distinguished guests who are here with her today; Mr. Michikazu Saigo, Chief, Administration Section, Local Finance Commission, Japanese National Government; Mr. Hiroshi Miyazawa, Deputy Chief, Administration Section, Local Autonomy Agency, Japanese National Government; Mr. Walter Tanaka, Governmental Affairs Institute, Washington, D. C.

The Chair is very happy to recognize these gentlemen, and I am going to ask them to stand and take a bow.

RECONSIDERATION OF HOUSE BILLS

Mr. WALKER. Mr. President, may we revert to Page 6

of today's Calendar, Bills on Second Reading, House Bill No. 256, Printer's No. 245?

Mr. President, the bill was before us for Second Reading, amendments were offered, and the bill was amended and read for the second time as amended. It is our desire at this time to withdraw the amendments so that the proper amendments can be prepared.

RECONSIDERATION OF HOUSE BILL No. 256

Mr. WALKER. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 256, entitled:

An Act to further amend Section 14 of the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 233) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the Bureau of Police in cities of the second class providing a pension fund for said employees and providing for the payment of certain dues fees assessments fines and appropriations thereto regulating membership therein creating a board for the management thereof providing the amount mode and manner of payment to beneficiaries thereof and for the care and disposition of said fund providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds organizations corporations or associations having the same or similar purposes and of such additional monies as may be necessary to carry out the provisions of this act" by fixing and changing the amount of pension payments to beneficiaries.

passed second reading, as amended.

The PRESIDING OFFICER. How did the Senator vote?

Mr. WALKER. Mr. President, I voted with the majority.

Mr. FLEMING. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. FLEMING. Mr. President, I voted with the majority.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on second reading, as amended?

Mr. WALKER. Mr. President, I move to reconsider the vote by which the amendment was adopted.

The PRESIDING OFFICER. How did the Senator vote?

Mr. WALKER. Mr. President, I voted with the majority.

Mr. FLEMING. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. FLEMING. Mr. President, I voted with the majority.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. WALKER and Mr. FLEMING and were as follows, viz:

YEAS—49

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Toole,
Berger,	Kephart,	Pechan,	Wade,
Blass,	Kessler,	Peelor,	Wagner,
Byrne,	Lane,	Probert,	Walker,
Chapman,	Leader,	Robinson,	Watkins,
Crowe,	Letzler,	Rosenfeld,	Watson,
Dent,	Mahany,	Ruth,	Wolfe,
Diehm,	Mallery,	Scarlett,	Yosko,
DiSilvestro,	McCreesh,	Silver,	Wood,
Fleming,	McGinnis,	Snowden,	Presiding Officer
Freed,	McMenamin,		

NAYS—0

So the question was determined in the affirmative.

And the question recurring,
Will the Senate agree to the amendment?

Mr. WALKER. Mr. President, I desire at this time to withdraw the amendment which I offered to House Bill No. 256.

The PRESIDING OFFICER. Is there objection? The Chair hears none. The amendment is withdrawn.

And the question recurring,

Will the Senate agree to the bill on second reading?

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 256, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

RECONSIDERATION OF HOUSE BILL No. 398

Mr. WALKER. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 398, entitled:

An Act to further amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class creating a board for the management thereof providing the mode and manner of payment to beneficiaries and for the care and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created" by changing the compensation of the Secretary-Treasurer of the board and changing the amounts of contributions by members to the fund and changing the amounts of payments to beneficiaries.

passed second reading, as amended.

The PRESIDING OFFICER. How did the Senator vote?

Mr. WALKER. Mr. President, I voted with the majority.

Mr. FLEMING. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. FLEMING. Mr. President, I voted with the majority.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on second reading, as amended?

Mr. WALKER. Mr. President, I move to reconsider the vote by which the amendment was adopted.

The PRESIDING OFFICER. How did the Senator vote?

Mr. WALKER. Mr. President, I voted with the majority.

Mr. FLEMING. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. FLEMING. Mr. President, I voted with the majority.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. WALKER and Mr. FLEMING and were as follows, viz:

YEAS—49

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Toole,
Berger,	Kephart,	Pechan,	Wade,
Blass,	Kessler,	Peelor,	Wagner,
Byrne,	Lane,	Probert,	Walker,
Chapman,	Leader,	Robinson,	Watkins,
Crows,	Letzler,	Rosenfeld,	Watson,
Dent,	Mahany,	Ruth,	Wolfe,

Diehm,
DiSilvestro,
Fleming,
Freud.

Mallery,
McCreesh,
McGinnis,
McMenamin,

Scarlett,
Silvert,
Snowden,

Yosko,
Wood,
Presiding Officer

NAYS—0

So the question was determined in the affirmative.

And the question recurring,

Will the Senate agree to the amendment?

Mr. WALKER. Mr. President, I desire at this time to withdraw the amendment which I offered to House Bill No. 398.

The PRESIDING OFFICER. Is there objection? The Chair hears none. The amendment is withdrawn.

And the question recurring,

Will the Senate agree to the bill on second reading?

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 398, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

REPORT FROM COMMITTEE

Mr. STEVENSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. STEVENSON, from the Committee on Local Government, reported as amended, House Bill No. 702, entitled:

An Act to further amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by further regulating the affairs of boroughs and revising amending and changing the law relating thereto.

BILL ON FIRST READING

Mr. STEVENSON. Mr. President, I move that the Senate do now proceed to the first reading of the bill reported from committee for the first time at today's session.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 702, entitled:

An Act to futher amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by further regulating the affairs of boroughs and revising amending and changing the law relating thereto

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Monday, May 7, 1951, at 2:00 o'clock, p. m., Eastern Standard Time.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 10:26 o'clock, a. m., Eastern Standard Time, until Monday, May 7, 1951, at 2:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, May 2, 1951

The House met at 11:00 a. m. EST.

The SPEAKER (Herbert P. Sorg) in the Chair.

PRAYER

The Chaplain, Reverend William Hugh Fryer, offered the following prayer:

Direct us, O Lord, in all our doings with Thy most gracious favor and further us with Thy continual help that in all our works begun, continued and ended in Thee, we may glorify Thy Holy Name and by Thy mercy fulfill Thy destiny for us, through Jesus Christ, our Lord. Amen.

JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Tuesday, May 1, 1951? If not, and without objection, the Journal is approved.

BILLS INTRODUCED AND REFERRED

By Mr. EWING.

HOUSE BILL No. 1091.

An Act to further amend section two of the act, approved the second day of June, one thousand eight hundred and eighty-three (P. L. 61), entitled "An act supplementary to an act, entitled 'An act for the incorporation and regulation of corporations' approved April twenty-ninth, one thousand eight hundred and seventy-four, authorizing the incorporation of pipe lines for the transportation of petroleum, and providing for the exercise of the right of eminent domain in taking lands and property for such purposes," by clarifying and enlarging the powers of pipe line companies to acquire, use and dispose of property, including shares of stock of other pipe line companies; authorizing such companies to exercise powers of eminent domain outside the Commonwealth; clarifying provisions concerning consents of stockholders and approvals of Pennsylvania Public Utility Commission.

Referred to the Committee on State Government.

By Messrs. WILBUR H. HAMILTON and ROSE.

HOUSE BILL No. 1092.

An Act to amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by providing for the filing of nomination petitions of candidates for district councilmen in cities of the first class and of nomination papers in electoral districts newly created.

Referred to the Committee on Elections and Apportionment.

By Messrs. GREER and HARVEY A. MOORE.

HOUSE BILL No. 1093.

An Act to add subsection (e) to section 501 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of

highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by providing for the issuance of special plates for farm trucks.

Referred to the Committee on Motor Vehicles.

By Mr. SCOTT.

HOUSE BILL No. 1094.

An Act to amend the act, approved the twelfth day of April, one thousand nine hundred fifty-one (Act No. 21), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages, amending, revising, regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in, and use of alcoholic liquors, alcohol and malt and brewed beverages, and the persons engaged or employed therein, defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State Liquor stores, for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option and repealing existing laws," by changing the definition of "club", adding new definitions, and changing requirements for licensing of clubs.

Referred to the Committee on Liquor Control.

By Messrs. PFAFF and LIMPER.

HOUSE BILL No. 1095.

An Act reappropriating to Episcopal Hospital, Philadelphia, certain moneys heretofore appropriated to the University of Pennsylvania for the maintenance of the Episcopal Hospital.

Referred to the Committee on Appropriations.

By Messrs. TOLL and LEVEN. HOUSE BILL No. 1096.

An Act to add Section 314 to the act, approved the sixth day of April, one thousand nine hundred fifty-one (P. L. , Act No. 20), entitled "An act relating to the rights, obligations and liabilities of landlord and tenant and of parties dealing with them, and amending, revising, changing and consolidating the law relating thereto," by providing that rent shall not be collectible if dwelling uninhabitable or if services agreed to are not furnished.

Referred to the Committee on Judiciary.

By Messrs. ROBERT K. HAMILTON and McCULLOUGH.

HOUSE BILL No. 1097.

An Act to further amend subsections (a), (b) and (c) of Section 1112 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905),

entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bivcycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by authorizing the designation of thru highways and stop intersections in second class townships.

Referred to the Committee on Motor Vehicles.

By Messrs. BOLTON and LAFORE.

HOUSE BILL No. 1098.

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class, amending, revising, consolidating, and changing the law relating thereto," by authorizing the shade tree commission to require the cutting and removal of trees afflicted with the Dutch elm or other disease which threatens to injure or destroy shade trees, and to levy and collect the cost thereof from the owner of the property by action in assumpsit, or by the filing of a municipal claim therefor.

Referred to the Committee on Townships.

By Messrs. BROWN and BOMBERGER.

HOUSE BILL No. 1099.

An Act permitting fishing in certain lakes and reservoirs and in the waters above such lakes and reservoirs, created by damming rivers, streams or creeks and used for public water supply purposes; providing for the regulation of such fishing by the Pennsylvania Fish Commission and the Sanitary Water Board; modifying the laws with respect to trespass and imposing penalties.

Referred to the Committee on Public Health and Sanitation.

By Messrs. KENT and SCOTT.

HOUSE BILL No. 1100.

An Act to amend sections 464 and 471 of the act, approved the twelfth day of April, one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages, amending, revising, consolidating and changing the laws relating thereto, regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in, and use of alcoholic liquors, alcohol and malt and brewed beverages, and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without

warrant; prescribing penalties and forfeitures; providing for local option and repealing existing laws," by further defining the powers of courts on appeal.

Referred to the Committee on Liquor Control.

By Messrs. VAN SANT and STIMMEL.

HOUSE BILL No. 1101.

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of Allentown State Hospital, to sell and convey a certain tract of land situate in the City of Allentown, County of Lehigh to the Central Railroad Company of Pennsylvania.

Referred to the Committee on State Government.

By Mr. KENT.

HOUSE BILL No. 1102.

An Act to provide for liens for the cost of hospital care and treatment of persons wilfully or negligently injured, the liens to exist on rights of action and on counterclaims and on verdicts and judgments recovered as the result of such injuries and on moneys paid in settlement of such actions and counterclaims; and providing rights of action to recover such liens if not paid.

Referred to the Committee on Judiciary.

By Mr. BANKER.

HOUSE BILL No. 1103.

An Act making an appropriation to the Huntingdon Volunteer Fire Company for the protection of State property.

Referred to the Committee on Appropriations.

By Mr. BANKER.

HOUSE BILL No. 1104.

An Act to amend subsection (a) of Section 1402 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by authorizing the giving of medical and dental examinations to children prior to enrollment in the first grade.

Referred to the Committee on Education.

By Mr. LOFTUS.

HOUSE BILL No. 1105.

An Act to amend Section 31 of the act, approved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207), entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," by providing that where the highest bidder defaults, the sheriff may, at the risk of the defaulting bidder, again expose the property to sale on a subsequent date under the same terms and conditions as prevailed at the original sale held under the decree of court.

Referred to the Committee on Municipal Corporations.

By Mr. MINTESS.

HOUSE BILL No. 1106.

An Act authorizing any taxing authority in cities of the first class to take possession of any real estate on which taxes are delinquent, designating the office and establishing the procedure relating to the taking over, managing and control of such real estate; conferring powers and imposing duties on such manager and providing for the distribution of revenue derived therefrom.

Referred to the Committee on City and County—First Class.

By Mr. LAFORE.

HOUSE BILL No. 1107.

An Act to add section 1035 to the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by prohibiting the depositing of foreign material on highways, and providing penalties.

Referred to the Committee on Motor Vehicles.

By Mr. FLACK.

HOUSE BILL No. 1108.

An Act to repeal the act, approved the sixth day of June, one thousand nine hundred thirteen (P. L. 452), entitled "An act to amend an act 'Providing for the appointment of a board of visitation for institutions, societies, and associations caring for dependent, neglected, or delinquent children' approved the twenty-sixth day of February, Anno Domini one thousand nine hundred and three, and making it the duty of the board of visitation to visit all institutions, within the county, which receive their inmates from more than one county, and are in whole or in part supported and managed by the Commonwealth, and all institutions which are wholly supported and managed by any county, city, borough, or township of the poor district of the Commonwealth, and providing for the making of nominations of appointment on the boards of visitation."

Referred to the Committee on Welfare.

By Messrs. MUSTO and FILIP. HOUSE BILL No. 1109.

An Act to further amend Section 441 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administra-

tive departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," by providing that one of the members of the Workmen's Compensation Board shall be a representative of organized labor.

Referred to the Committee on State Government.

By Mr. DOWLING.

HOUSE BILL No. 1110.

An Act relating to and regulating the business of dry cleaning and dyeing, as herein defined; granting authority to, and imposing duties upon, the Department of Labor and Industry; requiring approval by said department of certain plans for dry cleaning and dyeing plants; prescribing filing fees for applications for said approval; providing for certain administrative and judicial review of the orders and decisions of said department; conferring authority upon certain employees of political subdivisions and representatives of the Pennsylvania State Police; providing penalties for violations of the provisions of this act or the regulations adopted thereunder; and repealing certain acts.

Referred to the Committee on State Government.

By Mr. MADIGAN.

HOUSE BILL No. 1111.

An Act to regulate and control the distribution, sale or offering for sale of all bread, wrapped or unwrapped; conferring certain powers and imposing duties upon the Secretary of Internal Affairs and inspectors of weights and measures in cities and counties relative thereto; prescribing penalties for violations thereof and repealing inconsistent laws.

Referred to the Committee on State Government.

By Mr. BANKER.

HOUSE BILL No. 1112.

An Act to amend the title of and the act, approved the twenty-eighth day of April, 1887 (P. L. 63), entitled "An act in relation to the imprisonment, government and release of convicts in the Pennsylvania Industrial Reformatory at Huntingdon," by correcting the name of said institution and of the governing board thereof, and changing the age limit of persons who may be committed to and detained therein.

Referred to the Committee on Welfare.

By Messrs. HARVEY A. MOORE and

McCULLOUGH.

HOUSE BILL No. 1113.

An Act to further amend Section 17 of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled, as amended "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are practically, and commercially suitable for use in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof, requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," by providing for partial reimbursement of taxes paid on liquid fuels

consumed in the operation of certain tractors and machinery for agricultural purposes; providing penalties and making appropriations from the Motor License Fund for the payment of such reimbursements and expenses in connection therewith.

Referred to the Committee on Ways and Means.

By Messrs. McCORMACK and IUBIN.

HOUSE BILL No. 1114.

An Act to further amend Section 3 of the act, approved the nineteenth day of July, one thousand nine hundred thirty-five (P. L. 1356), entitled "An act to regulate the sale and delivery of solid fuel, as herein defined; providing for appointment of licensed weighmasters; prescribing their powers and duties; authorizing substitute licensed weighmasters; imposing certain duties on the Department of Internal Affairs; and providing penalties," by requiring different types of solid fuels in one vehicle to be separated, and requiring separate weighmaster's certificates for each type.

Referred to the Committee on State Government.

By Mr. TOLL, Mrs. MONROE and

Mr. PETTIGREW. HOUSE BILL No. 1115.

An Act making an appropriation to the Berean Manual Training School at Philadelphia, Pennsylvania, for the purpose of the maintenance of said school.

Referred to the Committee on Appropriations.

By Mr. JOHNSON.

HOUSE BILL No. 1116.

An Act to further amend Sections 1 and 2 of the act approved the twenty-fourth day of July, one thousand nine hundred thirteen, (P. L. 965), entitled "An act defining commodities; regulating the sale thereof; and providing penalties for violation hereof," by defining further words and terms and regulating the sale of certain additional commodities.

Referred to the Committee on State Government.

By Mr. FIRMSTONE.

HOUSE BILL No. 1117.

A Supplement to the act, approved the eleventh day of May, one thousand nine hundred five (P. L. 400), entitled "An act to provide for the selection of a site and the erection of a State Hospital for the treatment and care of the criminal insane, to be called the State Hospital for the Criminal Insane, and making an appropriation therefor," authorizing the Board of Trustees of Fairview State Hospital to accept into custody of that institution made and female patients.

Referred to the Committee on Welfare.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. SOLLENBERGER.

(Concurrent) RESOLUTION No. 38.

In the House of Representatives, May 1, 1951.

Whereas, The courses of study and methods of instruction followed and used in the schools for the deaf are regarded as an antiquated process and not in keeping with the advanced forms adopted by other States as far back as 1910, therefore be it

Resolved (if the Senate concur), That there is hereby created a special commission to consist of not more than three members, to be appointed by the Governor, to make a careful, thorough and impartial study and examination of the various regulations, laws and statutes of other States pertaining to methods of instruction used in teaching the deaf, and be it further

Resolved, That the members of said commission shall be chosen from experts in the field of teaching of the

deaf from anywhere in the United States, and that no person presently engaged in Schools for the Deaf in Pennsylvania or in the Department of Public Instruction shall be appointed to the commission, and be it further

Resolved, That the commission, so appointed, shall make a report of its findings and recommendations to the Governor and the General Assembly at the next regular session of the General Assembly as to such changes, revisions or improvements as it may find to be necessary or desirable to correct any imperfections, insufficiencies and defects in the law, statutes or regulations, to correct the present methods of instruction followed in the teaching of the deaf in this Commonwealth.

Referred to the Committee on Rules.

By Messrs. HARNEY and LEISEY.

(Concurrent) RESOLUTION No. 39.

In the House of Representatives, May 1, 1951.

Whereas, Commonwealth public school subsidies increased from \$76,000,000 for the biennium 1939-1941 to \$231,000,000 for the biennium 1949-1951; and

Whereas, The General Assembly of 1945 established a new public school subsidy system designed to guarantee "to every Pennsylvanian basic educational opportunities at reasonable and uniform rates of local taxation"; and

Whereas, The General Assembly of 1947 established a uniform basis for the distribution of Commonwealth subsidies; and

Whereas, No official determination has ever been made as to the uniformity of local tax effort to support the public schools; therefore be it

Resolved (if the Senate concur), That the Joint State Government Commission is hereby directed to ascertain, on an annual basis, for the period 1949 to 1952, inclusive, the taxes levied by local school boards, and to relate those taxes to both the market value of the taxable real estate as established by the State Tax Equalization Board and to the population of the districts; and be it further

Resolved, That the Joint State Government Commission present a report of the findings of its study and investigation to the next regular session of the General Assembly.

Referred to the Committee on Rules.

By Messrs. GEER, RIGBY, BEECH and WILT.

RESOLUTION No. 40.

In the House of Representatives, May 1, 1951.

Whereas, A better police and detective force in counties, cities, boroughs and townships will result in greater efficiency in law enforcement and in ultimate conviction of criminals; and

Whereas, Standardization of educational and experimental requirements for law enforcement officers would lend to greater efficiency in the operation of the various police and detective forces in the several communities; therefore be it

Resolved, That the Joint State Government Commission be directed to study the need, propriety, advisability, and educational and experimental expediency of establishing standards for local police and detective forces in this Commonwealth, and the certification in relation to such standards of the police or detective forces by an existing State agency; and be it further

Resolved, That the Joint State Government Commission prepare a report of its investigation and submit such report, together with its recommendations to the next General Assembly.

Referred to the Committee on Rules.

By Mr. GEER.

RESOLUTION No. 41.

In the House of Representatives, April 30, 1951.

Whereas, It is agreed that the problems related to neglected children are different and separate from the problems related to delinquent children; and

Whereas, The act of June 2, 1933 (P. L. 1433), known as "The Juvenile Court Law" is adapted to provide for both neglected and delinquent children; and

Whereas, The institutional organization of this Commonwealth is not arranged so as to provide for any specific care in regard to neglected children nor is there any provision for a separate institution to care for neglected children; therefore be it

Resolved, That the Joint State Government Commission investigate the propriety and possibility of establishing a separate institution to care for those children who come under the classification of neglected children, but who, in no way, are adjudicated or deemed delinquent, and the provisions made relating to the confinement of those children and a determination established as to the length of their stay in such institution.

Referred to the Committee on Rules.

By Mr. YETZER.

RESOLUTION No. 42

In the House of Representatives, May 1, 1951.

The basketball team of Kutztown High School has demonstrated its athletic worth and its undeniable superiority by winning in two successive years the Class "B" State Championship.

It is truly a commendable event in educational circles when high school students can diversify their activities, directed to the pursuit of knowledge, with outstanding performance and success on the playing field. Perhaps, the Roman adage—mens sana in sana corpore—has more significance than the blase moderns are willing to concede. At least, the youth of Kutztown offer refreshing evidence that the stern business of acquiring formal knowledge and skills can be tempered with the collateral discipline and courage that are so necessary to achieve success in competitive athletic contests; therefore be it

Resolved, That this House of Representatives extend its heartiest congratulations to the members of the Kutztown Basketball Team for its brilliant achievements on the court; and be it further

Resolved, That this House of Representatives express its laudatory satisfaction with the skillful instruction imparted by Coach John Silan in organizing a winning team and infusing it with the spirit of determined, fair, and coordinated play; and be it further

Resolved, That the Chief Clerk of the House of Representatives be directed to transmit a copy of this resolution to the principal of the Kutztown High School, Kutztown, Pennsylvania.

Referred to the Committee on Rules.

SENATE MESSAGES

SENATE BILLS RETURNED TO GOVERNOR

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 30, 1951.

Resolved, (if the House of Representatives concur) that Senate Bills Nos. 68, 366 and 318, Printer's Nos. 121, 104 and 138, respectively, be returned to the Governor without amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 296, 297, 303, 379, 387, 456, 459 and 490.

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 99.

An Act to improve and extend by reciprocal legislation the enforcement of duties of support and to make uniform the law with respect thereto.

HOUSE BILL No. 512.

An Act to further amend subsection (b) of Section 4 of and to add Section 36.1 to the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by requiring taxing districts to pay the premiums on corporate bonds of the tax collector in townships of the first class and further regulating the fixing of the compensation of elected tax collectors

With information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 99.

An Act to improve and extend by reciprocal legislation the enforcement of duties of support and to make uniform the law with respect thereto.

HOUSE BILL No. 512.

An Act to further amend subsection (b) of Section 4 of and add Section 36.1 to the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by requiring taxing districts to pay the premiums on corporate bonds of the tax collector in townships of the first class and further regulating the fixing of the compensation of elected tax collectors

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

JAPANESE OFFICIALS WELCOMED

The SPEAKER. The Chair welcomes to the House Mr. Michikazu Saigo, Chief, Administration Section, Local Finance Commission, Japanese National Government, Mr. Hiroshi Miyazawa, Deputy Chief, Administration Section, Local Autonomy Agency, Japanese National Government, and Mr. Walter Tanaka, Governmental Affairs Institute, Washington, D. C.

LITITZ HIGH SCHOOL STUDENTS WELCOMED

The SPEAKER. The Chair welcomes to the House the Senior class of Lititz High School, under the supervision of their teacher, Mr. A. R. Houseal. They are the guests of the gentlemen from Lancaster, Messrs. Royer, Wood and Bomberger.

REPORTS FROM COMMITTEES

Mr. LYONS from the Committee on State Government, reported as committed, House Bill No. 577, entitled:

An Act to amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by further regulating the security required for depositors of State moneys and to permit the designation of additional banks or trust companies as active depositories.

Mr. HARRY W. PRICE, JR., from the Committee on State Government, reported as committed, House Bill No. 678, entitled:

An Act to further amend Section 1803 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions, defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," as amended by adding subsection (h) to authorize the Department of Forests and Waters to grant certain rights of way to utility companies.

Mr. KOHL from the Committee on State Government, reported as committed, House Bill No. 1040, entitled:

An Act authorizing the Secretary of Property and Supplies to sell and convey a tract of land situate in the Township of Cecil, Washington County, Pennsylvania; providing for reversion to the Commonwealth.

Mr. WESCOTT from the Committee on Education, reported as committed, House Bill No. 1043, entitled:

An Act to further amend section 1026 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by limiting the eligibility of candidates for county superintendent of schools.

Mr. GOODLING from the Committee on State Government, reported as amended, Senate Bill No. 329, entitled:

An Act to amend Section 3 of the act approved the twenty-eighth day of May, one thousand nine hundred thirty-one (P. L. 202), entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream, artificial or natural body of water, or non-tidal waters of any river within the Commonwealth; conferring powers and imposing duties on certain police officers and the Board of Fish Commissioners, including the enforcement of certain existing laws; and prescribing penalties," by authorizing the Department of Revenue to designate local agents, to issue motor boat licenses.

Mr. COOPER from the Committee on State Government, reported as committed, Senate Bill No. 342, entitled:

An Act to further amend Section 4 of the act, approved the twenty-fifth day of July, one thousand nine hundred seventeen (P. L. 1209), entitled "An act to authorize the acquisition, by purchase or condemnation, of lands for a park, and the erection of a monument commemorative of Washington crossing the river Delaware, and for the appointment of a commission to acquire said lands and erect such monument; and making an appropriation for the purpose of this act," authorizing the commission to establish and maintain a museum or museums for the preservation and display of relics and reproductions relating to Washington's Crossing of the Delaware.

Mr. THOMAS H. W. JONES from the Committee on Judiciary, reported as amended, Senate Bill No. 360, entitled:

An Act relating to habeas corpus; conferring jurisdiction upon the judges of the courts of Common Pleas; prescribing venue defining procedure in all cases; authorizing service to be made upon persons anywhere in the Commonwealth; providing for the imposition of costs allowing appeals; specifying the appellate court to which appeals may be taken; and repealing inconsistent legislation including that conferring jurisdiction on courts of Quarter Sessions.

Mr. ROYER from the Committee on State Government, reported as committed, Senate Bill No. 461, entitled:

An Act establishing a procedure by which the register of wills elected in counties of the first class shall execute record and file his bond to the Commonwealth and receive his commission and conferring powers and imposing duties upon the Secretary of the Commonwealth and the recorder of deeds.

Mr. PENGLASE from the Committee on State Government, reported as amended, House Bill No. 972, entitled:

An Act to further amend section seven hundred eleven of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," by regulating the dismissal, suspension, demotion, reenlistment and retirement of enlisted members of the Pennsylvania State Police.

Mr. PENGLASE from the Committee on State Government, reported as committed, Senate Bill No. 103, entitled:

An Act to reenact and amend the title and Section 4 of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 982) entitled "An act to authorize State public bodies as defined to aid redevelopment authorities in the elimination of blighted areas and their redevelopment by entering into contracts to furnish and by furnishing to said authorities and to any Federal governmental agency parks playgrounds streets and other improvements and facilities and by donating or lending money and making appropriations therefor by accepting payments and exercising certain other powers and duties" by confirming authorization heretofore granted to the Commonwealth or State public bodies to dedicate sell convey or lease any of its property to a redevelopment authority and by providing for the execution of instruments therefor on behalf of the Commonwealth and validating dedications sales conveyances and leases heretofore made

Mr. ROBERT K. HAMILTON from the Committee on State Government, reported as committed, Senate Bill No. 216, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey a tract of land situate in the Township of Reed Dauphin County Pennsylvania with the approval of the Governor.

Mr. MULDOWNEY from the Committee on State Government, reported as committed, House Bill No. 499, entitled:

An Act to further amend section eleven of the act, approved the seventeenth day of February, one thousand nine hundred six (P. L. 45), entitled "An act to regulate the deposits of State funds, to prescribe the method of selecting State depositories, to limit the amount of State deposits, to provide for the security of such deposits, to fix the rate of interest thereon, to provide for the publication of monthly statements of moneys in the general and sinking funds, to declare it a misdemeanor to give or take anything of value for obtaining the same, and prescribing penalties for violations of this act," by further regulating the rendition of statements of moneys to the credit of the various funds in the State Treasury.

Mr. GRANVILLE E. JONES from the Committee on State Government, reported as committed, House Bill No. 872, entitled:

An Act authorizing certain municipal corporations of other states to acquire, use, encumber, and dispose of real property and appurtenances attached thereto, in this Commonwealth necessary to the beneficial use of certain real property in such other state; defining certain of their rights and liabilities in connection therewith; and validating certain acquisitions and holdings of real property and appurtenances attached thereto by such municipal corporations heretofore consummated.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 52, entitled:

An Act empowering cities of the first class of the Commonwealth to make and enforce by ordinances fire prevention codes regulating the occupation and use of buildings and structures and the conduct of trades or businesses which due to the nature thereof create a fire hazard or danger to life or property by fire or explosion and providing penalties

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 109, entitled:

An Act to amend Section 506 of the act approved the sixth day of April one thousand nine hundred fifty-one (Act No. 20) entitled "An act relating to the rights obligations and liabilities of landlord and tenant and of parties dealing with them and amending revising changing and consolidating the law relating thereto" by providing that an appeal or certiorari to the court of common pleas in a suit or action by a landlord to recover possession of property shall be a supersedeas

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 378, entitled:

An Act to further amend the act approved the fifteenth day of June one thousand nine hundred thirty-seven (P. L. 1743), entitled as amended "An act relating to magistrates and magistrates and magistrates' courts in the city of Philadelphia imposing certain duties upon and prohibiting certain practices by magistrates and fixing their compensation imposing certain duties on the city controller in regard thereto authorizing the employment by him of additional clerks and fixing their compensation regulating the practice in and defining magistrates' courts the entering of bail and the issuance of discharges in criminal cases in the county of Philadelphia conferring certain powers over magistrates and magistrates' courts and imposing certain duties in connection therewith upon the judges of the courts of common pleas of the county of Philadelphia the Attorney General and the District Attorney providing for the appointment and employment of stenographers to report proceedings in certain cases heard by magistrates fixing the salaries of persons employed by authority of this act providing penalties for violations of the provisions thereof and repealing certain prior acts" by making the increase in salaries of magistrates applicable to all magistrates including the additional salary of the chief magistrate for his duties as such and increasing the same and by further providing for the costs of transcripts or reports

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 517, entitled:

An Act creating the Pennsylvania State Apple Board and defining its powers and duties providing for the registration and regulation of persons engaged in the growing producing and harvesting of apples for profit and prescribing fees therefor prescribing penalties creating a special fund in the State Treasury to be known as the Apple Promotion Fund and making an appropriation

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 647, entitled:

An Act to further amend Section 4 to amend subsection (d) of Section 4.1 to add Sections 4.2 and 4.3 and to amend paragraph (1) of Section 14 of the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" by clarifying the amount of contributions by certain pensioners and the method of computing lesser pensions changing date of completing certain payments and the age to which pension increments may be computed fixing minimum pensions and providing benefits for surviving spouse

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 684, entitled:

An Act providing for the observance of the 175th anniversary of the adoption of the Declaration of Independence creating a commission to cooperate with like commissions of the government of the United States and of the City of Philadelphia in arranging ceremonies and making an appropriation

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 703, entitled:

An Act to amend subsection three of section one and section four of the act approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1210) entitled "An act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder limiting the amount of such insurance prescribing standard policy provisions and requiring notice of conversion privileges" by extending the types permitted and fixing requirements thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 736, entitled:

An Act making an appropriation to the Department of Public Instruction for the training of teachers of the deaf

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 776, entitled:

An Act to amend Section 506 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by requiring notices of dissolution of stock or mutual fire insurance companies associations or exchanges to be given to policyholders or members

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 794, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by enlarging the jurisdiction of said court in certain cases of appeals and making said jurisdiction exclusive

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 795, entitled:

An Act to further amend Section 12 of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class creating and prescribing the powers and duties of a Board of Property Assessment Appeals and Reviewing imposing duties on certain county and city officers abolishing the board for the assessment and revision of taxes in such counties and prescribing penalties" by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from the Board of Property Assessment Appeals and Review

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 798, entitled:

An Act to further amend subsections (a) and (b) of Section 9 of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Re-

lations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employees to organize and bargain collectively declaring labor practices by employers to be unfair further providing that representatives of a majority of the employees be the exclusive representatives of all employees authorizing the board to conduct hearings and elections and certify as to representatives of employees for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" by conferring exclusive jurisdiction on the County Court of Allegheny County in cases of appeals from the Labor Relations Board

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 796, entitled:

An Act to further amend Section 616 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns township within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals by persons whose operator's license or learner's permit has been suspended or who has been deprived of the privilege of applying for an operator's license or learner's permit

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 797, entitled:

An Act to amend subsection (b) of Section 9 of the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 745) entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons en-

gaging in certain occupations and businesses therein providing for its levy and collection for the issuance of mercantile licenses upon the payment of fees therefor conferring and imposing powers and duties on boards of public education receivers of school taxes and school treasurers in such districts saving certain ordinances of council of certain cities and providing compensation for certain officers and employees and imposing penalties" as reenacted and made permanent by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from decisions of the collector in administering and enforcing the provisions of the act

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 826, entitled:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees of payments therefrom and providing for the guaranty by the Commonwealth of certain said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by redefining the term "final salary" and further providing the manner of computing employees' annuities

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 827, entitled:

An Act to further amend the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employees of said cities and all county or other public employees if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" by reducing the retirement age

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 867, entitled:

An Act transferring money from the Banking Fund to the General Fund

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 946, entitled:

An Act to amend Article X of the Act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for the appointment and removal of supervisors their qualifications term of office duties salary and method of filling vacancies

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 947, entitled:

An Act to amend Sections 1704, 1705 and 1707 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30), entitled, "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools, amending, revising, consolidating and changing the laws relating thereto" by further providing for voting by boards of school directors establishing and maintaining joint schools or departments, method of adopting budget and employing teachers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 960, entitled:

An Act to amend Section 8 of the act approved the first day of May one thousand nine hundred seven (P. L. 135) entitled "An act relating to the appointment of stenographers and assistant stenographers to report proceedings in the several courts of common pleas and orphans' courts courts of oyer and terminer and general jail delivery and courts of quarter sessions of the peace of this Commonwealth as well as before commissioners masters and special masters in chancery referees examiners auditors and other officers prescribing their powers and duties and when such reports shall be evidence of the facts reported prescribing their compensation and allowances for expenses when the same shall be paid by the county wherein such stenographers or assistant stenographers are employed and when by the parties to such proceedings and repealing an act entitled 'An act directing the appointment of official stenographers in the several civil courts of this Commonwealth authorizing the appointment of stenographers by examiners masters referees commissioners and auditors authorizing the appointment of assistant stenographers repealing 'An act to authorize the appointment of stenographers in the several courts of this Commonwealth prescribing their duties and fixing their compensation' approved May fifteenth one thousand eight hundred and seventy-four repealing 'An act to authorize the appointment of stenographers in the several courts of this Commonwealth prescribing their duties and fixing their compensation' approved May eighth one thousand eight hundred and seventy-six and repealing 'An act defining the duty of court stenographers in the several counties in this State' approved June tenth one thousand eight hundred and eighty-one' approved the twenty-fourth day of May one thousand eight hundred and eighty-seven but such repeal not to revive any law repealed by the said act of twenty-fourth of May one thousand eight hundred and eighty-seven" by increasing the compensation of official stenographers for copies of stenographic notes

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 990, entitled:

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employee arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability

and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" by amplifying the provisions thereof as to persons entitled to such payments

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1020, entitled:

An Act transferring money from the Manufacturing Fund to the General Fund

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1022, entitled:

An Act to amend sections 1 and 7 of the act approved the twenty-ninth day of May one thousand nine hundred thirty-five (P. L. 244) entitled "An act creating a Local Government Commission to study and report on functions of local government their allocation and elimination and the cost of local government and means of reducing it and the consolidation of local government and making an appropriation" by providing for the expenditure of any biennial appropriation made to the Local Government Commission

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1023, entitled:

An Act making an appropriation to the Local Government Commission to continue its work

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 80, entitled:

An Act to further amend the title and to amend Section 1 of the act, approved the twenty-seventh day of May, one thousand eight hundred ninety-three (P. L. 171), entitled, as amended "An act providing for the acquisition of land and the erection, equipment, management, and operation of the Pennsylvania Soldiers Orphans' School; the maintenance of children admitted thereto, and regulating the admissions to and discharges from the said Pennsylvania Soldiers Orphans' School," by changing the name of the Pennsylvania Soldiers Orphans' School.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 81, entitled:

An Act to amend the title and Sections 1 2 3 and 4 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 302) entitled "An act providing for the admission of children to and their education and maintenance in and their discharge from the Pennsylvania Soldiers' Orphan School prohibiting discharging children or taking children from said school or children from leaving the same without an order of the Board of Trustees of the Pennsylvania Soldiers' Orphan School and prescribing penalties" by changing the name of the Pennsylvania Soldiers' Orphan School

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 82, entitled:

An Act to further amend Sections 202, 401 and 1311 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by changing the name of the Pennsylvania Soldiers' Orphan School.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 127, entitled:

An Act to further amend section 15 and to amend section 29 of the act approved the seventeenth day of July, one thousand nine hundred thirty-five (P. L. 1092), entitled "An act defining fraternal benefit societies and their status; authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected, and regulating such benefits and collections; providing for the organization and incorporation of such societies and for their supervision, regulation, and examination by the Insurance Commissioner, and for the admission of foreign societies; designating tables of mortality as a basis for rates of contribution, requiring all societies to make annual and other reports; and appointing the Insurance Commissioner as attorney for service of process; providing penalties for any violations of the act; exempting such societies from taxation and certain other societies from its provisions; and requiring beneficial associations, other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner; and repealing existing laws," by regulating the transfer of excess insurance funds to the expense and other funds and providing for the consolidation of any society's funds; further regulating reports of valuation of death benefit fund obligations; regulating reserves and contributions for benefits.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 128, entitled:

An Act to amend subsections (d) and (f) of section 211.1 and to further amend section 212 and subsection (a) of section 301 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds association reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by further regulating assessments made by the Insurance Commissioner against life insurance companies to defray certain expenses providing for reciprocity with other states in assessing taxes and fees on insurance companies permitting foreign companies to write workmen's compensation insurance in Pennsylvania limiting the basis for valuation of reserve liability of life insurance companies organized in foreign countries

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 136, entitled:

An Act to amend Clause (8) of Section 6 and Section 9 of the act approved the eleventh day of May, one thousand nine hundred forty-nine, (P. L. 1210), entitled "An act relating to group life insurance; describing permitted policies and restrictions thereon, the premium basis thereof and rights thereunder; limiting the amount of such insurance; prescribing standard policy provisions; and requiring notice of conversion privileges," by limiting the amount of an individual policy issued to a person entitled thereto; and changing the premium basis and rate of interest thereon.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 140, entitled:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further regulating investments of insurance companies.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 247, entitled:

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by regulating the authority of school districts to purchase supplies and to perform and contract for construction, reconstruction, repairs and work of any nature.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 305, entitled:

An Act to facilitate vehicular traffic across the Commonwealth by providing for the construction operation and maintenance of a turnpike from a connection with the Eastern Extension of the Pennsylvania Turnpike System at such point as the Pennsylvania Turnpike Commission may decide is most feasible and practicable to a point on or near the Delaware River between the Commonwealth of Pennsylvania and the State of New Jersey and authorizing the Pennsylvania Turnpike Commission to construct operate and maintain either along or in conjunction with the New Jersey Turnpike Authority for the construction operation and maintenance of a bridge across the Delaware River or to acquire the use of a bridge heretofore or hereafter constructed for the further extension of the Pennsylvania Turnpike System and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds notes or other obligations of the Commonwealth payable solely from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose to pay the cost of such turnpike and bridge providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds notes or other obligations and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds notes or other obligations exempt from taxation constituting such bonds legal investments in certain instances requiring suits against the commission to be brought in Dauphin County prescribing conditions on which such turnpike shall become free providing for grade separations grade changes relocations restoration and vacation of public roads and State highways affected by the turnpike providing for the purchasing or condemnation of land procedure for determining damages in condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission and authorizing the issuance of turnpike revenue refunding bonds

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 320, entitled:

An Act to further amend subsection (a) of Section 621.1 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies by the State Workmen's Insurance Fund providing penalties and existing laws" by further defining and regulating group accident and health insurance.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 341, entitled:

An Act to further amend Section 2 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 685) entitled "An act designating certain life insurance companies as limited life insurance companies and further describing the powers thereof" by further describing the powers of limited life insurance companies.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 374, entitled:

An Act to amend the act approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further regulating health and accident insurance.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 432, entitled:

An Act to amend the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests: creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county board of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by providing for nominations and elections of county officers in counties about to undergo a change in classification, and imposing certain duties upon county commissioners, county boards of elections, and others.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 731, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by providing for the appointment of boards of health and health officers, prescribing their powers and duties permitting the enforcement of the administration of health laws by such board and officers providing for a president and secretary of such boards imposing duties on the Secretary of Health and providing for payments of expenses by townships

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 767, entitled

An Act to amend the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by authorizing the issuance of nondebt revenue bonds for improvement of a boroughs electric light plant.

The first section was read.

On the question,

Will the House agree to the section?

BILL POSTPONED

Mr. BLAIR. Mr. Speaker, I move that this bill be placed on the second reading postponed calendar.

The motion was agreed to.

BILLS ON THIRD READING

BILL PASSED OVER

There being no objection

House Bill No. 769, Printer's No. 204

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 881 as follows:

An Act to further amend Clause L of Section 1202 of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning borough and revising amending and consolidating the law relating to boroughs" by authorizing increase of appropriations for burial ground maintenance

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause L of Section 1202 of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1621) is hereby further amended to read as follows

Section 1202 Specific Powers The powers of the borough shall be vested in the corporate officers They shall have power

* * * * *

L Appropriations for Burial-Ground Maintenance To appropriate annually out of the general funds of the borough a sum not exceeding [five hundred] three thousand dollars for the care upkeep maintenance and beautifying of cemeteries burial-grounds and private roads therein lying wholly or partly within the boundary limits of such borough or in the territory immediately adjacent the borough

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Schmidt,
Bear,	Gutendorf,	McDermitt,	Schuster,
Beaver,	Guthrie,	McGee,	Scott,
Beech,	Hagerty,	McInroy,	Seyler,
Berkstreser,	Hall,	McKinney,	Shoemaker,
Blair,	Hamilton, R. K.,	McMillen,	Shotwell,
Bloom,	Hamilton, W. H.,	McNally,	Smith,
Boles,	Harney,	Metz,	Snider,
Bolton,	Haudenshield,	Mihm,	Sollenberger,
Bomberger,	Headlee,	Mikula,	Spencer,
Boorse,	Helm,	Miller, H. G.,	Stank,
Bower,	Hersch,	Miller, J. C.,	Stimmel,
Breisch,	Hewitt,	Mills,	Stoner,
Breth,	Hocker,	Mintess,	Swartz,
Brown,	Hoggard,	Monroe,	Swope,
Buchin,	Hunter,	Moore, C. E.,	Tahl,
Byrne,	Jenkins,	Moore, H. A.,	Taylor,
Cella,	Johnson,	Moran,	Thompson, E. F.,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, R. L.,
Clendening,	Jones, J. M.,	Munley,	Toll,
Cochran,	Jones, P. F.,	Murray,	Tompkins,
Conway,	Jones, T. H. W.,	Musto,	Toomey,
Cooper,	Jump,	Najaka,	VanSant,
Corr,	Kamyk,	Naugle,	Varallo,
Costa,	Keller,	Needham,	Varnar,
Coyle,	Kent,	Olsen,	Verona,
Dalrymple,	Kline,	Penglase,	Wachhaus,
Davis,	Kohl,	Peta,	Wargo,
Dennison,	Kolankiewicz,	Petrosky,	Waterhouse,
Dougherty,	Kornick,	Pettigrew,	Watkins,
Dowling,	Kratz,	Pfaff,	Weidner,
DuBois,	Kubacki,	Pichney,	Welsh,
Duffy,	Lafore,	Pitzer,	Wescott,
Dunn,	Lederer,	Polaski,	Westrick,
Erb,	Leisey,	Polen,	Whalley,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Wheeler,
Fenrich,	Leonard, W. C.,	Price, R. A.,	White,
Ferster,	Leven,	Readinger,	Williams,
Filip,	Light,	Reagan,	Wilt,
Filo,	Limper,	Reese,	Wood,
Firmstone,	Loftus,	Reidenbach,	Yeakel,
Flack,	Lopresti,	Reilly, J. M.,	Yester,
Frost,	Lovett,	Rigby,	Yetzer,
Gaffney,	Lutty,	Riley, R. L.,	Young,
Geer,	Lyons,	Robertson,	Ziegler,
Gibson,	Madden,	Rose,	Sorg,
Gleason,	Madigan,	Rosen,	Speaker
Good,	Markley,	Rovansek,	

NAYS—0

NOT VOTING—1

Scanlon;

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence

BILL PASSED OVER

There being no objection

House Bill No. 971, Printer's No. 237

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 983, as follows:

An Act requiring wells and cisterns to be covered or sealed and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In any case where the opening of a well or cistern constructed or used for the purpose of water supply is approximately at the level of the immediately surround-

ing ground surface any person owning or in possession of the land upon which the well or cistern is located shall cover or seal the well or cistern with such suitable covering as will protect all users of the land upon which the well or cistern exists against possible harm or injury which may arise from falling into such well or cistern

Section 2 Any person violating any of the provisions of this act shall upon summary conviction thereof before a magistrate be sentenced to pay a fine of not more than twenty-five dollars (\$25) or to suffer imprisonment for not more than ten (10) days

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraff,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Schmidt,
Bear,	Gutendorf,	McDermitt,	Schuster,
Beaver,	Guthrie,	McGee,	Scott,
Beech,	Hagerty,	McInroy,	Seyler,
Berkstresser,	Hall,	McKinney,	Shoemaker,
Blair,	Hamilton, R. K.,	McMillen,	Shotwell,
Bloom,	Hamilton, W. H.,	McNally,	Smith,
Boles,	Harney,	Metz,	Snider,
Bolton,	Haudenshield,	Mihm,	Sollenberger,
Bomberger,	Headlee,	Mikula,	Spencer,
Boorse,	Helm,	Miller, H. G.,	Stank,
Bower,	Hersch,	Miller, J. C.,	Stimmel,
Breisch,	Hewitt,	Mills,	Stoner,
Breth,	Hocker,	Mintess,	Swartz,
Brown,	Hoggard,	Monroe,	Swope,
Bucchin,	Hunter,	Moore, C. E.,	Tahl,
Byrne,	Jenkins,	Moore, H. A.,	Taylor,
Cella,	Johnson,	Moran,	Thompson, E. F.,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, R. L.,
Clendenning,	Jones, J. M.,	Munley,	Toll,
Cochran,	Jones, P. F.,	Murray,	Tompkins,
Conway,	Jones, T. H. W.,	Musto,	Toomey,
Cooper,	Jump,	Najaka,	VanSant,
Corr,	Kamyk,	Naugle,	Varallo,
Costa,	Keller,	Needham,	Varner,
Coyle,	Kent,	Olsen,	Verona,
Dalrymple,	Kline,	Penglase,	Wachhaus,
Davis,	Kohl,	Peta,	Wargo,
Dennison,	Kolankiewicz,	Petrosky,	Waterhouse,
Dougherty,	Kornick,	Pettigrew,	Watkins,
Dowling,	Kratz,	Pfaff,	Weidner,
DuBois,	Kubacki,	Pichney,	Welsh,
Duffy,	Lafore,	Pitzer,	Wescott,
Dunn,	Lederer,	Polaski,	Westrick,
Erb,	Lelsey,	Polen,	Whalley,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Wheeler,
Fenrich,	Leonard, W. C.,	Price, R. A.,	White,
Ferster,	Leven,	Readinger,	Williams,
Filip,	Light,	Reagan,	Wilt,
Filo,	Limper,	Reese,	Wood,
Firmstone,	Loftus,	Reidenbach,	Yeakel,
Flack,	Lopresti,	Reilly, J. M.,	Yester,
Frost,	Lovett,	Rigby,	Yetzer,
Gaffney,	Lutty,	Riley, R. L.,	Young,
Geer,	Lyons,	Robertson,	Ziegler,
Gibson,	Madden,	Rose,	Sorg,
Gleason,	Madigan,	Rosen,	Speaker
Good,	Markley,	Rovansek,	

NAYS—0

NOT VOTING—1

Scanlon.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION TO ADDRESS HOUSE

Mr. ROSE asked and obtained unanimous consent to address the House.

Mr. Speaker, I suppose most of you have been apprised of the fact that the Kefauver report has finally been made public. The newspapers in most of the cities of Pennsylvania have brought forth some salient facts pointing out the existence of crime and corruption and the unholy alliance between some of those engaged in such practices with police officials and with politicians.

Particularly is this so in Philadelphia. And as most of you know, a grand jury, a special grand jury, has been meeting in Philadelphia in an effort to ferret out those who are guilty of the crimes alleged, not only in the Kefauver report, but who have been brought out from time to time in the past year or so in that great city.

Two weeks ago I directed the attention of the Members of this House to the fact that the grand jury was short handed and would be unable to conduct a thorough, complete investigation without some state assistance. At that time I stated that I was going to introduce into this House a bill providing for the appropriation of \$100,000 to aid the grand jury in carrying out such an investigation, unless the state came to the aid of the authorities down there, and assisted them in making a thorough investigation of the facts which have been presented, which would be presented to the grand jury.

The newspapers of Philadelphia informed me that one of the special District Attorneys assigned to this investigation has indicated that in spite of promises made by the Governor and by Colonel Wilhelm, head of the State Police, such aid has not been forthcoming, and as a result they have been compelled to cut short on their investigation and have been compelled to set aside some important duties that have been imposed upon them.

The Kefauver report has pointed out Philadelphia particularly as one of the cities where vice and corruption have been aided and abetted by public officials.

I know full well that the Members of this House are interested in wiping out such a cancerous spot upon the body politic and that you will be willing to aid them. And so I say to you, Members of the House, that unless the administration sends down to Philadelphia immediately aid through assistance provided by the State Police, we should take some action.

One of the gentlemen of this House, the Representative from Cameron County, Mr. Thompkins, has realized the problem that exists in Pennsylvania. He has offered legislation that is worth while, and which I hope we will consider eventually. But in the meantime, we in Philadelphia are in the middle of this investigation, and we feel that we must get State Police investigation.

We have appropriated a large sum of money for the State Police in the past; the present budget provides for an ample appropriation. From what I see most of them are engaged now in traffic duties. It is about time that they came in and helped us in Philadelphia, since our local officials do not have either the funds or the will to go ahead and conduct this investigation impartially and thoroughly. I call upon the Members of this House to prevail upon the proper authorities in the administration to come down there and help us conduct a thorough in-

vestigation so that we can eliminate the vestiges of crime and corruption which are all too rampant in Philadelphia today, and which, when this grand jury get through its investigation, I hope, will be eliminated.

PERMISSION TO ADDRESS HOUSE

Mr. TOMPKINS asked and obtained unanimous consent to address the House.

Mr. Speaker, in line with what the gentleman from Philadelphia, Mr. Rose, has said, I hope the gentleman was present at the Legislative roundup at the Mosque a few weeks ago, at which time Reverend Forney stated that there was no statement in the Kefauver report to the effect that there was any evidence of organized crime or vice in the state of Pennsylvania, which put it more or less upon a local basis.

Nevertheless, because of the furor that exists in the state today, because of the numerous petitions which have been addressed to the state officials, as well as local officials, because of a number of exposures which have appeared in national magazines, I have this day introduced a resolution, sponsored by 33 Members of this House, which is a fair cross section of the entire state, asking that a Crime Commission be appointed in this state to investigate the numerous complaints and exposures. I have accompanied this with an appropriation bill asking for the appropriation of \$150,000 to carry out those purposes.

I trust that this will wash out and try to clear the atmosphere in connection with a lot of the criminal accusations and the accusations of vice and racketeering within the state of Pennsylvania.

Mr. ANDREWS. Mr. Speaker, I desire to interrogate the gentleman from Cameron, Mr. Tompkins.

The SPEAKER. Will the gentleman from Cameron, Mr. Tompkins, permit himself to be interrogated?

Mr. TOMPKINS. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, how many Members are proposed for that Crime Commission?

Mr. TOMPKINS. Mr. Speaker, five.

Mr. ANDREWS. Mr. Speaker, how will they be appointed?

Mr. TOMPKINS. Mr. Speaker, they will be appointed as Deputy Attorneys General under the Administrative Code of 1929.

Mr. ANDREWS. Mr. Speaker, it is, therefore, a partisan Commission.

Mr. TOMPKINS. Mr. Speaker, it is not. We have made no request that they be appointed from any particular political party nor that they be attorneys at law.

Mr. ANDREWS. Mr. Speaker, is the sponsorship of the gentleman's resolution partisan or bi-partisan?

Mr. TOMPKINS. Mr. Speaker, the 33 sponsors to the bill are all members of the majority party.

Mr. ANDREWS. Mr. Speaker, I thank the gentleman.

If the gentleman from Cameron or the Members of this House are looking for an effective Crime Commission, they will not staff it by Deputy Attorneys General. They will have a bi-partisan commission composed of representative citizens of this Commonwealth who are in a position to operate independently. We have had partisan investigation of crime in New York for a long time, and in Chicago. Now if we want a partisan commission here in Pennsylvania, the gentleman, I think, has gone about the

matter in the right way. If he wants a real investigation on a state wide basis, he will try to provide for a non-partisan commission on the basis of a bill sponsored on a non-partisan basis.

I might say further, that the minority party welcomes a non-partisan investigation of crime in any county of the Commonwealth. I welcome such an investigation in Cambria county, my county; I welcome such an investigation in any county in the western part of the state; and I believe the Members of the minority party welcome such an investigation in any part of the eastern section of the Commonwealth.

RESOLUTIONS

Mr. EDWIN F. THOMPSON offered a resolution which was filed with the Clerk.

HOUSE BILLS RETURNED TO GOVERNOR

Mr. SMITH offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, May 2, 1951.

Resolved: (if the Senate concur) That the following bills recalled from the Governor on the 23rd day of April, 1951, be returned to the Governor without amendment:

House Bill No. 30, Printer's No. 83, entitled "An act to add clause (5) to section two thousand five hundred forty-one of the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled 'An act relating to the public school system, including certain provisions applicable as well to private and parochial schools, amending, revising, consolidating and changing the laws relating thereto,' by providing for payments on account of pupil transportation where school buses are used for purposes of better gradation."

House Bill No. 42, Printer's No. 153, entitled "An act to amend subsection (b) of Section 921 and Section 922 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled 'An act relating to the public school system, including certain provisions applicable as well to private and parochial schools, amending, revising, consolidating and changing the laws relating thereto,' by changing the tenure of members and officers of county boards of school directors."

House Bill No. 96, Printer's No. 47, entitled "An act to reenact sections one to nine inclusive of the act, approved the second day of July, one thousand nine hundred thirty-seven (P. L. 2803) entitled 'An act providing a method of annexation of townships of the first class and parts thereof to cities and borough and regulating the proceedings pertaining thereto,' by making the same applicable in counties of the second class and repealing inconsistent laws excepting as to proceedings now pending."

House Bill No. 175, Printer's No. 211, entitled "An act authorizing and directing the Pennsylvania Fish Commission to make a comprehensive study of the migratory habits of fish, particularly shad and the stocking and tagging of shad below and above the Safe Harbor Dam, the Holtwood Dam and the Conowingo Dam and to cooperate with the federal government and the Joint State Government Commission in connection therewith and prescribing powers and duties."

House Bill No. 187, Printer's No. 202, entitled "An act to further amend Article XIV of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206) entitled, 'An act concerning townships of the first class, amending, revising, consolidating and changing the law relating thereto,' by authorizing the appointment of special school police and defining their powers and duties."

House Bill No. 484, Printer's No. 73, entitled "An act to further amend subsection (a) of section 704 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225) entitled 'An act concerning game and other wild birds and wild animals and amending, revising, consolidating and changing the laws relating thereto,' by permitting the use of semi-automatic shotguns for the hunting and killing of small game predators and unprotected birds."

House Bill No. 655, Printer's No. 108, entitled "An act to amend Section 508 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system, including certain provisions applicable as well to private and parochial schools, amending, revising, consolidating and changing the laws relating thereto,' by requiring a record vote of school director on the adoption of the annual budget."

House Bill No. 59, Printer's No. 22, entitled "An act to further amend section 15 of the act, approved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207) entitled 'An act providing when, how, upon what, property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates, sewer rates and lighting rates for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties lien; the distribution of the proceeds of such sales and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly,' changing the procedure in reviving and municipal claims and reinstating the lien of certain claims."

House Bill No. 276, Printer's No. 71, entitled "An act to further amend the act, approved the fifth day of June, one thousand nine hundred forty-seven (P. L. 458) entitled as amended 'An act creating as bodies corporate and politic "Parking Authorities" in cities of the first, second, second A and third classes; prescribing the rights, powers and duties of such authorities; authorizing such authorities to acquire, construct, improve, maintain and operate parking projects to conduct research of the parking problem and to establish a permanent coordinated system of parking facilities and to borrow money and issue bonds therefor; providing for the payment of such bonds and prescribing the rights of the holders thereof; conferring the right of eminent domain on such authorities; empowering such authorities to enter into contracts with and to accept grants from the Federal Government, State, political subdivisions of the State or any agency thereof; exempting the property and securities of such parking authorities from taxation and conferring exclusive jurisdiction on certain courts over rates,' by extending the provisions of the act to boroughs and townships of the first class."

CONGRATULATIONS

Messrs. SARRAF and FENRICH offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, May 2, 1951.

The advent of spring has always been an occasion for jubilation. Nature's reawakening is symbolic of the flow of those vital impulses in man that underlie his triumphant creative efforts.

This springtime has been particularly gracious to Walter T. Kamyk for it has again ushered a baby's smile into his Pittsburgh home. There, on Thursday, April 26, 1951 at 4:58 A. M., the little stranger, Felicia Genevieve arrived to join with her older sister, Rita, to bring

the blessed relief of their carefree manner to a father perplexed with legislative anxieties and burdens; therefore me it

Resolved, That this House of Representatives congratulate Walter T. Kamyk on the arrival of his second daughter—a truly sturdy and buxom lassie of 8 lbs., 3 ozs.; and be it further

Resolved, That this House of Representatives extend its best wishes to Mrs. Wanda Kamyk for a successful convalescence and a speedy return to her household duties.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Kamyk.

Mr. KAMYK. Mr. Speaker, on behalf of my wife and myself I wish to thank the Members of this House for this splendid resolution. I am sure when Felicia gets old enough to read she will be proud of it. Thank you very much.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. PAUL F. JONES asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

Mr. VAN SANT asked and obtained unanimous consent to all additional sponsors to a bill to be introduced by him.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair welcomes a former Member of the House, the gentleman from Philadelphia, Hon. Joseph Skale.

PHILADELPHIA HIGH SCHOOL PUPILS WELCOMED

Mr. SAX. Mr. Speaker, I am pleased to call to the attention of the House a large group of High School boys and girls of Philadelphia, who are here on behalf of House Bill 56 known as the City College bill.

PERMISSION TO INTERROGATE

Mr. LOVETT asked and obtained unanimous consent to interrogate committee chairmen.

Mr. Speaker, I would request permission to interrogate the Chairman of the different Committees.

The SPEAKER. Will the gentleman state what Chairman he desires to interrogate?

Mr. LOVETT. Chairmen of all committees, Mr. Speaker.

The SPEAKER. Will the gentleman please name the Chairman he desires to interrogate?

Mr. LOVETT. I would like to interrogate the Chairman of the Committee on Aeronautics.

The SPEAKER. Is the gentleman from Wyoming, Mr. Greenwood, in the Hall of the House? The gentleman is not in the Hall of the House.

Mr. LOVETT. Mr. Speaker, could I interrogate the Majority Leader where the Chairman is not present?

The SPEAKER. Will the Majority Leader permit himself to be interrogated?

Mr. SMITH. Mr. Speaker, I can be had.

Mr. LOVETT. Would the Majority Leader tell me how many meetings of the Committee on Aeronautics we have had so far this session of the Legislature?

Mr. SMITH. Mr. Speaker, I am unable to answer that question. I would not know. I cannot answer the gentle-

man on any number of meetings any Committee has had. I have no report on that. The Vice-Chairman of the Committee might be able to answer the question.

Mr. LOVETT. I thank the gentleman, Mr. Speaker. Is the Vice-Chairman available of the Committee on Aeronautics?

The SPEAKER. Will the gentleman name the Vice-Chairman of the Committee on Aeronautics?

Mr. LOVETT. I am sorry I do not have the names of the Vice-Chairman.

The SPEAKER. The name of the Vice-Chairman is listed under the name of the Chairman.

Mr. LOVETT. Mr. Speaker, you are asking for it; I am going to give it to you.

The SPEAKER. Is the gentleman from Montgomery, Mr. Kratz, in the Hall of the House? The gentleman is not in the Hall of the House.

Mr. LOVETT. I yield to the Majority floor leader, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Smith.

Mr. SMITH. Mr. Speaker, I was just going to say it looks like the Chairman and the Vice-Chairman of the Committee on Aeronautics have flown. Possibly I can answer the gentleman's question; I cannot say this is authentic, but I have just been told, off the record, that there are no bills at this time in the Aeronautics Committee. I am not quite sure of that, but I just would like to make that statement.

Mr. LOVETT. I thank the gentleman, Mr. Speaker. I would like to interrogate the Chairman of the Committee on Agriculture.

The SPEAKER. Will the gentleman from Bradford, Mr. Madigan, permit himself to be interrogated?

Mr. MADIGAN. I shall, Mr. Speaker.

Mr. LOVETT. Would the gentleman tell me how many meetings of his Committee he has had during this session of the Legislature?

Mr. MADIGAN. We have had two.

Mr. LOVETT. Does the gentleman have any knowledge of how many bills he has in his Committee?

Mr. MADIGAN. I think we have had fourteen.

Mr. LOVETT. I thank the gentleman, Mr. Speaker.

I would like to interrogate the Chairman of the Committee on Banking and Building and Loan Associations.

The SPEAKER. Will the gentleman from Allegheny, Mr. Cooper, permit himself to be interrogated?

Mr. COOPER. I shall, Mr. Speaker.

Mr. LOVETT. Would the gentleman inform this House how many meetings he has had of his Committee during this session of Legislature?

Mr. COOPER. At least three.

Mr. LOVETT. Does the gentleman have any knowledge of how many bills are in his Committee?

Mr. COOPER. Three or four.

Mr. LOVETT. I thank the gentleman.

I would like to interrogate the Chairman of the Committee on Boroughs.

The SPEAKER. The gentleman from Sullivan, Mr. Baumunk, is not in the Hall of the House.

Mr. LOVETT. I would like to interrogate the Chairman of the Committee on Cities and Counties—First Class.

The SPEAKER. The gentleman from Philadelphia, Mr. Tahl, is not in his seat.

Mr. LOVETT. I would like to interrogate the Chairman of the Committee on Cities—Third Class.

The SPEAKER. Will the gentleman from Erie, Mr. Dalrymple, permit himself to be interrogated?

Mr. DALRYMPLE. I shall, Mr. Speaker.

Mr. LOVETT. Will the gentleman inform this House how many meetings of his Committee he has had during this session?

Mr. DALRYMPLE. We have had several of them. We are the only committee that has worked, Mr. Speaker, for the gentleman's information.

Mr. LOVETT. Could the gentleman tell us how many bills he has in his Committee?

Mr. DALRYMPLE. In the neighborhood of possibly fifteen or thereabouts.

Mr. LOVETT. I thank the gentleman.

Mr. DALRYMPLE. Very good ones.

Mr. LOVETT. I would like to interrogate the Chairman of the Committee on Counties, Mr. Guthrie.

The SPEAKER. Will the gentleman from Armstrong, Mr. Guthrie, permit himself to be interrogated?

Mr. GUTHRIE. I shall, Mr. Speaker.

Mr. LOVETT. How many meetings has the gentleman had of his Committee, Mr. Guthrie?

Mr. GUTHRIE. Two meetings, sir.

Mr. LOVETT. Do you have any knowledge of how many bills you have in your Committee?

Mr. GUTHRIE. We have about fifteen.

Mr. LOVETT. I thank the gentleman.

I would like to interrogate the Chairman of the Committee on Education, Mr. Sollenberger.

The SPEAKER. The gentleman is not in the Hall of the House.

Mr. LOVETT. I would like to interrogate the Chairman of the Committee on Elections and Apportionment, Mr. Bower.

The SPEAKER. Will the gentleman from Northumberland, Mr. Bower, permit himself to be interrogated?

Mr. BOWER. I shall.

Mr. LOVETT. How many meetings has the gentleman had of his Committee?

Mr. BOWER. Two.

Mr. LOVETT. Does the gentleman know how many bills he has in his Committee?

Mr. BOWER. Approximately twenty.

Mr. LOVETT. I thank the gentleman.

Fish and Game, Mr. Gibson.

The SPEAKER. The gentleman from Warren, Mr. Gibson, is not in the Hall of the House.

Mr. LOVETT. Game and Forestry, Mr. Goodling.

The SPEAKER. Will the gentleman from York, Mr. Goodling, permit himself to be interrogated?

Mr. GOODLING. I shall, Mr. Speaker.

Mr. LOVETT. Will you please tell the House how many meetings of his Committee he has had?

Mr. GOODLING. I would have to consult my Secretary to give you a definite answer. But I think we have had about six meetings. Contrary to what Mr. Dalrymple has said, our Committee is definitely the hardest working Committee in the House.

Mr. LOVETT. Does the gentleman have an estimate of how many bills he has in his Committee?

Mr. GOODLING. We probably have about fifteen more to consider.

Mr. LOVETT. I thank the gentleman.

The Chairman of Highways, Mr. Royer.

The SPEAKER. Will the gentleman from Lancaster, Mr. Royer, permit himself to be interrogated?

Mr. ROYER. I shall, Mr. Speaker.

Mr. LOVETT. Could the gentleman tell the House how many meetings he has had of his Committee, Mr. Royer?

Mr. ROYER. We had two meetings.

Mr. LOVETT. How many bills does the gentleman have in his Committee?

Mr. ROYER. Approximately twenty.

Mr. LOVETT. I thank the gentleman.

Insurance, Mr. Kline.

The SPEAKER. The gentleman from Schuylkill, Mr. Kline, is not in the Hall of the House.

Mr. LOVETT. Judiciary, Mr. McKinney.

The SPEAKER. The gentleman from Venango, Mr. McKinney, is not in the Hall of the House.

Mr. LOVETT. Labor Relations, Mr. Helm.

The SPEAKER. The gentleman from Armstrong, Mr. Helm, is not in the Hall of the House.

Mr. LOVETT. Law and Order, Mr. Riley.

The SPEAKER. Will the gentleman from Lycoming, Mr. Riley, permit himself to be interrogated?

Mr. RAY L. RILEY. I shall, Mr. Speaker.

Mr. LOVETT. Will the gentleman please tell the Members of the House how many meetings he has had of his Committee?

Mr. RAY L. RILEY. Three meetings.

Mr. LOVETT. On an average, how many bills do you have in your Committee?

Mr. RAY L. RILEY. Approximately twelve.

Mr. LOVETT. I thank the gentleman.

Liquor Control, another Mr. Reilly.

The SPEAKER. Will the gentleman from Montour, Mr. Reilly, permit himself to be interrogated?

Mr. JOHN M. REILLY. I shall.

Mr. LOVETT. How many meetings has the gentleman had of his Committee?

Mr. JOHN M. REILLY. One. That was the organization meeting.

Mr. LOVETT. How many bills does the gentleman have in his Committee?

Mr. JOHN M. REILLY. About forty.

Mr. LOVETT. I thank the gentleman.

Military Affairs, Mr. McMullen.

The SPEAKER. Will the gentleman from Indiana, Mr. McMullen, permit himself to be interrogated?

Mr. McMILLEN. I shall, Mr. Speaker.

Mr. LOVETT. Would the gentleman tell the House how many meetings he has had of his Committee?

Mr. McMILLEN. Five. Mr. Lovett, contrary to these other fellows we are a little different. We are not the hardest working Committee, but we are the most thorough Committee. And we do make the best pickle in the House.

Mr. LOVETT. I thank the gentleman for his interest, at least. How many bills does he have in his Committee?

Mr. McMILLEN. About fifteen. We had about fifteen.

Mr. LOVETT. I thank the gentleman.

Mines and Mining, Mr. Hewitt.

The SPEAKER. The gentleman from Indiana, Mr. Hewitt, is not in the Hall of the House.

Mr. LOVETT. Motor Vehicles, Mr. Dennison.

The SPEAKER. The gentleman is not in the Hall of the House.

Mr. LOVETT. Municipal Corporations, Mr. Boorse.

The SPEAKER. The gentleman is not in the Hall of the House.

Mr. LOVETT. Professional Licensure, Mr. Flack.

Public Health and Sanitation, Mr. Frost.

The SPEAKER. Will the gentleman from Centre, Mr. Frost, permit himself to be interrogated?

Mr. FROST. I shall, Mr. Speaker.

Mr. LOVETT. Would the gentleman tell the Members of this House how many meetings he has had of his Committee?

Mr. FROST. Without referring to the record, I believe four.

Mr. LOVETT. And how many bills does the gentleman have in his Committee, does he have that knowledge?

Mr. FROST. Again without referring to the record, several; I do not know exactly the number.

Mr. LOVETT. I thank the gentleman.

Public Utilities, Mr. Costa.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Costa, permit himself to be interrogated?

Mr. COSTA. I shall, Mr. Speaker.

Mr. LOVETT. Will the gentleman please tell the Members of this House how many meetings of his Committee he has had?

Mr. COSTA. I had two very fine meetings. Gave out cigars.

Mr. LOVETT. Is that all?

Mr. COSTA. Then they came down to my locker.

Mr. LOVETT. How many bills does the gentleman have in his Committee?

Mr. COSTA. I believe I have six left now. I had fifteen originally. Six good ones went out.

Mr. LOVETT. You are doing a pretty good job.

Mr. COSTA. A very good job.

Mr. LOVETT. Fifty-fifty.

Mr. COSTA. That is what my Committee told me.

Mr. LOVETT. I thank the gentleman.

Railroads and Railways, Mr. Leisey.

The SPEAKER. Will the gentleman from Chester, Mr. Leisey, permit himself to be interrogated?

Mr. LEISEY. I shall, Mr. Speaker.

Mr. LOVETT. Would the gentleman tell the Members of this House how many meetings he has had of his Committee?

Mr. LEISEY. One meeting.

Mr. LOVETT. Was that the organization meeting?

Mr. LEISEY. That is right.

Mr. LOVETT. How many bills do you have in your Committee, Mr. Leisey?

Mr. LEISEY. About six.

Mr. LOVETT. I thank the gentleman.

State Government, Mr. Watkins.

The SPEAKER. The gentleman is not in the Hall of the House.

Mr. LOVETT. Townships, Mr. Reagan.

The SPEAKER. Will the gentleman from Union, Mr. Reagan, permit himself to be interrogated?

Mr. REAGAN. I shall, Mr. Speaker, providing the interrogator is "fair."

Mr. LOVETT. Mr. Reagan, I want to assure you—

Mr. REAGAN. Reagan (Ragan) not Reagar (Reegan).

Mr. LOVETT. I beg your pardon, would you please pronounce the name again for me?

Mr. REAGAN. How is that?

Mr. LOVETT. Would you please pronounce that name again for me?

Mr. REAGAN. O'Reagan (O'Ragan).

Mr. LOVETT. That is much better. Mr. O'Reagan, how many meetings have you had of your Committee?

Mr. REAGAN. Six.

Mr. LOVETT. Does the gentleman know how many bills you have in your Committee?

Mr. REAGAN. Four.

Mr. LOVETT. I want to thank the gentleman.

Mr. REAGAN. You are welcome.

Mr. LOVETT. Ways and Means, Mr. Hall.

The SPEAKER. The gentleman from Potter, Mr. Hall, is not in the Hall of the House.

Mr. LOVETT. Welfare, Mr. Haudenschild.

The SPEAKER. Will the gentleman from Allegheny, Mr. Haudenschild, permit himself to be interrogated?

Mr. HAUDENSHIELD. Yes sir, Mr. Speaker.

Mr. LOVETT. Mr. Haudenschild, would the gentleman tell the Members of the House how many meetings he has had of his Committee?

Mr. HAUDENSHIELD. Yes sir, four long meetings.

Mr. LOVETT. Four long meetings.

Mr. HAUDENSHIELD. Yes sir, two hours each.

Mr. LOVETT. No short ones.

Mr. HAUDENSHIELD. No short ones.

Mr. LOVETT. How many bills do you have in your Committee?

Mr. HAUDENSHIELD. About twelve left. We have tabled eight.

Mr. LOVETT. I thank the gentleman for his frankness.

Workmen's Compensation, Mr. Waterhouse.

The SPEAKER. The gentleman from Erie, Mr. Waterhouse, is not in the Hall of the House.

Mr. LOVETT. Mr. Speaker, I want to thank the Chairmen of the Committees that were here and answered my inquiry.

Last week I gave great praise to the Speaker of this House and to the House of Representatives itself for the manner in which they conducted themselves during the debate on the flat income tax bill. I said that we had come a long way during my time in the Legislature. I am sorry to say that I cannot say the same for the actions of the Committee Chairmen, that is, some of the Committee Chairmen; in fact about the same Committee Chairmen whom we had trouble with back in the old days of not holding any meetings. We have been in session since January, it is now May, and from the sound of many Members of this House, they are at least commencing to think about the time that we may adjourn.

If my memory serves me right, back in those old days the Chairmen of certain Committees in this House would go almost through the entire session of the Legislature; in fact, I think I remember one session in which we finally forced a Committee meeting of Labor, in the last

days of the session; in the last week of the session of the Legislature.

That does not speak very well for our improvement over the years in handling our Committee affairs. I have been one who insisted that legislation should be reported to the floor of the House and the Members should vote either for or against, and that the Committee had the privilege of reporting out those bills either favorably or unfavorably to the House. I am still of the same opinion.

I just want to warn you that we are now getting into the dying days of the session, or we hope at least that we can look forward to some day that we might quit. We are going to start to move on discharge resolutions. We want to be fair—I have always tried to be fair. I have given the Committee fair warning. If you will be sincere in this matter and call Committee meetings and act upon legislation you will save me and the House and the Legislative Reference Bureau and the paper to write discharged resolutions that you will not pass, but which you will have to vote on. We are giving you this warning this morning, because next week we will expect meetings of these Committees.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS. Mr. Speaker, I desire to comment briefly on the results of the interrogation.

The SPEAKER. The gentleman from Cambria, Mr. Andrews asks consent of the House to address the House. The Chair hears no objections. The gentleman will proceed.

Mr. ANDREWS. Mr. Speaker, some of the Committee Chairmen have been present and informed the House as to how many bills they have in their Committee. Some of the Chairmen have not been present and did not inform the House, of course.

If we take the Committees that reported and tabulate the bills in their Committees and then if we say that the Committees that did not report had twice as many bills as the Committees that did report we will have about 640 bills.

All I want to know is whether it is necessary to appoint a committee to find out what in thunder has become of the other 600 bills.

PERMISSION TO ADDRESS HOUSE

The SPEAKER. For what purpose does the gentleman from Philadelphia, Mr. Smith, rise?

Mr. SMITH. Mr. Speaker, I would just like to give the gentleman a rough idea what has become of some of them.

The SPEAKER. The gentleman from Philadelphia, Mr. Smith, asks unanimous consent of the House to address the House. The Chair hears no objections. The gentleman will proceed.

Mr. SMITH. Mr. Speaker, I wonder if the gentleman has heard of the Mausoleum of the Rules Committee, or of the Appropriations Committee?

Mr. ANDREWS. Mr. Speaker, I had been in hopes that the Majority Leader would not again refer to what I have interpreted as a profound insult.

The other day he said that there was a mausoleum in which the dead were reposing. And then he went on to

say that I had one foot in that mausoleum. Now, I want to assure the membership of the House that I am not dead; I am not even half dead. I think his line of reasoning concerning myself and the foot in that mausoleum runs parallel to what he is thinking about the bills. I think he should revise his estimates.

ADJOURNMENT

Mr. COSTA. Mr. Speaker, I move that this House do now adjourn until Monday, May 7, 1951 at 3:30 p. m. EST.

The motion was agreed to, and (at 1:48 p. m. EST) the House adjourned.

Legislative Journal.

Session 1951.

139th of the General Assembly.

Vol. 32.

HARRISBURG, PA., MONDAY, MAY 7, 1951.

No. 44.

SENATE

MONDAY, May 7, 1951

The Senate met at 2:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

PRAYER

The Chaplain, Rev. HARWOOD C. BOWMAN, JR., Pastor of St. Paul's Episcopal Church, Kittanning, Pennsylvania, offered the following prayer:

Let us pray. Lord, the Power and Giver of grace and wisdom, we commend to Thee all who are engaged in the government of this State, especially the Senators here assembled. Grant them clean hands, pure hearts and unflinching devotion to the cause of righteousness. To Thee, merciful Lord, we commend their work, praying that it may be such as will promote Thy work in our midst, to the succor of the poor, the relief of the oppressed, the putting down of all social evils and the redress of all social wrongs, that all they think, or speak or do be for Thy glory and the good of Thy people. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. ROBINSON, further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC AND COMMISSIONER OF DEEDS

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public and Commissioner of Deeds.

CONSIDERATION OF NOTARIES PUBLIC AND COMMISSIONER OF DEEDS

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public and Commissioner of Deeds, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on May 7, 1951.

Mr. SCARLETT. Mr. President, I second the motion. The motion was agreed to.

The nominations were read as follows:

COMMISSIONER OF DEEDS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 7, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Matthew J. Stokan, 1809 Mahoning Avenue, Youngstown, Ohio, for appointment as Commissioner of Deeds for the Commonwealth of Pennsylvania, with residence in the State of Ohio, for the term of five years.

JOHN S. FINE.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 7, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the dates shown:

To compute from date of confirmation

ALLEGHENY COUNTY

A. R. Hutchings, Pittsburgh, 509 Liberty Ave.
H. Leland Oakes, Pittsburgh, 239 Fourth Ave.
Carl Sbraccia, Pittsburgh, 5866 Baum Blvd.
Albert E. Tudja, Pittsburgh, 236 Shiloh St.
Edgar G. Vargo, Duquesne.
Mrs. Mary E. Vogel, Pittsburgh, 414 Grant St.

ARMSTRONG COUNTY

Lino L. Vigna, Leechburg.

BEAVER COUNTY

Mrs. Loretta M. Burg, Rochester.
S. E. Snyder, Rochester.

BERKS COUNTY

Joseph Nyles, Reading.

BLAIR COUNTY

Mrs. Marilyn E. McConahy, Altoona.

LAWRENCE COUNTY

J. G. Book, New Castle.

PHILADELPHIA COUNTY

L. A. Bodenhorn, 135 S. Broad St.
Mrs. Ruth W. Bott, 401 Walnut St.
Mrs. Madeline C. Hild, 5043 Frankford Ave.
Jay R. Konowitch, 2701 N. Broad St.

Frank La Marr, 1417 Tasker St.
Miss Catherine McDonald, 4424 Market St.
Mrs. A. V. Skillman, 1932 Fidelity-Philadelphia Trust Bldg.

Mrs. Lillian E. Tusavitz, 1135 S. 55th St.

SCHUYLKILL COUNTY

Miss Kathryn B. Toppy, Cass Twp., Pottsville.

To compute from the dates set opposite their names

PHILADELPHIA COUNTY

Miss Mary Grubb, 113 W. Dauphin St., May 7, 1951.

ALLEGHENY COUNTY

Miss Dorothy E. McKelvey, Pittsburgh, 1301 First National Bank Bldg., May 8, 1951.

POTTER COUNTY

G. A. Houghtaling, Galetton, May 12, 1951.

PHILADELPHIA COUNTY

Leon F. O'Neill, Jr., 8010 Germantown Ave., May 13, 1951.

VENANGO COUNTY

Charles L. McMillen, Oil City., May 14, 1951.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 7, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the dates shown:

To compute from date of confirmation

ALLEGHENY COUNTY

Miss Betty Mae Hieber, Ross Twp., Perrysville.
W. J. White, Pittsburgh, 430 4th Ave.

CAMBRIA COUNTY

David W. Beck, Reade Twp., Fallentimber.

CLARION COUNTY

Mrs. Eileen B. Fletcher, Washington Twp., Fryburg.

DAUPHIN COUNTY

Mrs. Therese M. Mont, Susquehanna Twp., Harrisburg.

DELAWARE COUNTY

Miss Madeline E. Smith, Chester.

LAWRENCE COUNTY

Mrs. Mildred W. Porter, New Castle.

PHILADELPHIA COUNTY

Miss Irene Bernstein, 6216 Washington Ave.
Frank Bisciotti, 1968 Renova St.
Chas. J. Cavalla, 11 N Juniper St.
Morton Freemark, 435 E. Wyoming Ave.
Mrs. Eleanor R. Kayser, 1401 Finance Bldg.
James J. MacDonald, 5504 Linmore Ave
Mrs. Constance F. Ramsey, 5520 Master St.

WESTMORELAND COUNTY

Miss June L. Crowell, Scottdale.

YORK COUNTY

Mrs. Louise M. Frye, Spring Garden Twp., York.

To compute from the dates set opposite their names

ALLEGHENY COUNTY

E. B. Beavers, Coraopolis, May 12, 1951.

PHILADELPHIA COUNTY

Alexander S. Cohen, 121 N. Broad St., May 21, 1951.
Michael Riccardi, 2981 Richmond St., May 21, 1951.

WARREN COUNTY

Miss Edith I. Woodward, Warren, May 21, 1951.

McKEAN COUNTY

Philip F. Jacobus, Kane, May 22, 1951.

WESTMORELAND COUNTY

Harry Laughrey, Jr., Scottdale, May 22, 1951.

LUZERNE COUNTY

Miss Jessie E. Brittingham, Wilkes-Barre, May 26, 1951.

MONTGOMERY COUNTY

Warren M. Cornell, Jr., Hatboro, May 26, 1951.
Bruce W. Duddy, Bridgeport, May 26, 1951.

PHILADELPHIA COUNTY

Cecil V. Hanson, Sr., 731 N. 42nd St., May 26, 1951.
Jose B. Henriques, 922 Drexel Bldg., May 26, 1951.
Miss Alicia Waser, Artloom Carpet Co., Inc., Allegheny Ave. & Howard St., May 26, 1951.

ALLEGHENY COUNTY

Chester A. Somers, Pittsburgh, 55 Water St., May 28, 1951.

DAUPHIN COUNTY

Mrs. Jean B. Deimler, Middletown, May 28, 1951.

LEHIGH COUNTY

Miss Helen E. Gibb, Allentown., May 28, 1951.

NORTHUMBERLAND COUNTY

Leon J. Stanitski, Shamokin, May 28, 1951.

JOHN S. FINE.

A motion was made by Mr. WALKER and Mr. SCARLETT,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Snowden,
Barr,	Hare,	McPherson, Jr.,	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Toole,
Blass,	Kessler,	Pechan,	Wade,
Byrne,	Lane,	Peelor,	Wagner,
Chapman,	Leader,	Propert,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,
Dent,	Mahany,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Scarlett,	Wood,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

NOMINATIONS BY THE GOVERNOR

REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

MEMBERS OF THE MONTGOMERY COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 7, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Montgomery County Board of Assistance:

Milton H. Pagel (Republican), Norristown, from February 6, 1950, until December 31, 1952, and until his successor is duly appointed and qualified.

Walter S. Cassel (Republican), Souderton, from January 1, 1951, until December 31, 1953, and until his successor is duly appointed and qualified.

Willis C. Henricks (Democrat), Pottstown, from January 1, 1951, until December 31, 1953, and until his successor is duly appointed and qualified.

JOHN S. FINE.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 7, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, William Skillcorn Jr., Water Street, West Brownsville, Washington County, for appointment as Justice of the Peace in and for the Borough of West Brownsville, Washington County, until the first Monday of January, 1952, vice William Skillcorn, Sr., deceased.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 7, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, James J. Reed, 360 Main Street, Burgettstown, Washington County, for appointment as Justice of the Peace in and for the Borough of Burgettstown, Washington County, until the first Monday of January, 1952, vice W. B. Culley, deceased.

JOHN S. FINE.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate as follows:

RETURNING TO THE GOVERNOR SENATE BILL No. 68, SENATE BILL No. 366 AND SENATE BILL No. 318

In the Senate, April 31, 1951.

Resolved (if the House of Representatives concur), That Senate Bills Nos. 68, 366 and 318, Printer's Nos. 121,

104 and 138, respectively, be returned to the Governor without amendment.

SENATE BILL No. 68, SENATE BILL No. 366 AND SENATE BILL No. 318 TAKEN FROM TABLE AND RETURNED TO THE GOVERNOR

Mr. WALKER. Mr. President, I move that Senate Bill No. 68, entitled:

An Act to validate and confirm certain contracts heretofore entered into by boards of school directors where there is no evidence of fraud or conspiracy, and to authorize, ratify, confirm and validate payments on such contracts by the school district.

Senate Bill No. 366, entitled:

An Act to further amend subsection A of Section 221 and to amend Section 241 of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by extending non-resident fishing privileges to Canadians and redefining resident.

and Senate Bill No. 318, entitled:

An Act authorizing counties of the second class to establish fire training schools for the paid and volunteer firemen of municipalities within the county.

be taken from the table and be returned to the Governor without amendment.

Mr. LETZLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluaka,	McMenamin,	Snowden,
Barr,	Hare,	McPherson, Jr.,	Stevensom,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Toole,
Blam,	Kessler,	Pechan,	Wade,
Byrne,	Lane,	Peelor,	Wagner,
Chapman,	Leader,	Probert,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,
Dent,	Mahany,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreash,	Scarlett,	Wood,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

HOUSE CONCURRENT RESOLUTION

He also presented extract from the Journal of the House, which was twice read as follows:

HOUSE BILLS BE RETURNED TO THE GOVERNOR WITHOUT AMENDMENT

In the House of Representatives, May 2, 1951.

Resolved (if the Senate concur), That the following bills recalled from the Governor on the 23rd day of April, 1951, be returned to the Governor without amendment:

House Bill No. 30, Printer's No. 83, entitled:

An Act to add clause (5) to section two thousand five hundred forty-one of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by providing for payments on account of pupil transportation where school buses are used for purposes of better graduation.

House Bill No. 42, Printer's No. 153, entitled:

An Act to amend subsection (b) of Section 921, and Section 922 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by changing the tenure of members and officers of county boards of school directors.

House Bill No. 96, Printer's No. 47, entitled:

An Act to reenact sections one to nine inclusive, of the act approved the second day of July, one thousand nine hundred thirty-seven (P. L. 2803) entitled "An act providing a method of annexation of townships of the first class, and parts thereof, to cities and boroughs, and regulating the proceedings pertaining thereto," by making the same applicable in counties of the second class and repealing inconsistent laws excepting as to proceedings now pending.

House Bill No. 175, Printer's No. 211, entitled:

An Act authorizing and directing the Joint State Government Commission to make a comprehensive study of the migratory habits of fish, particularly shad, and the stocking and tagging of shad below and above the Safe Harbor Dam, the Holtwood Dam and the Conowingo Dam, and to cooperate with the Federal government in connection therewith; prescribing powers and duties and making an appropriation.

House Bill No. 187, Printer's No. 202, entitled:

An Act to further amend Article XIV of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "First Class Township Law," by authorizing the appointment of special school police and defining their powers and duties.

House Bill No. 484, Printer's No. 73, entitled:

An Act to further amend subsection (a) of section 704 of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," by permitting the use of semi-automatic shotguns for the hunting and killing of small game, predators and unprotected birds.

House Bill No. 655, Printer's No. 108, entitled:

An Act to amend Section 508 of the act approved the tenth day of March, one thousand nine hundred forty-nine, (P. L. 30), entitled "Public School Code of 1949," by requiring a record vote of school directors on the adoption of the annual budget.

House Bill No. 59, Printer's No. 22, entitled:

An Act to further amend section 15 of the act, approved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207), entitled "Municipal Claim and Tax Lien Law," changing the procedure in reviving municipal claims; and reinstating the lien of certain claims.

House Bill No. 276, Printer's No. 71, entitled:

An Act to further amend the act, approved the fifth day of June, one thousand nine hundred forty-seven (P. L. 458), entitled as amended "Parking Authority Law," by extending the provisions of the act to boroughs and townships of the first class.

SENATE CONCURS IN HOUSE CONCURRENT RESOLUTION

Mr. WALKER. Mr. President, I move that the Senate do concur in the House Resolution just read by the Clerk.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Snowden,
Barr,	Hare,	McPherson, Jr.,	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Toole,
Blass,	Lane,	Pechan,	Wade,
Byrne,	Leader,	Peelor,	Wagner,
Chapman,	Kessler,	Probert,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,
Dent,	Mahany,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreech,	Scarlett,	Wood,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 881, entitled:

An Act to further amend Clause L of Section 1202 of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by authorizing increase of appropriations for burial ground maintenance.

Which was committed to the Committee on Local Government.

House Bill No. 983, entitled:

An Act requiring wells and cisterns to be covered or sealed; providing penalties.

Which was committed to the Committee on Public Health and Welfare.

BILLS SIGNED

The President(Lieutenant-Governor Lloyd H. Wood) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 99, entitled:

An Act to improve and extend by reciprocal legislation the enforcement of duties of support and to make uniform the law with respect thereto

Senate Bill No. 168, entitled:

An Act to amend the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first class and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" by further regulating the sales made upon order of court and extending the time limit when certain properties must be sold.

Senate Bill No. 362, entitled:

An Act to further amend the act, approved the twenty-sixth day of June, one thousand nine hundred thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes; providing for the appointment of the members of such board by the county commissioners; providing for their salaries, payable by the county; abolishing existing boards; defining the powers and duties of such boards; regulating the assessment of persons, property, and occupations for county, borough, town, township, school, and poor purposes; authorizing the appointment of subordinate assessors, a solicitor, engineers, and clerks; providing for their compensation, payable by such counties; abolishing the office of ward, borough, and township assessors, so far as the making of assessments and valuations for taxation is concerned; and providing for the acceptance of this act by cities," by authorizing the payment of additional compensation to subordinate assessors by the boroughs, townships and school districts in which he makes assessments.

Senate Bill No. 394, entitled:

An Act to further amend section eight hundred six of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by eliminating the provisions making it unlawful to carry unloaded rifles and shotguns in or on any vehicle or conveyance unless said rifles and shotguns are in cases or securely wrapped, and also eliminating the provisions making it unlawful to possess cartridges or shells for hunting in vehicles or conveyances unless they are in unbroken original cartons, or securely wrapped.

House Bill No. 512, entitled:

An Act to further amend subsection (b) of Section 4 of and to add Section 36.1 to the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "Local Tax Collection Law," by requiring taxing districts to pay the premiums on corporate bonds of the tax collector, in townships of

the first class and further regulating the fixing of the compensation of elected tax collectors.

Whereupon,

The President (Lieutenant-Governor Lloyd H. Wood) in the presence of the Senate signed the same.

REPORT OF THE STATE TAX EQUALIZATION BOARD

Mr. STEVENSON. Mr. President, under reports of committees I want to call attention to the members of the Senate that upon their desks they will find a report of the State Tax Equalization Board. This is a report which the Act, setting up the law, has required to be made at each Session of the Legislature. It is a very informative piece of work, and I would respectively suggest that the Members of the Senate read it and read it carefully, as they will learn a great deal about the equalization of assessments over the Commonwealth.

Mr. President, I would like to ask that the report be noted in the Journal, that it has been received and that it be filed.

The PRESIDENT. The request will be compiled with and the report will be noted in the Journal.

RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for five minutes, to permit a meeting of the Committee on Judiciary General.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. BLASS, from the Committee on Judiciary General, reported as committed, Senate Bill No. 592, entitled:

A Supplement to the act, approved the twelfth day of June, one thousand nine hundred thirty-one (P. L. 575), entitled "An act providing for joint action by Pennsylvania and New Jersey in the development of the ports on the lower Delaware River and the improvement of the facilities for transportation across the river authorizing the Governor for these purposes to enter into an agreement with New Jersey creating The Delaware River Joint Commission and specifying the powers and duties thereof including the power to finance projects by the issuance of revenue bonds transferring to the new commission all the powers of the Delaware River Bridge Joint Commission and making an appropriation," authorizing the Governor on behalf of the Commonwealth of Pennsylvania to enter into a supplemental compact or agreement with the State of New Jersey amending Articles I, II, IV., XI, and XII of and adding a new article to the compact and agreement between the Commonwealth of Pennsylvania and the State of New Jersey authorized and made pursuant to the act herein supplemented by changing the name of The Delaware River Joint Commission to The Delaware River Port Authority and the method of appointment of commissioners; removing the present Pennsylvania members of the commission, extending the jurisdiction, powers and duties of The Delaware River Port Authority and defining such additional jurisdiction, powers and duties to take effect upon the enactment of substantially similar legislation by the State of New Jersey, embodying the supplemental agreement between the two States in this act set forth and authorizing the Governor to apply on behalf of the Commonwealth to the Congress of the United States for its consent thereto.

Mr. PROPERT, from the Committee on Local Government, reported as amended, Senate Bill No. 531, entitled:

An Act to amend the last paragraph of subsection E of section 1 of the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 1145), entitled "An act act empowering cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, townships of the first class, school districts of the second class, school districts of the third class and school districts of the fourth class to levy, assess, and collect or to provide for the levying, assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court," by providing an effective date for tax levies on persons, subjects, businesses, transactions or privileges, within two or more political subdivisions, when another such political subdivisions, has previously levied such tax.

BILLS INTRODUCED AND REFERRED

Mr. BERGER read in his place and presented to the Chair Senate Bill No. 597, entitled:

An Act to provide for the establishment, functioning, maintenance and discontinuance of joint public service units between two or more boroughs, towns or townships, to perform the duties of such boroughs, towns or townships relating to police and fire protection, roads and bridges.

Which was committed to the Committee on Local Government.

Mr. KEPHART read in his place and presented to the Chair Senate Bill No. 598, entitled:

An Act to further amend Section 10 of the act, approved the twenty-ninth day of May, one thousand eight hundred eighty-five (P. L. 29), entitled "An act to provide for the incorporation and regulation of natural gas companies," by providing that natural gas companies shall have the right of eminent domain for underground storage of natural gas or manufactured fuel gas; and regulating the exercise of such right.

Which was committed to the Committee on Corporations.

Messrs. FLEMING and KESSLER read in place and presented to the Chair Senate Bill No. 599, entitled:

An Act to add Section 6.1 to the act, approved the thirtieth day of June, one thousand nine hundred forty-seven (P. L. 1154), entitled "An act to prohibit the manufacture and sale of oleomargarine or butterine and other similar products when colored in imitation of yellow butter; to provide for license fees to be paid by manufacturers, wholesale and retail dealers, and by proprietors of hotels, restaurants, dining-rooms, and boarding-houses; for the manufacture or sale of oleomargarine, butterine or other similar products not colored in imitation of yellow butter; to regulate the manufacture, sale and advertising of oleomargarine, butterine or other similar products, not colored in imitation of yellow butter; and prevent and punish fraud and deception in such manufacture, sale and advertising as an imitation butter; to prescribe penalties; and punishment for violation of this act and the means and method of procedure for its enforcement; to regulate certain matters of evidence in such procedure; and to prescribe certain powers and duties of the Department of Agriculture," by permitting the sale of yellow oleomargarine, butterine and similar

substances in sealed packages; imposing penalties for breaking seals.

Which was committed to the Committee on Agriculture.

Mr. FLEMING read in his place and presented to the Chair Senate Bill No. 600, entitled:

An Act to amend the title and the act, approved the fourth day of June, one thousand nine hundred forty-three (P. L. 883) entitled "An act authorizing and directing the Department of Highways to erect and maintain, as a post war construction project, a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum, Allegheny County, and a point in Westmoreland County, and to provide the necessary approaches and connections with State highways; providing for the acceptance of Federal aid; empowering counties to pay certain damages; providing for the collection of tolls on such bridge; and making an appropriation," by making the bridge a free bridge; providing for the payment of certain obligations out of the Motor License Fund and making an appropriation therefor.

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair Senate Bill No. 601, entitled:

An Act to add Section 345.1 to the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by providing for a quadrennial audit of the books, accounts and activities of counties and officers thereof by an independent accountant or accountants.

Which was committed to the Committee on State Government.

Mr. WATKINS read in his place and presented to the Chair Senate Bill No. 602, entitled:

An Act to amend the act, approved the twelfth day of April, one thousand nine hundred fifty-one (Act No. 21), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages, amending revising, consolidating and changing the laws relating thereto, regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in, and use of alcoholic liquors, alcohol and malt and brewed beverages, and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option and repealing existing laws," by further regulating the issuance of liquor licenses, changing license fees of club and the hours certain licensees may sell; and further providing for transfer of certain liquor licenses.

Which was committed to the Committee on Law and Order.

Mr. PROPERT read in his place and presented to the Chair Senate Bill No. 603, entitled:

An Act prescribing the persons who may administer the oath of office to the Governor and the Lieutenant-Governor.

Which was committed to the Committee on Judiciary General.

Mr. KESSLER read in his place and presented to the Chair Senate Bill No. 604, entitled:

An Act authorizing the conversion into mutual life insurance companies of certain fraternal beneficial societies, orders or associations or certain fraternal benefit societies incorporated under the laws of this Commonwealth; outlining the procedure; and defining the rights of dissenting certificate holders.

Which was committed to the Committee on Insurance.

Mr. PECHAN read in his place and presented to the Chair Senate Bill No. 605, entitled:

An Act to amend subsection (e) of Section 410 of the act, approved the twelfth day of April, one thousand nine hundred fifty-one (Act No. 21), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages, amending, revising, consolidating and changing the laws relating thereto, regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in, and use of alcoholic liquors, alcohol and malt and brewed beverages, and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option and repealing existing laws," by further regulating the importation, purchase and sale of alcohol.

Which was committed to the Committee on Law and Order.

Mr. SILVERT read in his place and presented to the Chair Senate Bill No. 606, entitled:

An Act prohibiting any person or beneficial association, fraternal organization or society having death benefits of any kind from requiring any member thereof or the person insured therein to contract with any particular undertaker for the burial of a deceased member and providing penalties.

Which was committed to the Committee on Insurance.

Mr. LEADER read in his place and presented to the Chair Senate Bill No. 607, entitled:

An Act to add section 17.1 to the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled as amended "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are practically, and commercially suitable for use in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," providing for reimbursement of tax to farmers on claims to the Board of Finance and Revenue; making appropriations from the Motor License Fund; and prescribing penalties.

Which was committed to the Committee on Finance.

PERMISSION TO ADDRESS SENATE

Mr. ROSENFELD asked and obtained unanimous consent to address the Senate.

Mr. ROSENFELD. Mr. President, up to about ten days ago, I was beginning to feel sorry for myself and my colleagues in this body for the time we have spent so far this Session, and in other Sessions and for the confinement that we undergo. As an example, just today I got up at five-thirty this morning in order to get here at nine o'clock to attend the hearing of the Finance Committee, and here we are now, after five o'clock and we are still at work. It may be that some people feel that we do not work as hard or as well as we should. In any event, I did reach the point where I felt rather sorry not only for myself but all of my colleagues, for putting in so much time in this confining kind of work, but last week something occurred which took away the feeling that I had, and that was the discovery that after long years of trial and effort, an individual who had really been confined for a period of twelve years was freed by a Judge of this Commonwealth after having been illegally confined in a penitentiary in this Commonwealth for twelve long years, and I concluded that while we, as Senators, feel that we are confined and begin to feel sorry for ourselves, we at least get some remuneration from the Commonwealth, little as it may be, for the work that we exercise and for the confinement that we undergo, and I thought, under the circumstances, the least we could do for this type of individual who had been illegally confined for twelve years was to pay him a modest sum for that illegal confinement.

Mr. President, I am not going to go into any of the details now. I am not going to talk about what the Supreme Court said and what the court in the City of Philadelphia said, but at this time I want to read in place and hand to you, Mr. President, the following bill.

BILLS INTRODUCED AND REFERRED

Mr. ROSENFELD read in his place and presented to the Chair Senate Bill No. 608, entitled:

An Act making an appropriation to the Department of Justice for payment of certain moral claims against the Commonwealth.

Which was committed to the Committee on Appropriations.

Mr. LANE read in his place and presented to the Chair Senate Bill No. 609, entitled:

An Act to further amend the act approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 594), entitled "An act establishing certain township roads as State Highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligations of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," by adding a new route in Washington County.

Which was committed to the Committee on Highways.

Mr. BARR read in his place and presented to the Chair Senate Bill No. 610, entitled:

An Act authorizing and directing the Department of Property and Supplies to convey to the City of Pittsburgh all right, title and interest of the Commonwealth to a certain street situate within the City of Pittsburgh without any liability for damages occasioned by the closing or vacating of such street by the City of Pittsburgh.

Which was committed to the Committee on State Government.

PERMISSION TO ADDRESS SENATE

Mr. MALLERY asked and obtained unanimous consent to address the Senate.

Mr. MALLERY. Mr. President, I desire to make a brief remark before introducing a bill.

Mr. President, accidents are causing American industry a loss of 40,000,000 man-days annually, or the equivalent of a year's full time employment for about 134,000 workers.

Occupational injuries cost the nation approximately \$2,700,000,000 last year. The rising incidence of these accidents, which are largely preventable, and which are interfering with the defense effort at a time when skilled manpower is in high demand, can be traced principally to the return of women to industry, reemployment of older people and temporary unfamiliarity with production tools by workers whose industries are changing over to defense production.

Most of these accidents can be traced to somebody's bad judgment. The nation can ill afford to have its greatest asset—manpower—subjected to these accidents while it is within our power greatly to prevent them. Our problem is to teach people to exercise the right judgment when they or others are exposed to danger.

Mr. President, I and every member of this Senate have expressed our interest in safety legislation at every Session of the Senate which I have had the privilege to attend, and it is with pleasure that Senator T. NEWELL WOOD, Senator STEVENSON, Senator SNOWDEN join with me in reading in place and presenting to the Chair the following bill.

BILLS INTRODUCED AND REFERRED

Messrs. MALLERY, WOOD, STEVENSON and SNOWDEN read in place and presented to the Chair Senate Bill No. 611, entitled:

An Act creating the Pennsylvania Public Safety Commission as a commission providing for the appointment of a director of Public Safety, setting forth the powers and duties of the commission, and the director, defining the scope of existing safety agencies; and making an appropriation.

Which was committed to the Committee on Labor and Industry.

Mr. STEVENSON read in his place and presented to the Chair Senate Bill No. 612, entitled:

An Act to create a fund to be known as the Urban Redevelopment Fund from which loans may be made to Redevelopment Authorities to facilitate urban redevelopment; conferring powers and imposing duties on certain State officials and boards; and making an appropriation.

Which was committed to the Committee on Appropriations.

Mr. HOLLAND. Mr. President, I have here in my hand many editorials taken from the Pittsburgh papers, asking for the abolishment of the Milk Control Commission. Last week the Milk Control Commission used their bureaucratic way of doing business by forcing upon the housewife of Pennsylvania another increase in the price of milk to take place July 1. However, this time we find that there was one member of this Commission who took issue with the other two members and attacked them for their highhanded method and their lack of interest in the consuming public of Pennsylvania. I was glad to see in the Pittsburgh paper—this appeared in all three, I am not playing favorites—that even the Governor of the State has become a little bit alarmed and disgusted with the way the Milk Control Commission is being conducted and has threatened to remove two of these commissioners who issued this one cent a quart rise in milk.

Now, Mr. President, as a taxpayer, and speaking for taxpayers in this State, I would like to know one thing. Why do we have to pay half a million dollars of tax money for a commission that is rigged up to protect the milk interests of the State, a commission that is using a formula for raising the price of milk which is of absolutely no use in the State, because the Commission's regulations used in regulating the cost of milk is tied up to the cost of butter, and in the State of Pennsylvania we only produce five per cent of the butter that is used in Pennsylvania. If the Milk Commission was honest, and I say honest and I mean just exactly what the word signifies, if they were honest in their efforts to protect the consumer and do an honest job between the dealer, the consumer and the farmer, they would tie up their formula with the milk that is used in making ice cream in Pennsylvania, which would be a more fair way of deciding the cost of milk than tying up with the butter formula.

Mr. President, I do not know how long we are going to stand for such a Commission. This Commission has outlived its usefulness. It was a creation of the depression, and in the depression days it was useful, but today when we have full employment, when we have ample wages, when the farmer is in the height of prosperity, I do not know why we have to use a socialistic idea in selling milk in Pennsylvania. I am tired of listening to the Republican Party making great speeches on Election Day against Socialism, and then stand up and defend Socialism when it applies to the farmers of Pennsylvania or more rightly to protect the butter interests, who are not even of Pennsylvania.

So, Mr. President, I think the time has come for a showdown to see who in this Senate really wants the Milk Commission. Let us ferret out and smoke out some of these people who back home tell the people that, well, they would like to do something about the Milk Commission and they are. I am going to give them the chance today to do it, because I am going to ask to discharge the Committee from further consideration of the Milk Control Board. I am going to help the Governor out, because the Governor will not have to fire those two other members of the Milk Commission, because, after all, it is not needed. There is no use in this economy of ours. It should be done away with. It serves only one selfish group, and if you people on the other side of the Senate want to vote and put yourselves on record as serving

that selfish group, who are using the Milk Commission to amass fortunes. Do you realize what you are doing by putting these increases on milk that you have been putting on, you are charging the poor housewife millions of dollars more for milk that is going to be denied their babies and their families so they can build them up into good healthy men and women.

So, Mr. President, I offer the following resolution and ask for its unanimous adoption. I also ask for a roll call on the vote.

RESOLUTION

TO DISCHARGE COMMITTEE ON AGRICULTURE FROM FURTHER CONSIDERATION OF SENATE BILL No. 34

Mr. HOLLAND offered the following resolution which was twice read as follows:

In the Senate, May 7, 1951.

Resolved, That the Committee on Agriculture be discharged from further consideration of Senate Bill No. 34, entitled "An act to abolish the Pennsylvania Milk Control Commission, and to repeal the act by which it was created," said bill having been in the hands of said Committee for a period of ten days and more, having been referred on the 15th day of January, 1951.

PARLIAMENTARY INQUIRY

Mr. WALKER. Mr. President, I rise to a point of parliamentary inquiry.

The PRESIDENT. The gentleman from Allegheny, Mr. Walker, will state his point of parliamentary inquiry.

Mr. WALKER. Mr. President, do I understand that the gentleman from Allegheny, my distinguished neighbor and colleague, has asked for the immediate consideration of this resolution?

The PRESIDENT. That is correct.

Mr. WALKER. Mr. President, I object to the immediate consideration of this resolution.

The PRESIDENT. The resolution is referred to the Committee on Rules.

Mr. HOLLAND. Mr. President, as I understand the rules, a resolution for the discharge of a committee cannot be referred to any committee.

The PRESIDENT. That is correct. I had to dispose of it and I did not know whether the gentleman from Allegheny, Senator Holland, was going to make a motion.

PARLIAMENTARY INQUIRY

Mr. DENT. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDENT. The gentleman from Westmoreland, Mr. Dent, will state his question of parliamentary inquiry.

Mr. DENT. Mr. President, under the rules of the Senate is it not true that a discharge resolution is a privileged resolution?

The PRESIDENT. That is correct.

Mr. DENT. Therefore, may I suggest, Mr. President, that the resolution be voted on.

Mr. WALKER. Now, Mr. President, the distinguished gentleman from Westmoreland is a Member of the Rules Committee, and I do not know of a finer place to discuss a more fitting subject as the Milk Control Board than in the Rules Committee. It is one of those wide

open committees; anybody can attend and everybody does, and we discuss those resolutions with vim, vigor and vitality.

Mr. President, if the Minority side does not want us to consider it in the Rules Committee, where it can be considered impassionately and without any emotion and without any attempt to strain the gentleman's milk, it is all right with us.

Mr. WALKER. I move you, Mr. President, that the resolution just read by the Clerk be laid on the table.

Mr. DENT. Mr. President, it is my opinion that if this maneuver succeeds, then the value of a discharge resolution is no longer available to the Members of the Senate. A discharge resolution is a privileged resolution, calling upon the Senate to vote on the question of the discharge of a committee from consideration of a bill. That points up the vote on that particular bill, and there is no other parliamentary procedure whereby that vote can be taken. If this resolution is laid upon the table, then it nullifies the parliamentary procedure set up for the protection of minorities and for the use of minorities in every deliberative body that works under the Roberts Rules of Order or the Jefferson Manual, and I do not think it can be placed upon the table. It must be voted upon as a resolution of privilege.

Mr. WALKER. Mr. President, I do not like rules to work half way. I was always under the impression that a motion to lay on the table was not debatable, and may I suggest that I think we have probably come to that period in the Legislative Session that we always get to, where day after day we will be confronted with motions to discharge committees, and, Mr. President, I think perhaps the best way to meet things like this is head-on.

Mr. President, the gentleman from Allegheny has presented a resolution to discharge the Committee on Agriculture from further consideration of House Bill No. 37, which is a bill to abolish the Pennsylvania Milk Control Commission, and repeal the Act by which it was created. Now, Mr. President, in order to no longer embarrass the gentleman from Allegheny, Senator Walker, and the gentleman from Westmoreland, Senator Dent, I withdraw my motion to lay it on the table if the Chair would so permit me.

The PRESIDENT. The Chair will accede to that request.

Mr. WALKER. Now, Mr. President, I want to say before we debate this matter, it is not with any idea that I will draw some of the fire from his vehement discussion of this controversial subject, but just because of the deep appreciation I have for his success in the past, his success in the present and his success in the future, I want to personally say to the gentleman from Westmoreland that Westmoreland County is very fortunate at this point and the citizens of Westmoreland are very fortunate. It is our fear, and I hope that our fears are groundless, that his elevation to the Board of County Commissioners of Westmoreland County is not indicative of the "old soldiers never die" theory on the part of the gentleman from Westmoreland. I do not want him to fade out, Mr. President. I want him to stay right here with us. I would not want to be in the Senate without him, because I would miss him. That is number 1, and number 2, I have not the faintest idea what I would

have to be confronted with on the other side if he would leave.

Now, Mr. President, in the fear that he is the lesser of two evils, I want him to stay right where he is and always be the Minority Leader.

Mr. President, this resolution to discharge the Committee will have to be dealt with and I am perfectly willing to meet it head-on. I think the gentleman from Allegheny, Senator Holland, has asked for a roll call.

Mr. HOLLAND. Yes, Mr. President.

The PRESIDENT. As I understand the record, if the Senator will yield, the resolution was presented by the gentleman from Allegheny, Mr. Holland, and he moved that it be immediately adopted, but there has not been a seconder to that motion.

Mr. NEFF. I second the motion, Mr. President.

Mr. BARR. I second the motion, Mr. President.

Mr. HOLLAND. Mr. President, I ask for a roll call.

The PRESIDENT. I am not going to read anything, but I would just like to call to the attention of the Members of the Senate, that I am reading from Jefferson's Manual, Section 406, on page 172. Now, please examine that before we get into this position the next time. The answer is very clear there, and I wish to compliment Senator Walker for withdrawing his motion because this is not a privileged resolution, not by the rules of the Senate either.

Mr. DENT. Mr. President, the rules of the Senate specify resolutions that are privileged, but they do not specify that this is a resolution that is privileged, but a discharge resolution, by precedent, in the long history of the House and Senate, has always been considered a resolution on the bill itself or a vote to be taken to identify the vote upon that bill. Is that right or wrong?

The PRESIDENT. Well, I cannot quite agree with that, but may I suggest this to the Majority Floor Leader, if it is possible to reach a more amicable agreement before this question arises again, I shall feel compelled, unless I can be shown authority to the contrary, in the future to rule that when there is a motion to place a discharge motion on the table, I will be compelled to do it if a majority vote sustains it, under the rules of Jefferson's Manual and the rules of the Senate.

Mr. DENT. Now, Mr. President, following that procedure—we may as well get it aired out here so that we know in the future just what rules we are operating under and what procedure we must follow—following that procedure then if a bill or resolution is laid upon the table by a majority vote, how can it be raised from the table?

Mr. WALKER. Mr. President, will the gentleman yield?

Mr. DENT. I yield, Mr. President.

Mr. WALKER. Mr. President, may I suggest to the gentleman from Westmoreland, Senator Dent, if we vote on this one, that perhaps, if the Rules Committee is still in good standing, we will settle the matter in the Rules Committee to the satisfaction of the Majority and the Minority and the Royal Oak Party.

Mr. DENT. Mr. President, seeing that the gentleman from Allegheny, Senator Walker, speaks for two parties against one, I guess I will have to go along.

Mr. WALKER. Mr. President, may I suggest to the gentleman from Westmoreland, Senator Dent, in order to keep the precedent established, a motion to discharge

a committee is in a different category than a resolution to discharge a committee, but we will debate it in the Rules Committee.

Mr. DENT. Mr. President, let us understand that this is a motion and it is in writing.

The PRESIDENT. I would have to agree with the Minority Floor Leader on that proposition. I think that is correct.

Mr. WALKER. "Resolution" is the heading of the thing I have in front of me. It may be a gardenia, but it smells like a rose.

Mr. HOLLAND. Mr. President, I have been in this General Assembly seventeen years, and in those seventeen years I have seen all resolutions for discharge being written in the same manner. I am very much surprised to find that the Majority Party of the Senate is changing the rules of the Senate and the General Assembly. As long as I have been here, I have never seen a resolution for discharge made up otherwise. It has to be written as a resolution to make the motion properly. That is a rule of the General Assembly and it has been carried on in all the years I have been here, and I am so very much surprised to find that the Majority Leader is finding ways and means to change the rules of discharge which have existed at least as long as I have been here.

Mr. YOSKO. Mr. President, I am reading from the Pennsylvania Legislative Directory, 1951-1952, Rule 43, on page 31. The title of the rule is "Discharging Committees," and it states, "No committee shall be discharged from consideration of any measure within ten calendar days of its reference without unanimous consent of the Senate or after such ten day period except by majority vote of all members elected to the Senate."

Mr. President, I am assuming that this particular bill has been with the Committee on Agriculture for a period of more than ten days. Therefore, a motion to discharge the Committee is in order, and if the majority of the Senate votes on the motion, then the Committee will be discharged from further consideration of the bill, as I understand this rule, and I would like to have somebody tell me whether I am right or wrong.

The PRESIDENT. The Chair wishes to advise the Senator from Northampton that it is not a question of whether the resolution or motion is in order so far as consideration or introduction for consideration is concerned, but the question is whether or not it is such a privileged resolution that it cannot be referred to a committee upon the objection of one member of the Senate.

Mr. YOSKO. Mr. President, may I make another inquiry? The other day I was going to make a motion to discharge the Agriculture Committee from further consideration of an oleo bill. I inquired from my colleagues whether it had to be done in writing or done verbally. We discussed this rule and I understood that such a motion could be made verbally and did not have to be in writing in the form of a resolution. Am I correct on that?

The PRESIDENT. I think that is correct. There is no serious question, I do not presume, as far as whether or not Senator Holland's resolution is in effect a motion. We are ready for a roll call if we can reach that point.

Mr. YOSKO. Mr. President, I have a further inquiry. If Senator Holland would withdraw the resolution and

make a verbal motion, properly seconded, would we then take a vote on the motion?

The PRESIDENT. We are going to take it anyhow. In other words, the Chair would have to take the position—if this answers the Senator's inquiry—as far as this situation is concerned, that it probably would not comply with the rules of the Senate if it were not reduced to writing, but there is no differentiation as far as whether or not it is actually a motion.

Mr. YOSKO. Mr. President, I understand now that the question raised here was settled and we are going to vote on the resolution.

The PRESIDENT. That is right.

Mr. DENT. That is right, Mr. President. It is all settled and we are going to take a vote on the resolution.

The PRESIDENT. The Clerk will call the roll.

The yeas and nays were required by Mr. HOLLAND and Mr. NEFF and were as follows, viz:

YEAS—20

Bane,	DiSilvestro,	McCreesh,	Ruth,
Barr,	Haluska,	McGinnis,	Silver,
Barrett,	Holland,	McMenamin,	Stiefel,
Byrne,	Lane,	Neff,	Toole,
Dent,	Leader,	Rosenfeld,	Yosko,

NAYS—29

Berger,	Kephart,	Pechan,	Wade,
Blass,	Kessler,	Peelor,	Wagner,
Chapman,	Letzler,	Propert,	Walker,
Crowe,	Mahany,	Robinson,	Watkins,
Diehm,	Mallery,	Scarlett,	Watson,
Fleming,	McPherson, Jr.,	Snowden,	Wolfe,
Freed,	Meade,	Stevenson,	Wood,
Hare,			

So the question was determined in the negative.

SENATE CONCURRENT RESOLUTION

TIME OF NEXT MEETING

Mr. WATKINS offered the following resolution, which was twice read, considered and agreed to:

In the Senate, May 7, 1951.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday, May 14, 1951, at two o'clock, p. m., E.S.T.; and when the House of Representatives adjourns this week it reconvene on Monday, May 7, 1951, at three-thirty o'clock, p. m., E.S.T.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

CALENDAR

THIRD READING CALENDAR

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 14, on third reading, entitled:

An Act to amend clause (c) of Section 3 of the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 359) entitled "A supplement to the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 299) entitled 'An act providing for the establishment in counties of the second class of the lot and block plan for the registration of land titles for the accumulation of county tax liens and for the enumeration of the parcels of real estate to be assesses for

county city borough township school and institution district taxation providing for the incurring of indebtedness for the installation thereof and imposing duties upon the county controller and the deed registrar in each of such counties' providing for the use in counties of the second class of the lot and block descriptive number in the making of assessments in the preparation of tax bills and tax receipts in the filing of liens for delinquent taxes and in the sale of real estate for taxes and imposing duties upon certain county officials in second class counties and upon treasurers tax collectors and solicitors of cities boroughs towns townships and school districts in said counties" by further providing for the contents of instruments to be received for recording by the recorder of deeds and imposing duties on him relating thereto.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 51, on third reading, entitled:

An Act to amend Section 5 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1358) entitled "An act relating to chattel mortgages on any chattel or chattels or any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties" by providing for postponement of the lien and operation of chattel mortgages in certain cases

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 153, as follows:

An Act to amend Section 209 of Article II of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by authorizing cemetery and burial corporations to transfer trust funds to corporate fiduciaries with the approval of the Orphans' Court and by providing for the filing of accounts by such fiduciaries and the audit and confirmation thereof by said court

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 209 of Article II of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" is hereby amended to read as follows

Section 209 Cemetery and Burial Corporations In the case of the incorporation of a cemetery or burial corporation as a business corporation the articles shall in addition to the information heretofore required by this article contain a provision that a sum equal to at least one-tenth of the gross amount of the funds arising from the sale of lots in the burial ground or cemetery of the corporation shall be set apart for the perpetual care and preservation of the grounds and the repair and renewal of the buildings and property of such corporation that such sum shall be invested by the board of directors in securities which are legal investments for trustees under the laws of this Commonwealth and that the income arising therefrom shall be applied by the board of directors to the foregoing purposes Provided however That any such cemetery or burial corporation may by appropriate action of its stockholders and board of directors and with the approval of the 'Orphans' Court of the county in which the cemetery or burial grounds are situated transfer any of such funds to one or more bank or trust companies trust companies or national banking associations having fiduciary powers as trustee and with like investment restrictions said transfer to be either revocable or absolute and irrevocable and upon the transfer of any such funds the cemetery or burial corporation shall be relieved of all liability for the investment and reinvestment thereof The corporate trustee shall pay semi-annually the net income from the said funds to the cemetery or burial corporation for the purposes above expressed and shall file accounts in the 'Orphans' Court of the county in which the cemetery grounds are situated which accounts shall be filed triennially and at such other times as the said court may direct and which accounts shall be audited adjudicated and confirmed by said court upon such notice to the parties in interest as the said court may determine

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Snowden,
Barr,	Hare,	McPherson, Jr.	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Toole,
Blaas,	Kessler,	Pechan,	Wade,
Byrne,	Lane,	Peeler,	Wagner,

Chapman,
Crowe,
Dent,
Diehm,
DiSilvestro,
Fleming,
Freed,

Leader,
Letzler,
Mahanay,
Mallery,
McCreesh,
McGinnis,

Propert,
Robinson,
Rosenfeld,
Ruth,
Scarlett,
Silver,

Walker,
Watkins,
Watson,
Wolfe,
Wood,
Yosko,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 276 as follows:

An Act to amend Subsection C of Section 315 of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by authorizing cemetery and burial corporations to transfer trust funds to corporate fiduciaries with the approval of the orphans' court and by providing for the filing of accounts by such fiduciaries and the audit and confirmation thereof by said court

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection C of Section 315 of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" is hereby amended to read as follows

Section 315 Burial and Cemetery Companies Churches with Burial Grounds * * * *

C The directors of any such corporation are hereby made trustees of any such funds so received or set aside and neither such funds nor the income derived therefrom shall be used by such trustees for any purpose other than the purpose for which the same were set aside donated bequeathed or otherwise acquired It shall be the duty of the directors of such corporation to invest such funds in investments which are designated as legal investments for trustees under the laws of this Commonwealth and to use the income derived from such investments for the

purpose of caring for preserving and maintaining such burial ground or cemetery or any other purpose which may be specified by the grantor or donor The directors of any such corporation shall cause accurate accounts to be kept of such trust funds separate and apart from the other funds of the corporation and shall make an annual report signed by the treasurer to the members of the corporation and other interested parties concerning the investment of the trust funds and the use made of the income derived from such investments The amount of such funds shown by such report to be in the hands of the directors shall be final and conclusive in favor of and against all parties in interest unless appropriate action is brought in the proper courts of this Commonwealth against the trustees within fifteen days after the regular meeting of the corporation at which such report is submitted The directors of any such corporation shall file annually in the court of quarter sessions of the county where the charter of the corporation was granted a bond with surety or sureties to be approved by such court in the full amount of any funds set aside or held in trust by such directors under authority of subsections A and B of this section but the first bond filed by the directors covering funds set aside under subsection A of this section shall be filed one year after the date when the corporation came into existence The court of quarter sessions of such county shall upon petition of any person related by blood or marriage to any person who has donated or bequeathed funds to any such corporation for the care preservation or maintenance of the burial ground or cemetery or to one who has purchased a lot therein for the burial of the dead or of the donors or purchasers themselves shall have the right to compel the directors of the corporation to file any bond herein provided for in the event of the failure of the directors to file the same on or before the first Monday of July of any year Provided however That any such cemetery or burial corporation may by appropriate action of its members and board of directors or trustees and with the approval of the orphans' court of the county in which the cemetery or burial grounds are situated transfer any of such funds to one or more bank and trust companies trust companies or national banking associations having fiduciary powers as trustee and with the like investment restrictions said transfers to be either revocable or absolute and irrevocable and upon the transfer of any such funds the cemetery or burial corporation shall be relieved of all liability for the investment and reinvestment thereof The corporate trustee shall pay semi-annually the net income from the said funds to the cemetery or burial corporation for the purposes above expressed and shall file accounts in the orphans' court of the county in which the cemetery grounds are situated which accounts shall be filed triennially and at such other times as the said court may direct and which accounts shall be audited adjudicated and confirmed by said court upon such notice to the parties in interest as the said court may determine

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Snowden,
Barr,	Hare,	McPherson, Jr.	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Toole,
Blaas,	Kessler,	Pechan,	Wade,
Byrne,	Lane,	Peelor,	Wagner,
Chapman,	Leader,	Propert,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,

Dent,
Diehm,
DiSilvestro,
Fleming,
Freed,

Mahanay,
Mallery,
McCreesh,
McGinnis,

Rosenfeld,
Ruth,
Scarlett,
Silvert,

Watson,
Wolfe,
Wood,
Yosko.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 341, as follows:

An Act giving liens against real property priority over each other in point of time fixing the time which priorities extend and imposing duties on judges and certain court and county officers and employees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 This act shall be known and may be cited as the "Lien Priority Law"

Section 2 Liens against real property shall have priority over each other on the following basis

(1) Purchase money mortgages from the time they are delivered to the mortgagee if they are recorded within thirty days after their date otherwise from the time they are left for record

(2) Other mortgages and defeasible deeds in the nature of mortgages from the time they are left for record

(3) Verdicts from the time they are recorded by the court

(4) Adverse judgments orders and decrees from the time they are rendered

(5) Amicable judgments from the time the instruments on which they are entered are left for entry

(6) Writs which when issued and indexed by the prothonotary create liens against real property from the time they are issued

(7) Other instrument which when entered or filed and indexed in the prothonotary's office create liens against real property from the time they are left for entry or filing

Section 3 (a) The recorder of deeds shall endorse upon each mortgage and defeasible deed and on the record thereof the time when each is left for record

(b) The person who records a verdict or a judgment order or decree rendered in open court shall endorse on the record thereof the time it was recorded

(c) The judge who signs a judgment order or decree shall endorse thereon the time he signed it

(d) The prothonotary shall endorse upon (1) each instrument on which an amicable judgment is entered or which otherwise creates a lien against real property the time it was left for entry or filing and (2) each writ creating a lien against real property the time it was issued

(e) The prothonotary shall note on the dockets in his office where each verdict judgment order decree instrument or writ creating a lien against real property is entered the time it was recorded rendered left for filing or issued

Section 4 (a) The act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 440) entitled "An act relating to the lien of mortgages and defeasible deeds in the nature of mortgages and protecting the lien of mortgages given by purchasers to sellers if recorded within thirty days from the date of such mortgage" is hereby repealed in so far as it is inconsistent with or supplied by this act

All other acts and parts of acts are hereby repealed insofar as they are inconsistent with the provisions of this act

(b) This act does not affect the priority of any lien which now by law has priority to all other liens nor does

it repeal or otherwise affect any provision of the act approved the third day of July one thousand nine hundred forty-seven (P. L. 1234) known as the "Judgment Lien Law"

Section 5 The provisions of this act shall become effective on the first day of September one thousand nine hundred fifty-one and shall apply only to liens created on and after that date

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Bane,	Freed,	McMenamin,	Stevenson,
Barr,	Haluska,	McPherson, Jr.	Stiefel,
Barrett,	Hare,	Meade,	Toole,
Berger,	Holland,	Neff,	Wade,
Blass,	Kephart,	Pechan,	Wagner,
Byrne,	Kessler,	Peelor,	Walker,
Chapman,	Lane,	Probert,	Watkins,
Crowe,	Leader,	Robinson,	Watson,
Dent,	Letzler,	Rosenfeld,	Wolfe,
Diehm,	Mahanay,	Ruth,	Wood,
DiSilvestro,	McCreesh,	Scarlett,	Yosko,
Fleming,	McGinnis,	Silvert,	

NAYS—2

Mallery, Snowden,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 357 as follows:

An Act to reenact revise and amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto"

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The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 and Article I sections 101 to 109 inclusive of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the laws relating thereto" are hereby reenacted revised and amended to read as follows

Section 1 Be it enacted &c That the laws relating to cities of the third class be and the same are hereby reenacted amended revised and consolidated as follows

Article I

Preliminary Provisions

Section 101 Short Title This act shall be known and may be cited as "The Third Class City [law]" Code

Section 102 [Definition The word "city" or "cities" as used in this act shall be construed to mean a city or cities of the third class] Definitions The following words and terms as used in this act shall have the meanings herein assigned to them unless the context clearly indicates otherwise

"City" a city of the third class

"Street" any street avenue boulevard parkway road lane court alley or public square within the city and any highway within the city as provided in section two thousand nine hundred thirty-nine of this act

"Highway" a State highway of the Commonwealth of Pennsylvania

"Bill" any proposed ordinance introduced in council

Section 103 Excluded Provisions This act [does not include any provisions and] shall not be construed to repeal any acts relating to

(a) The [procedure for the collecting] collection of municipal and tax claims by liens

(b) The [procedure for the] method of incurring and increasing of city indebtedness

(c) [Election officers and conduct] Conduct of elections

(d) Public schools except the collection of school taxes by the city treasurer

(e) Aldermen

(f) Constables

(g) The giving of municipal consent to public service companies

(h) Weights and measures

(i) Validations of elections bonds ordinances and acts of corporate officers

(j) Joint city and county buildings

(k) Libraries

(l) State highways

(m) The joint or several authorities or duties pertaining to cities as well as to other classes of political subdivisions by virtue of general acts of Assembly

Section 104 Construction of Act Generally to Preserve Existing Situations The provisions of this act so far as they are the same as those of existing laws are intended as a continuation of such laws and not as new enactments. The repeal by this act of any act of Assembly or part thereof shall not revive any act or part thereof heretofore repealed or superseded nor affect the corporate existence of any city heretofore incorporated. The provisions of this act shall not affect any act done liability incurred or right accrued or vested or affect any suit or prosecution pending or to be instituted to enforce any right or penalty or punish any offense under the authority of such repealed laws. All ordinances resolutions regulations and rules made pursuant to any act of Assembly repealed by this act shall continue with the same force and effect as if such act had not been repealed. Any person holding office or position under or by virtue of any act of Assembly repealed by this act shall continue to hold such office or position until the expiration of the term thereof subject to the conditions and tenure attached to such office or position prior to the passage of this act.

Section 105 Constitutional Construction The provisions of this act shall be severable and if any of its provisions shall be held to be unconstitutional the decision so holding shall not be construed to affect the validity of any of the remaining provisions of this act. It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein.

Section 106 Construction of References Whenever in this act reference is made to any act by title or otherwise such reference shall be construed to apply to and include any codification wherein the provisions of the act referred to are substantially reenacted.

Section 107 Cities to Which Act Applies This act shall apply to (a) all cities which have been incorporated under or which have accepted the provisions of the act of Assembly approved the twenty-third day of May one thousand eight hundred and seventy-four (P. L. [two hundred thirty] 230) entitled "An act dividing cities of this State into three classes regulating the passage of ordinances providing for contracts for supplies and work for said cities authorizing the increase of indebtedness and the creation of a sinking fund to redeem the same defining and punishing certain offenses in all of said cities and providing for the incorporation and government of the cities of the third class" and the amendments thereto (b) all cities which have been incorporated under the provisions of the act of May twenty-third one thousand eight hundred and eighty-nine (P. L. [two hundred seventy-seven] 277) entitled "An act providing for the incorporation and government of cities of the third class" and the amendments thereto (c) all cities which have been incorporated under the provisions of the act of Assembly approved June twenty-seventh one thousand nine hundred and thirteen (P. L. [five hundred sixty-eight] 568) entitled "An act providing for the incorporation regulation and government of cities of the third class nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto" and the amendments thereto (d) all cities formed by the consolidation of boroughs having voted separately to become cities in accordance with the provisions of the act approved May twenty-fourth one thousand nine hundred and seventeen (P. L. [two hundred sixty-two] 262) entitled "An act to enable two or more boroughs that are contiguous or in close proximity to be united and to become one city wherever each of said boroughs shall have heretofore voted or shall hereafter vote to become a city of the third class under laws now enacted or which may hereafter be enacted and wherever each of said boroughs has duly received or shall hereafter duly receive letters patent constituting it a city of the third class but where sufficient time shall not have

elapsed after the granting of such letters patent for the holding of a municipal election providing for the consequences of such consolidation the government of such consolidated city the payment of the indebtedness of each of the united territories and the enforcement of debts and claims due to and from each and fixing the jurisdiction over the said consolidated city in the courts of the county in which the majority of its inhabitants shall reside" and (e) all cities incorporated under the provisions of this act as therein provided.

Section 108 Effective Date This act shall go into effect on the first day of July one thousand nine hundred and thirty-one. This reenactment revision amendment and consolidation of the laws relating to cities of the third class shall become effective on the first Monday of January one thousand nine hundred fifty-two.

Section 109 Publication of Notices Whenever under the provisions of this act advertisement notice or publication is required to be published in one newspaper such publication shall be made in a newspaper of general circulation as defined by the Newspaper Advertising Act of May sixteen one thousand nine hundred and twenty-nine (P. L. [one thousand seven hundred eighty-four] 1784) printed in the city if there is such a newspaper and if not then in a newspaper circulating generally in such city. If such notice is required to be published in more than one newspaper it shall be published in at least one newspaper of general circulation defined as aforesaid printed if there be such a newspaper or circulating generally as above provided in the city. When such notice relates to any proceeding or matter in any court or the holding of an election for the increase of indebtedness or the issue and sale of bonds to be paid by taxation such notice shall also [in counties of the second third fourth and fifth classes] be published in the legal newspaper of any designated by the rules of court of the proper county for the publication of legal notices and advertisements unless such publication be dispensed with by special order of court. Provided however That ordinances auditor's statements summaries of auditor's statements advertisements inviting proposals for public contracts and for bids for materials and supplies or lists of delinquent taxpayers shall be published only in newspapers of general circulation defined as aforesaid.

Section 2 Article II and sections 201 to 211 inclusive of said act are hereby reenacted amended and revised to read as follows:

Article II

Incorporation

Section 201 [Units Which May be Chartered as] Creation of Cities Cities of the third class shall be chartered whenever a majority of the electors of any [towns] town township or borough or any two or more contiguous towns townships [and/or] or boroughs or any combination thereof situate within the limits of the same county or situate in two or more contiguous counties and having separately or together as the case may be a population of at least ten thousand according to the last preceding United States census shall each separately vote at any general or municipal election in favor of the same.

Section 202 Resolution to Submit Question to Electors The [Council or] corporate authorities of any [such] town township or borough or of any contiguous towns townships [and/or] or boroughs as the case may be may on their own motion or upon petition of [one] two hundred or more qualified electors thereof shall by resolution duly passed and recorded among the minutes submit the question [of] whether [any] such town township or borough or whether any contiguous towns townships [and/or] or boroughs shall become a city of the third class to the qualified electors thereof to be known as the "City of"

Section 203 Notice of Election The said [council and the] Corporate authorities shall give notice by the publication of said resolution [during at least] once a week for four consecutive weeks [immediately] prior to the next general or municipal election in [all of the] not more than two newspapers of general circulation pub-

lished or circulating generally in said towns townships [and/or] and boroughs in accord with the provisions of Section 109 of this act

Section 204 Resolution Certified to County [Commissioners] Board of Election Form of Question The said [council and] corporate authorities shall certify said resolution to the county [commissioners] board of elections of the proper county or counties who shall thereupon cause a proper question to be [printed on a separate ballot to be used] submitted to the qualified electors at the said general or municipal election in the said towns townships [and/or] and boroughs [aforesaid] in the manner required by the [general election laws The electors shall designate with a cross mark (x) in one of the said squares their desire to vote for or against such charter] Pennsylvania Election Code

Section 205 [Duties of Election Officers Returns of Election The] [election officers within each town township and/or borough so voting shall count the votes so cast for and against such city charter and make return thereof on blanks to be furnished by the county commissioners of the proper county or counties to the clerk of the court of quarter sessions of the proper county or counties who shall compute the same and certify the result thereof to the council and corporate authorities aforesaid and also make returns thereof to the Secretary of the Commonwealth and to the Secretary of Internal Affairs each duly certified in the manner required by law in receiving counting and making return of the votes cast the inspectors judges and clerks of the said election shall be governed by the laws of the Commonwealth regulating general elections All the electors inspectors judges and clerks voting at and in attendance upon the election shall be subject to the penalties imposed by the election laws of this Commonwealth] Returns of Election The county board of elections shall make return of the vote cast on the question submitted to the clerk of the court of the proper county or counties and to the respective corporate authorities of the towns townships and boroughs submitting such question If a majority of the votes cast in each such town township and borough on the question shall be in favor of creating a city then returns thereof shall also be made by the county board of elections to the Secretary of the Commonwealth and the Department of Internal Affairs

Section 206 Effect of Vote Against City Charter Whenever by the returns of the election in any town township [and/or] or borough it shall appear that in any one there is a majority against the city charter no further proceeding shall be had and it shall not be lawful to hold another election upon the question in such town township or borough [for three years] until the third general or municipal election thereafter occurring

Section 207 Governor to Issue Charter Where Vote for City Charter Boundaries If it shall appear by the said returns that there is a majority of the votes cast on the question in each town township and borough aforesaid in favor of the city charter the corporate authorities of all such towns townships [and/or] and boroughs shall within sixty days after such election furnish to the Secretary of the Commonwealth the necessary information with respect to the boundaries of [said] the new city and the Governor shall as soon as may be issue letters patent under the Great Seal of the Commonwealth reciting the facts defining the boundaries of said city and constituting the same a body corporate and politic by the name of the City of

Section 208 Property of Entities Vested in City All of the property and estates whatsoever real and personal of the towns townships [and/or] and boroughs which shall have thus become a city [of the third class] are hereby severally and respectively vested in the corporation or body politic of said city by the name style and title given thereto [as aforesaid and] for the use and benefit of the citizens thereof [forever]

Section 209 Existing Governments Preserved Temporarily Organization of City The [charters] governments of the said towns townships [or] and boroughs shall continue in full force and operation [and all officers under

the same shall hold their respective offices] until the first Monday of January [following] next succeeding the municipal election [next succeeding the issuing of the letters patent to the said city] provided for in section 702 of this act at which time the officers of said city chosen at [the preceding] said municipal election shall enter upon their respective terms of service and the city government shall be duly organized under this act

Whenever in the organization of the city government of any newly incorporated city any person is elected by council to any office for which this act provides a definite term and fixes a definite time for the election of persons thereto the [persons] person so elected shall serve only for such time as intervenes between his election and the [next ensuing] day fixed by this act for the regular election of such officer for a full term

Section 210 Existing Liabilities Debts and Claims Transferred to New City All suits prosecutions debts and claims whatsoever of the said towns townships and borough shall thereupon become transferred to the said city which in all suits pending shall be substituted as a party and be under the management and control thereof [as fully and completely as if no alteration had been made in said charter] All valid claims and demands of whatsoever nature whether payable presently or in the future existing against the said towns townships [or] and boroughs when the said charter shall go into operation shall [by force thereof be recoverable from or] be enforceable against the said city The bonds and floating indebtedness and the interest thereon of each of said towns townships [or] and boroughs contracted prior to such consolidation shall be paid by the said city thus organized and chartered so that the taxes shall be uniform throughout the territorial limits of the whole city

Section 211 Jurisdiction of Courts Where City Situate in More Than One County Any city [of the third class heretofore or] hereafter formed out of [one] two or more towns townships or boroughs [and/or] townships formed by the consolidation of boroughs partly lying] or any combination thereof situate in different counties shall for all municipal purposes of government and control be deemed and considered as under and within the jurisdiction of the courts of that county in which [is situate the borough first incorporated of those forming such consolidated borough] at the time the charter of the city is issued the larger percentage of the population of the new city according to the last decennial census is resident The jurisdiction of any such city already chartered shall remain as heretofore

Section 3 Article III and sections 301 to 304 inclusive of said act are hereby reenacted amended and revised to read as follows

Article III

Change of Corporate Title

Section 301 Resolution and Petition to Change Corporate Title Whenever the council of any city shall by resolution decide to change the corporate title of such city it shall present its petition to the court of quarter sessions of the county [wherein such city is situate] having jurisdiction over the municipal affairs of the city petitioning such court to change the corporate title thereof in accordance with the resolution a certified copy of which shall be attached to such petition

Section 302 Hearing Decree Upon the presentation of such petition the said court shall fix a day for a hearing thereof and shall direct that notice of such hearing be published once a week for three weeks in not more than two newspapers [in accord with the provisions of section one hundred and nine of this act] of general circulation At such hearing the court shall hear the testimony and argument of persons both for and against the change of the corporate title of such city and if [convinced] the court is of the opinion that the corporate title of such city should be changed as prayed for in the petition of the council of said city shall enter upon the proceedings its order and decree changing the corporate title of such city in accordance with the resolution of the council thereof [If the said court should not be convinced that

such corporate title should be changed] otherwise the petition shall be dismissed

Section 303 Recording Decree Upon the filing of a certified copy of the decree of [said] the court changing the corporate name of any [such] city in the office of the Secretary of the Commonwealth and the recording thereof in the office of the recorder of deeds of the county [wherein such city is situate] the courts of which have jurisdiction over the municipal affairs of the city the corporate title of said city shall thereafter be as set forth in said decree

Section 304 Existing Rights and Liabilities Preserved No change in the corporate title of any city shall in any way affect any liabilities incurred right accrued or vested obligations issued or contracted or any suits or prosecutions pending or instituted to enforce any right or penalty accrued or punish any offense committed prior to such change

Section 4 Article IV and sections 401 to 408 inclusive of said act are hereby reenacted revised and amended to read as follows

Article IV

Creation and Division of Wards

Section 401 Petition for Creation or Division of Wards New wards may be created in cities or wards therein may be divided by the court of quarter sessions [of the proper county] on application thereto for that purpose by the petition of at least one hundred qualified electors of the district seeking to be created as a new ward or of the ward to be divided or by the petition of the council of the city No new ward shall contain less than three hundred qualified electors according to the last preceding enumeration

Section 402 Petition for Striking Territory from One Ward and Attaching to Another Any part or district of a ward in any city may be detached therefrom and attached to another ward by the court of quarter sessions of the proper county on application thereto for that purpose by the petition of at least twenty-five qualified electors of the district to be stricken off or attached or by the petition of the council of the city

Section 403 Appointment of Commission Report Order of Court Upon the presentation of any such petition praying for the creation of a new ward out of parts of two or more wards or the division of a ward or for the detaching from a ward of a part or district thereof and attaching the same to another ward the said court shall appoint five impartial [men] qualified electors residents of the city but not of the wards to be affected thereby as commissioners to inquire into the propriety of granting the prayer thereof Provided however That in cities having not more than three wards said commissioners shall be selected from the city at large and may be residents of the ward or wards to be affected thereby The commissioners so appointed or any four of them shall examine the premises and make a draft of the new ward or wards proposed to be created or of the ward or wards to be divided or of the wards affected showing the division or change thereof or showing the lines as any separation and attachment will affect them as the case may be and showing clearly the number of qualified electors contained within the proposed new ward The commissioners shall make report to the said court [of quarter sessions] at its next term together with their [opinion of the same and at the term after that at which the report shall be made the court shall make such order thereupon as to it shall appear just and reasonable] recommendation

Section 404 Election Form of Ballot If [the commissioners or] a majority of [them] the commissioners appointed report favorably to such creation or division or the detaching from a ward of a part or district thereof and attaching the same to another ward the court shall order the question of the creation or division of such ward to be submitted to the qualified electors of the ward or wards affected and in the case of the detachment of territory to the electors of the ward from which the territory is to be stricken off at the general or municipal

election occurring not less than ninety days thereafter The clerk of said court shall certify such order to the county [commissioners of the proper county] board of elections [who] which shall thereupon cause a proper question to be [printed on a separate ballot to be used] submitted to the qualified electors at such election in the manner provided by the [general election laws] The electors shall designate with a cross mark (x) in one of said squares their desire to vote for or against such creation or division or detachment] Pennsylvania Election Code

Section 405 Notice of Election It shall be the duty of the mayor of the said city to give at least fifteen days public notice by advertisement in [at least three] one or more newspapers [if so many are printed in said city] of general circulation [and by handbills posted in the most public places in said ward or wards] that such an election will be held and of the time and place of holding the same

Section 406 Election Laws to Apply All the electors judges inspectors and clerks voting at and in attendance upon the election be held under the provisions of this article shall be subject to the penalties imposed by the [election laws of this Commonwealth] Pennsylvania Election Code

Section 407 Computing Vote Return Order of Court Resubmission of Question [Limit of Size and Number of Wards] The officers of such election shall receive and count the [said ballots] votes in the manner prescribed by law and shall forthwith make out a return on forms furnished by the [county commissioners] board of elections showing the number of votes for and against such new ward or for or against such division or detachment of [territory] a ward as the case may be and shall deliver the same to the clerk of the court of quarter sessions [of the proper county] within three days The said clerk shall compute said return and forthwith certify the result thereof to the court If it appears that a majority of the votes so taken are for a new ward or for a division or for the detachment of territory and its attachment to another ward said court shall thereupon order and decree the creation of such new ward or wards or such division or such detachment and attachment agreeably to the lines marked out and returned by the commissioners and shall number the new wards when necessary and order a certified copy of the whole proceeding to be placed on record among the minutes of council If a majority of votes shall be against the new ward or against division or against detachment no further action shall be had upon such proceeding nor shall any new application for such new ward or such division or detachment be heard [for] until two years from the date of such election [Provided That no ward shall contain less than three hundred taxable inhabitants according to the last preceding enumeration for taxation purposes]

Section 408 Change of Ward Lines by Court Whenever it shall appear to the court of quarter sessions in proceedings for the division of any ward or the creation of new wards [where] that any of the boundaries or divisions thereof are [a creek or stream or any other invisible line that any of said lines have become changed obliterated] uncertain [or undesirable by reason of the opening of streets the construction of sewers the development of the locality or] for any [other] cause the said court shall make such order or decree as to the relocation of the line as to [them] it may appear proper so that the same shall conform at [near] nearly as possible to the boundary lines which may have been previously determined upon

Section 5 Article V and sections 501 to 560 inclusive of said act are hereby reenacted amended and revised to read as follows

Article V

Annexation of Territory

(a) Annexation of Boroughs Townships and Parts of Townships

Section 501 Petition for Annexation of Boroughs or

Townships and Parts of Townships Any borough having a population of less than ten thousand inhabitants or any township or part of a township contiguous to any city whether wholly or partially within the same or different counties may become annexed to any such city whether wholly or partially within the same or different counties may become annexed to any such city in the following manner

(a) In the case of a borough the borough council may pass an ordinance for such annexation whenever three-fifths of the taxable inhabitants of such borough shall present a petition accompanied with the written consent of a majority in number and interest of property owners of the borough asking for such annexation

(b) In the case of a township or a part [of a township] thereof whenever three-fifths of the taxable inhabitants of such township or part [of a township] thereof shall present a petition to the council of said city accompanied with the written consent of a majority in number and interest of property owners of such township or part of a township asking for such annexation

(c) In case of part of a township when there are no taxable inhabitants residing therein then whenever three-fifths of the property owners in number and interest of property situated therein shall present a petition to the council of said city asking for such annexation

In construing this section a majority in interest of owners of undivided interests in any piece of property shall be deemed and treated as one person for the purpose of ascertaining the number of petitioners

Section 502 Advertisement Plots Before any such petition is circulated or signed notice thereof shall be given by advertisement once a week for four weeks in two newspapers published in or circulated throughout the territory to be annexed Such notice shall state the purpose of the petition and the date it will be ready for signing All such petitions shall be accompanied by a plot or plots of the territory to be annexed showing all streets and highways municipal or township improvements and public buildings

Section 503 Ordinance of City Filing Copy Thereof Upon presentation to the council of such city of a certified copy of the ordinance in case of a borough or of the petition in the case of a township or part [of a township] thereof together with the required plots in any case the council of said city may by ordinance annex such borough township or part [of a township] thereof to the said city Certified copies of the borough and city ordinances and the petition and the plans shall be filed in the office of the clerk of the court of quarter sessions of the [said] county or counties involved and like copies shall be certified to the Department of Internal Affairs of the Commonwealth Nothing contained in subdivision (a) of this article shall be deemed to require any city to annex any borough township or part of [a] any such township

Section 504 Conclusiveness of Ordinance Appeal Referendum Thirty days after the filing of the said annexation ordinance by the said city council such ordinance and the action of the said city council shall be finally conclusive [unless a referendum petition is filed as is provided in this act or] unless an appeal therefrom is taken within the said thirty days by petition to the court of quarter sessions of the county in which the city is located or unless a referendum petition is filed as provided in this act

Section 505 Hearing an Appeal Notice Appeal from Final Order Where an appeal is taken by any person aggrieved by such annexation ordinance of the city the court shall fix a day for hearing the same Notice shall be given to all parties interested in such manner as the court shall direct After such hearing the court shall decide whether the proceedings are in conformity with this act making an order or decree dismissing the appeal and approving the annexation or sustaining the appeal and dismissing the annexation From any such final order or decree any party in interest aggrieved by such order or decree may have an appeal to the Supreme Court as

in other cases Upon final determination and approval of the annexation ordinance by the court of quarter sessions or by the Supreme Court the annexation shall take effect immediately

(b) Annexation of Outlying Lots in a Township

Section 515 Annexation of Outlying Lots Appointment of Viewers Upon application by petition to the court of quarter sessions signed by a majority or more of the taxable inhabitants accompanied by the written consent of a majority of the property owners in number and interest of any outlots or sections of land in a township containing not more than one hundred acres of land in a township of land contiguous to the city and being part of the same county in which the city is situated stating that they desire the same to be annexed to said city the desirability therefor and describing the lots or land to be annexed with a map or draft of the same which petition shall be sworn to by one or more of the petitioners and accompanied by the petition of the council of the city praying for the annexation of such outlots or sections of land and containing a copy of the resolution of the council of said city approving the annexation the said court shall thereupon appoint three viewers who shall be non-residents of the city or of the township whose territory is to be annexed to inquire into and investigate the allegations and facts stated in the said petition

Section 516 Notice of View Report Decree Notice of the first hearing of the said viewers shall be given to the city and to at least one of the petitioners as the court may direct The said viewers or a majority of them shall make report to said court at its next session after their appointment If they report that they find the statements and facts of said petition to be true and recommend the annexation as prayed for and if no appeal is taken within thirty days therefrom the said court shall thereupon make an order or decree to carry the annexation into effect The city clerk shall forward a certified copy of said decree to the Department of Internal Affairs of the Commonwealth

Section 517 Appeal Hearing Notice Decree Within thirty days after filing of such report any person aggrieved thereby may take an appeal by petition to the court of quarter sessions setting forth [their] his complaint and thereupon the court shall fix a day for hearing the same Notice of such appeal shall be given to all parties interested by publication once in one newspaper in accord with the provisions of section one hundred and nine of this act After such hearing the court shall decide whether the proceedings are in conformity with this act and make an order or decree either dismissing the appeal and approving such annexation or sustaining the appeal and dismissing the annexation From any such final order or decree any party in interest aggrieved by such order or decree may have an appeal to the Supreme Court as in other cases When the court of quarter sessions makes an order to carry such annexation into effect where no appeal is taken and upon final determination and approval of the annexation ordinance by the court of quarter sessions or by the Supreme Court where an appeal has been taken the said outlots or sections of land shall at once and thereafter be a part of said city as fully as if the same had been originally a part thereof A certified copy of any final decree or order approving such annexation shall be forwarded by the city clerk to the Department of Internal Affairs

Section 518 Compensation of Viewers The viewers herein provided for shall be allowed five dollars per day for each and every day actually spent by them in the performance of their duties together with their actual necessary expenses The costs of the proceedings in all cases shall be paid by the city

(c) Annexation of Part of a Borough

Section 525 Petition for Annexation of Territory in a Borough Ordinance of City Territory in a borough contiguous to a city or separated therefrom by a river or stream may be detached from the borough and annexed to the city in the following manner

A petition signed by owners of the land in the territory proposed to be detached and annexed and described in the petition shall be presented to the borough authorities who if they find that the petition is signed by either a majority of freehold owners or by the owners of two-thirds of the area of the territory described and that the assessed valuation of the territory described is not in excess of five per centum of assessed valuation of the borough may by ordinance detach the described territory subject to the acceptance of the detached portion by the city of the third class and upon notice from the council of the borough that it has ordained the detachment of the described territory of the borough for the purpose of having it annexed to the city [of the third class] the city may by ordinance annex the portion of the borough so proposed to be detached.

Section 526 Filing of Plans Upon such annexation by ordinance a plan of the territory annexed shall be filed by the [borough] city council in the office of the county commissioners and with the clerk of the court of quarter sessions and thereupon the detachment and annexation shall be effective. Provided however That if there be no delay through litigation or causes beyond the control of the councils the plan shall be filed as herein required within [ninety (90)] thirty days after the [presentation of the petition to] passage of the annexation ordinance by the city council and if the proceedings are not thus completed they shall be void in their entirety and of no effect. A copy of the plan filed shall be likewise forwarded to the Department of Internal Affairs of the Commonwealth.

(d) Indebtedness and Public Property when Borough or Township is Annexed

Section 535 Apportionment of Indebtedness of Borough or Township Taxes to be Uniform All the indebtedness of each borough or township annexed to a contiguous city under the provisions of this act as well as the indebtedness of the city to which the same is annexed shall be paid by the city as enlarged by such annexation and all territory included within the limits of the same shall be liable for the payment of the floating and bonded indebtedness and the interest thereon of all the territory included within such enlarged city and all taxes thereafter levied therefor shall be uniform throughout the territorial limits of such city.

Section 536 Property of Annexed Territory to Become Property of City All of the public property owned by any such borough or township annexed to any city shall become and remain the public property of the said city.

(e) Apportionment of Indebtedness when Part of a Township or Outlying Lots are Annexed

Section 540 Adjustment of Indebtedness when Part of Township is Annexed Where any part of any township or outlying lots thereof are annexed to any city the township officers of that part of the said township not annexed and the city council of the said city shall make a just and proper adjustment and apportionment of all public property owned by the said township at the time of said annexation both real and personal including funds as well as indebtedness if any to and between the said township and the city. In making such adjustment and apportionment of the property and indebtedness the township and the city shall be entitled respectively to share in a division of the property and indebtedness in the proportion that the assessed valuation of the land remaining in the township bears to the assessed valuation of the land annexed. Provided however That where indebtedness was incurred by the township for an improvement located wholly within the annexed part of the township the whole of such indebtedness shall be assumed by the city and where any part of any such improvement is located within the annexed part of the township the part of such indebtedness representing the part of the improvement located within the territory annexed shall be assumed by the city and the adjustment and apportionment of any remaining debt and the public property of the township shall be made as above provided. The adjustment and apportionment as made shall be reduced

to writing and duly executed and acknowledged by the proper officials and filed in the office of the clerk of the court of quarter sessions of the county in which said city is located. A copy of such adjustment and apportionment shall be forwarded by the city clerk to the Department of Internal Affairs of the Commonwealth.

Section 541 Appointment of Commission Contents of Report In case the said council of the said city and the township's authorities cannot make such amicable apportionment and adjustment of their property and indebtedness within six months after any such annexation then in that case the said council or any officer of said township may present a petition to the court of quarter sessions of the county in which the said city is located. Whereupon the said court shall appoint three disinterested commissioners residents and taxpayers of said county not residing in the said city nor in the said township who after hearing due notice of which shall be given to the city and township interested by publication once in one or more newspapers at least twenty days before said hearing in accord with the provisions of section one hundred and nine of this act shall make report to the court making an apportionment and adjustment according to the provisions of this act of all the property as well as indebtedness if any to and between the said city and the said township said report to state the amount if any that shall be due and payable from the city to the township or from the township to the city as well as the amount of indebtedness if any that shall be assumed by the city or township or both of them.

Section 542 Notice of Filing of Report Exceptions Confirmation The commissioners shall give the city and the township at least five days' notice of the filing of their report. Unless exceptions are filed thereto by the city or by the township within thirty days after filing thereof the same shall be confirmed by the court absolutely. Any sum awarded by the report to the city or to the township shall be a legal and valid claim in its favor against the city or township charged therewith and the amount of debt if any apportioned to any city or township shall be a legal and valid claim against such city or township charged therewith. Any property real or personal given and adjudged to the city or the township shall become and be the property of the city or the township to whichever one the same is given and adjudged. Upon such report being confirmed such claim or indebtedness charged against any city or township may be collected in the same manner as a judgment is collected against any city or township.

Section 543 Compensation of Commissioners Costs The commissioners shall be allowed five dollars per day for each day actually spent by them in the performance of their duties together with their actual necessary expenses. All costs and expenses of such proceedings shall be apportioned by the court to and between the said city and the said township as it shall deem proper.

Section 544 Disposition of Exceptions Appeal In some exceptions are filed to the report of the commissioners the court shall dispose of the same taking testimony if deemed advisable and the decision of the court thereon shall be final and binding on the several cities and townships unless an appeal is taken within thirty days to the Superior or Supreme Court as in other cases.

Section 545 Jurisdiction when Territory is in Two or More Counties In cases where a city or township is situated in two or more counties the court of quarter sessions of the county in which the city is located shall have exclusive jurisdiction over the matter but the same shall be heard by a judge not a resident of either of the judicial districts affected who shall be called to preside specially in the matter and in such cases the court shall appoint the commissioners hereinbefore provided for from both or [all] from three of such counties.

(f) Apportionment of Indebtedness when Part of a Borough is Annexed

Section 550 Apportionment of Indebtedness Decree of Court The court of quarter sessions [of the proper county] having jurisdiction of the city in cases where any

part of a borough is annexed to a city upon a petition of the borough or city may hear evidence and consider the indebtedness and assessed valuation of the borough and the city and the assessed valuation of the territory annexed and may enter a decree making such adjustment of the indebtedness and the manner and time of the payment thereof as to the court may seem meet and proper

Section 551 Collection of Taxes Assessed Prior to Annexation Any taxes assessed prior to the going into effect of the proceedings shall be paid to the borough and the collection and enforcement thereof shall be as though the land had not been detached

(g) Wards

Section 560 Distribution of Annexed Territory Among Wards New Wards Ward Officers Within thirty days from the effective date of any annexation the city council shall cause a petition to be presented to the court of quarter sessions of the county in which the said city is located praying for the distribution of the annexed territory among the wards of the said city or for the creation of a new ward or wards out of the same and to make such order or decree as may be necessary to constitute such ward or wards an election district or election districts or add to or create new election districts in a ward or wards to which such territory is attached and the said court shall in case of the creation of a new ward or wards appoint the election and other officers of the same and name the place or places of holding the first election in the said ward or wards for ward officers and for that purpose may order a special election if said court shall deem the same necessary to be conducted in the manner provided by [law for conducting municipal election] the Pennsylvania Election Code The officers elected at such special election shall hold their respective offices until their successors elected at the next succeeding municipal election shall be duly qualified Any decree of court creating a new ward or wards shall be entered in full upon the records of said court and certified copies thereof under the seal of the court shall be delivered by the clerk of said court to and be filed by the city clerk of the city and the secretary of the school district in which said ward or wards become located The clerk of the court of quarter sessions shall likewise certify copies thereof to the Secretary of the Commonwealth and to the Department of Internal Affairs

Section 5.1 Sections 565 to 568 inclusive subdivision (h) of Article V of said act are hereby repealed

Section 6 Article VI and sections 601 to 606 inclusive of said act are hereby reenacted revised and amended to read as follows

Article VI

City Boundaries

Section 601 Navigable Stream Boundaries Whenever any city is bounded by the nearest margin of a navigable stream and an opposite township borough or city is also bounded by the nearest margin of the same stream the boundaries of such city shall extend to the center line of the stream Nothing contained in this section shall be construed to repeal any local or special law providing otherwise

Section 602 Court to Establish Disputed Boundaries The court of quarter sessions upon petition of any interested political subdivision may ascertain and establish disputed boundaries between [two or more cities or between cities and boroughs or townships] any such parties Whenever the dispute involves the boundaries of counties the provisions of the County Code shall apply to that extent

Section 603 Petition to Court Commissioners Report Upon such petition the court shall appoint as commissioners three impartial [men one of whom shall be a competent] qualified electors who shall have authority to employ a professional engineer or surveyor After giving notice to parties affected by publication once in at least one newspaper [as required by] in conformity with section 109 of this act they shall view the disputed boundaries [The commissioners or any two of them] A majority of the commissioners shall make a prompt report and recommendations to the [next succeeding term of] court which

report shall [contain their recommendations and] be accompanied with a plot of the proposed boundary if the same cannot be fully described by natural lines The court shall make such order thereupon as to it shall seem just and reasonable

Section 604 Reviews Exceptions and Issues Any person affected may petition the court for a review or may except to the report of the commissioners When matters of fact are in dispute the court may frame an issue and certify the same for trial to the court of common pleas

Section 605 Pay and Expenses of Commissioners The commissioners shall each receive [three] five dollars per day [except the surveyor who shall receive five dollars per day] for each day necessarily employed in the performance of their duties [and] as well as mileage at the rate of ten cents per mile necessarily traveled and reasonable expenses incurred for surveying services to be paid equally by the [municipalities or townships] political subdivisions interested

Section 606 Boundary Monuments Whenever a boundary is established pursuant to the preceding sections of this article the court shall cause such part of the same as cannot be fully described by natural lines to be marked with [stone] permanent monuments placed at intervals not exceeding fifteen hundred feet and at the end of any course and the expense of [the] placing [of] the said monuments when approved by the court shall be borne equally by the [municipalities or townships] political subdivisions interested and the court shall compel payment of the same according to law

Section 7 Sections 701 and 702 of Article VII of said act are hereby repealed and section 703 of the said article and act is hereby renumbered section 701 and as such reenacted revised and amended to read as follows

Article VII

[Election of City Officers] Elected Officers and Elections

Section [703] 701 Elected Officers Term Eligible to Re-election Vacancies Where Elected Officer Fails to Qualify The elected officers of each city shall be a mayor four [members of council] councilmen a controller and a treasurer [Each] Except as provided in section seven hundred and two of this act with respect to the first election of members of council each of such officers shall serve for a term of four years from the first Monday of January next succeeding his election [and until his successor is elected and duly qualified and] until the first Monday of January in the fourth year thereafter Any such officer shall be eligible for reelection

Any person elected to a city office who fails to qualify within thirty days [from] after the first Monday of January following his election shall be ineligible to qualify thereafter [In such cases the council shall declare] A vacancy shall then exist in the said office and a person shall be appointed to fill said vacancy in the manner provided by this act [and when the person so appointed to fill said vacancy qualifies for the office the term of the person holding over shall cease and terminate]

Section 7.1 Sections 704 to 706 inclusive of Article VII of said act are hereby repealed and section 707 of said article and act is hereby renumbered section 702 and as such reenacted revised and amended to read as follows

Section [707] 702 Elections in Newly Created Cities At the first municipal election occurring at least ninety days after the date of the letters patent issued by the Governor incorporating any city the qualified electors of such city shall elect a mayor a treasurer and a controller [to serve for terms of four years from the first Monday of January next succeeding their election and every fourth year thereafter such officers shall be elected in such city to serve for terms of four years each] At such election the electors of such city shall also elect four [members of city council] councilmen The two candidates for such office receiving respectively the highest number of votes at such election shall serve for a term of four years from the first Monday of January next succeeding their election until the first Monday of January in the fourth year thereafter and the two candidates [for coun-

cil] at such election receiving the next highest number of votes shall serve for [the] a term of two years from the first Monday of January next succeeding their election [and thereafter two members of council shall be elected at each biennial municipal election to serve for terms of four years each from the first Monday of January next succeeding their election] until the first Monday of January in the second year thereafter

Section 7.2 Said act is hereby amended by adding to Article VII thereof a new section numbered 703 as follows

Section 703 Nominations and Elections All matters relating to nominations of candidates and election of city officers shall be governed by the applicable provisions of the Pennsylvania Election Code

Section 7.3 Section 708 of Article VII of said act is hereby repealed and section 709 of said act and article is hereby renumbered section 704 and as such reenacted revised and amended to read as follows

Section [709] 704 Certificates of Election Whenever an election shall have been held for city officers for regular terms of service it shall be the duty of the [mayor] officer-elect to procure [at the expense of the city] from the [prothonotary of the court of common pleas of the proper] county board of elections [by which court the returns thereof shall be computed] a [certified copy under the seal of the court of the vote for all such officers] certificate of election as [computed] issued by the [court] board according to law and to lay the same before council on the date and time fixed by law for their organization and the said certificate shall be filed among the city archives and [a copy thereof entered upon the journal] its presentation shall be noted in the minutes

Section 8 Article VIII and section 801 of said act are hereby reenacted revised and amended to read as follows

Article VIII

Vacancies in Office

Section 801 Vacancies in Council and Office of Mayor If [for any reason whatsoever] a vacancy [occurs or] exists in the city council whether as to the office of mayor one or more of the other members of council the city council shall by a majority of its remaining members fill such vacancy within thirty [(30)] days thereafter by electing a qualified [elector] person to serve until that first Monday of January when his successor [is] who shall have been elected by the qualified electors at the next municipal election occurring at least ninety days [thereafter] after such vacancy exists [and] is duly sworn into office [The person so elected shall serve] for the remainder of the term of the person originally elected to said office

In case vacancies should [occur] exist whereby the [officers] offices of three or four of the five members of the city council become vacant the remaining one or two members shall fill such vacancies one at a time giving [the] each new appointee such reasonable notice of his appointment as will enable him to meet and act with the then qualified member or members of the city council in making further appointments until three members of city council have been qualified whereupon the said three members shall fill the remaining vacancies at a meeting attended by the said three members of said city council such appointees to receive a majority of the votes of the said three members present at any such meeting The person or persons selected to fill such vacancy or vacancies shall hold their offices as herein provided

If by reason of a tie vote or otherwise such vacancy shall not have been filled by the remaining members of city council within the time as limited herein the court of common pleas [of the proper county] upon the petition of ten or more qualified electors shall fill such vacancy by the appointment of a qualified person for the portion of the unexpired term as above provided [Nominations of candidates for] [any such office shall be made at the primary preceding the said municipal election]

If at any time vacancies should occur or exist in the membership of all five members of city council the court of common pleas [of the county in which such city is

situate] shall appoint a city council including a mayor of persons properly qualified who shall serve as [hereinbefore] herein provided

Section 8.1 Section 802 of Article VIII of said act is hereby repealed and section 803 of said article and act is hereby renumbered section 802 and as such reenacted revised and amended to read as follows

Section [803] 802 Vacancy in Office of Controller or of Treasurer [In case] If a vacancy occurs in the office of city controller [thirty days or more prior to the time for the holding of the next municipal primary election the council shall fill the vacancy by electing a city controller to serve until the first Monday of January next succeeding the time of holding said municipal primary election and the qualified electors of the city in which said vacancy exists shall at said municipal primary election nominate and at the succeeding municipal election elect in the manner provided by law a city controller who shall serve for the regular term of four years from the first Monday] [of January succeeding his election but in case the vacancy occurs less than thirty days prior to the next municipal primary election the council shall elect a controller to serve during the remainder of the term of the city controller whose office has become vacant] or in the office of city treasurer the city council shall fill such vacancy within thirty days thereafter by choosing a city controller or a city treasurer as the case may be to serve until his successor is elected by the qualified electors at the next municipal election occurring at least one hundred and twenty days after such vacancy occurs and is duly sworn into office The person so elected shall serve for a term of four years from the first Monday of January next succeeding his election until the first Monday of January in the fourth year thereafter

Section 9 Article IX and sections 901 to 912 inclusive of said act are hereby reenacted revised and amended to read as follows

Article IX

General Provisions Relating to City Officers Employees

Section 901 Appointment and Removal of Officers and Employees Council shall have the power of appointment and dismissal of all city officers and employees [and subordinate officers of the city] other than elected officers and shall provide for the removal of officers of the city whose offices are established by ordinance except where otherwise provided by this act

Section 902 Officers and Employees Number Duties Compensation Council shall prescribe by ordinance the number duties and compensation of the officers and employees of the city No payment of such compensation shall be made from the city treasury or be in any way authorized to any person except an officer or employee elected or appointed in pursuance of law No ordinance shall be passed giving any extra compensation to any officer servant employee or contractor without previous authority of law Any officer drawing or countersigning any warrant or passing or paying any voucher [for the same or paying the same] contrary to this section shall be guilty of a misdemeanor and upon conviction thereof shall forfeit his office and be sentenced to pay a fine not exceeding five thousand dollars [and] or to undergo imprisonment not exceeding one year or both at the discretion of the court

Section 903 Salaries of Officers Not to be Increased After Election No city shall increase or diminish the salary compensation or emoluments of any elected officer after his election

Section 904 Offices to be Held until Qualification of Successors Any officer of any city who has been elected or appointed and has qualified shall hold said office until his successor is elected or appointed and duly qualifies

Section 905 Oath of Office Violation of Oath Penalty All officers of the city whether elected or appointed shall before entering upon their respective duties take and subscribe the oath prescribed by section 1 of Article VII of the Constitution of this Commonwealth Any person refusing to take such oath shall forfeit his [right to the] office Any person guilty of a violation of his oath shall

be guilty of a misdemeanor and upon conviction shall forfeit his office and be sentenced to pay a fine not exceeding one thousand dollars or to undergo an imprisonment not exceeding one year or both at the discretion of the court

Section 906 Bond to be Given by Officers and Agents Council may require from all officers and agents of the city elected or appointed lawful bonds [and security] with corporate sureties for the faithful performance of their duties No officer or agent required by law or ordinance to give bond as aforesaid shall be sworn into office or enter upon the duties thereof until such bond shall have been duly approved by the proper authority

Section 907 Surety Bonds Premiums When any officer or employee of any city [shall be] is required to give a bond for the faithful performance of his duties [and] such bond shall [be required to] be endorsed by a surety company [it shall be lawful for such] and the city [to] shall pay the premium on such bond The bonds of city officers and employees hereafter given shall be with corporate sureties and not with individual or personal sureties

Section 908 Officers not to Become Surety on Bonds Given to City Penalty No member of the council or any other city officer shall become surety in any bond or obligation given to the city by [any officer or by] any agent or contractor for the faithful performance of any trust agency or contract Any person violating any of the provisions of this section shall be given of a misdemeanor and upon conviction shall forfeit his office and [shall] be sentenced to pay a fine not exceeding one hundred dollars

Section 909 Moneys and Accounts to be Delivered by Officer to Successor Every officer of the city receiving or having in his possession any money accounts property or effects belonging to the city shall upon termination of his office deliver the same to the city or to his qualified successor Any person violating the provisions of this section shall upon summary conviction thereof before an alderman or justice of the peace be sentenced to pay a fine of not less than one hundred dollars or more than three hundred dollars and in default of payment undergo imprisonment not exceeding ninety days Such failure to deliver shall for each day thereof be a separate and distinct offense

Section 910 Receipt of Bribe by Officer or Employee of City Penalty Any member of council or other city officer or employee who shall solicit demand or receive or consent to receive directly or indirectly for himself or for another from any company corporation or persons any moneys office appointment employment testimonial reward thing of value or enjoyment or of personal advantage or promise thereof for his vote or official influence or for withholding the same or with an understanding expressed or implied that his vote or official action shall be in any way influenced thereby or who shall solicit or demand such money or other advantage matter or thing aforesaid for another as the consideration of his vote or official influence or for withholding the same or who shall give or withhold his vote or influence in consideration of the payment or promise of such money advantage or thing to another shall be [held] guilty of bribery a felony and upon conviction thereof shall be sentenced to pay a fine not exceeding ten thousand dollars and to undergo imprisonment for a period not exceeding five years and shall be forever incapable of holding any place of profit or trust in this Commonwealth

Section 911 Bribery of Officers or Employees Penalty Any person who shall directly or indirectly offer give or promise any money or anything of value testimonial privilege or personal advantage to any member of council or other city officer or employee to influence him in the performance or nonperformance of any of his public or official duties shall be guilty of bribery and upon conviction thereof shall be sentenced to pay a fine not exceeding ten thousand dollars and to undergo imprisonment for a period not exceeding five years and shall be forever incapable of holding any place of profit or trust in this Commonwealth

Section 912 City Property not to be Used by Officers for Gain [Interest in Contracts] Penalty No portion of the property of the city shall be used for private gain by any officer of the city councilman agent or employee of said city or any department thereof nor shall the same be wilfully used or injured or be sold or disposed of in any manner by any officer councilman agent or employee without the consent of the council [Nor shall any officer councilman agent or employee of the said city or any department thereof be interested directly or indirectly either personally or as a member or officer of any firm company or corporation contracting with the city or any department thereof in the use purchase or sale lease occupation or enjoyment as aforesaid of any of the works material or property of said city] Any person violating any of the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding [one thousand] five hundred dollars or to undergo imprisonment not exceeding one year or both at the discretion of the court Upon such conviction the party offending shall be forthwith removed from his office or employment and shall not thereafter be eligible to election or appointment to any place of profit or trust under said city or any department thereof

Section 9.1 Section 913 of Article IX of said act is hereby repealed and said act is hereby amended by adding to Article IX a new section numbered 913 as follows

Section 913 City Not to Engage in Private Construction No official officer agent or employee of any city or of any department office institution or agency thereof shall dispose of or authorize or permit the disposal of any services materials supplies or labor belonging to or paid or contracted for by the city or any of its departments offices institutions or agencies in any building installing laying or other work of construction of any manner of thing whether gratuitously or for a consideration for private rather than public benefit within or without the city's boundaries unless such disposal is expressly or by necessary implication authorized or required by law This section is intended to prohibit encroachment of officials officers agents or employees of a city upon the markets of legitimate private enterprise engaged in all types of construction work Any official officer agent or employee of a city or any department office institution or agency thereof violating the provisions of this section shall upon summary conviction thereof forfeit and pay to the city a fine of not less than one hundred nor more than three hundred dollars for each such offense or in default thereof undergo imprisonment for not more than ninety days and each day's violation shall constitute a separate and distinct offense

Section 914 Warrants or Claims not to be Purchased by Officers Penalty No member of the council or other officer of such city shall purchase any warrant order or claim for labor or supplies furnished to said city nor be interested directly or indirectly in the purchase of the same for any sum less than the amount specified therein Any such person violating any of the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall forfeit his office and be sentenced to pay a fine not exceeding one hundred dollars

Section 9.2 Said act is hereby amended by adding to Article IX a new section numbered 915 as follows

Section 915 Imposition of Penalties Whenever any offense punishable under this Article IX shall also be punishable under the Penal Code of 1939 the penalties imposed other than forfeiture of office or right to hold office shall be only those prescribed by said Penal Code

Section 9.3 The subsequent section heretofore numbered 915 of Article IX of said act is hereby renumbered 916 and so renumbered is amended and revised to read as follows

Section [915] 916 City Leagues and Other Municipal Affairs Organizations Any city may unite with other cities or with the cities of two or more classes and may form and organize leagues of said cities and hold annual conventions for the study and consideration of such municipal affairs as concern and pertain to the cities

comprising the league Each city member of a league [shall] may send delegates thereto and pay necessary expenses incident to their attending said convention and pay dues to the league and provide a fund for the necessary costs and expenses of the league and league conventions and the work carried on by said league [Nothing herein contained shall be construed to limit the authority of council to authorize the expenditure of money to other meetings on city business] Council is hereby authorized to appropriate monies for like support of and participation in other organizations concerned with municipal affairs

Section 9.4 Said act is hereby further amended by adding to Article IX thereof a new section numbered Section 917 to read as follows

Section 917 Powers of Subpoena Compelling Testimony In any case where an official or officer of the city or any agency thereof created or authorized by this act is specifically empowered to conduct hearings and investigations such officer official or agency shall have authority for the purposes of such hearings or investigations to issue subpoenas for the attendance and giving of testimony of such witnesses as are subject to the subpoenas of the courts of record of this Commonwealth and to issue subpoenas duces tecum as to such witnesses In the case of an agency such subpoenas shall issue in the name of the city and of the agency upon the signature of the presiding officer thereof and the official seal if any of the agency Any person refusing to obey the orders of any such subpoena shall upon summary conviction thereof before an alderman of the city be fined not less than ten nor more than three hundred dollars and in default of payment thereof shall be imprisoned for a period not in excess of thirty days All such fines shall be paid to the city treasurer for the use of the city

Section 10 Article X subdivision (a) and sections 1001 to 1013 inclusive of said act are hereby reenacted revised and amended to read as follows

Article X

The Council

(a) General Provisions

Section 1001 Qualifications of [Members of Council] Councilmen The [members of city council] councilmen shall be at least twenty-five years of age and shall be elected by the electors at large They shall have been residents [and inhabitants] of the city wherein they shall be elected throughout one year next before their election and shall reside therein [during] throughout their terms of service No officer of the United States or of the [State] Commonwealth of Pennsylvania (except notaries public or officers of the militia) nor any county officer [or] nor any officer or employee of any school district embraced in the territory of said city [or] nor any [other] officer or [any] employee of said city or of any department thereof nor any member or employee of a municipality authority of which the city is a member shall serve as a [member of council] councilman during his continuance or employment except as hereinafter provided

Section 1002 Vesting of Legislative Power The legislative power of every city shall be vested in a council composed of the mayor and four councilmen

Section 1003 Organization of Council [Inauguration of Mayor] The members of council [of the several cities] shall assemble in their place of meeting for the purpose of organizing at ten o'clock in the forenoon of the first Monday of January next succeeding the regular municipal election The mayor shall be the president of the council and a member thereof and shall have the same rights and duties including the introduction of bills and the making of motions as pertain to councilmen

Section 1004 Oath of Councilmen Quorum Rules The members of council shall take the oath of office provided for by this act which oath may be administered by the city clerk or any other person authorized to administer oaths Three members of council shall constitute a quorum but a smaller number may compel the attendance of absent members under penalties to be prescribed by ordinance The council may determine its own rule [but

such rules shall not be inconsistent with the Constitution and laws of the State of Pennsylvania]

Section 1005 Meetings of Council Notice The council shall hold stated meetings at least once in each month and at such other times as may be fixed by ordinance and continue them so long as the transaction of the public business demands The mayor may and upon request of two councilmen must call special meetings of council upon twenty-four hours' notice to each member which notice shall state whether such meeting is to be convened for special or general business If called for special business only such business shall be considered as is stated in the notice Such notice may be waived by unanimous consent of council All meetings of council whether regular or special shall be open to the public The council shall be a continuous body and it shall be lawful for any council to complete any unfinished business or legislation begun by the preceding council

Section 1006 [Necessary] Ordinances Resolutions Rules and Regulations Imposition of Fines The council of every city shall pass ordinances resolutions rules and regulations in accordance with the provisions of this act and not inconsistent therewith as may be necessary to carry into effect the requirements thereof and may impose fines and penalties for the violation of such ordinances rules and regulations recoverable in the manner hereinafter provided for the recovery of fines and penalties for the violation of city ordinances and subject to like limitations as to the amount thereof

Section 1007 [Right to Vote] Voting No Veto Vote Necessary to Pass Ordinance Each [member] of the five members of council [including the mayor] shall [have the right to] vote on all questions coming before the council except as hereafter provided The mayor shall have no right of veto Except as otherwise provided in this act an affirmative vote of three members shall be necessary in order to pass any ordinance resolution rule or regulation

Section 1008 Journal of Proceedings Recording and Withholding of Vote The council shall keep a journal of its proceedings which shall be in the possession of the city clerk and which shall at all times be open to public inspection Upon every vote the yeas and nays shall be called and recorded by the city clerk Every motion resolution or ordinance shall be reduced to writing before the vote is taken thereon [Except where they shall be personally or privately interested no] No member in attendance shall withhold his vote on any measure bill or question unless [he shall state his reason therefor to] the council [which may] excuse him and enter the reason upon the journal

Section 1009 Disclosures of Interest by Councilman A member who has a personal or private interest in any question measure or bill proposed or pending before the council shall disclose the fact to council and shall not vote thereon nor take any part in the discussion of the same If such interested person shall vote without disclosing his interest in such question measure or bill [and the same be carried by his vote] he shall forfeit his office and [the measure or bill shall be void] council may avoid the enactment or transaction or not as it deems best

Section 1010 Ordinances and Resolutions Signing by Mayor and City Clerk Every legislative act of the council shall be by resolution or ordinance and every ordinance [or resolution] which shall have passed said council shall be signed by the mayor and attested by the city clerk

Section 1011 Bills Titles [No] All proposed ordinances shall be [passed by council except by bill] presented to council in written form as bills and shall be numbered serially for the calendar year [No bill] They shall not be so altered or amended on [its] their passage through council as to change [its] their original purpose No [bills] ordinances except general appropriation [bills] ordinances shall be passed containing more than one subject which shall be expressed in its title

Section 1012 Reading of Bills Final [Passing] Passage Every bill shall be read at length when introduced and may be read by title on final passage except as to amendments or other changes which shall be read at length

No bill shall be passed finally on the same day on which it was introduced At least three days shall intervene [before] between its introduction and its final passage Upon final passage ordinances shall be numbered serially

Section 1013 [Ordinances for] Payments not Authorized by Law No ordinance shall be passed providing for the payment [of any claim against the city] of any money by the city without previous authority of law Any officer drawing or countersigning any warrant or passing any voucher for [the same] a payment not authorized by law or [paying the same] making such payment shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five thousand dollars and undergo imprisonment not exceeding one year

Section 10.1 Section 1014 of Article X subdivision (a) of said act is hereby repealed and the subsequent section of said subdivision are hereby renumbered sections 1014 to 1018 and as such are reenacted revised and amended as follows

Section [1015] 1014 [Proof of Ordinance Evidence] Time of Taking Effect of Ordinances Publication Recording Proof and Evidence Notice of Building and Zoning Ordinances Maps and Plans [All ordinances resolutions motions or other proceedings of council may be proved by the certificate of the city clerk under the corporate seal and when printed or published in book or pamphlet form and purporting to be published by authority of the city shall be read and received as evidence in all courts and places elsewhere without further proof] All ordinances shall unless otherwise provided therein or by law take effect in ten days after their passage upon their being signed by the mayor and attested by the city clerk Every ordinance except as otherwise herein provided prescribing a penalty for the violation thereof shall be forthwith published at least three times each publication on a different day in at least one and not more than two newspapers printed or circulated within the city in the manner provided by section one hundred and nine of this act [At least one week and not more than three weeks prior to the presentation of any proposed building code ordinance or zoning ordinance to council an informative notice of intention to consider such ordinance and a brief summary setting forth the principal provisions of the proposed ordinance in such reasonable detail as will give notice of its contents and a reference to the place within the city where copy of the proposed building code or zoning ordinance may be examined or obtained shall be published in the manner herein provided for the publication of ordinances Such building code ordinance or zoning ordinance need not be published after adoption] All ordinances shall within one month after their passage be certified and recorded by the city clerk in a book provided the city for that purpose which shall be at all times open to the inspection of citizens All ordinances resolutions motions or other proceedings of council may be proved by the certificate of the city clerk under the corporate seal and when printed or published in book or pamphlet form by authority of the city shall be read and received as evidence in all courts and elsewhere without further proof At least one week and not more than three weeks prior to the first reading of any proposed building code ordinance or zoning ordinance by council an informative notice of intention to consider such ordinance and a brief summary setting forth the principal provisions of the proposed ordinance in such reasonable detail as will give adequate notice of its contents pursuant to a uniform form which shall be prepared or approved by the Department of Internal Affairs in the case of a zoning ordinance or the Department of Labor and Industry in the case of a building code and a reference to the place or places within the city where copies of the proposed building code or zoning ordinance may be examined or obtained shall be published in the manner herein provided for the publication of ordinances Such building code ordinance or zoning ordinance shall not be published after adoption but not less than three copies thereof shall be made available for public inspection and use during business hours for

at least three months after adoption and printed copies thereof shall be supplied upon demand at cost In any case in which maps plans or drawings of any kind are to be adopted as part of an ordinance council may instead of publishing the same as part of the ordinance refer in publishing the ordinance or a summary thereof to the place where such maps plans or drawings are on file and may be examined

Section [1016] 1015 Attendance of Witnesses and Production of Books Before Council or Committee Thereof The council of any city may compel the attendance of witnesses and the production of books papers and other evidence at any meeting of the body or any committee thereof For the purpose subpoenas may issue signed by the mayor or the chairman of the committee in any pending case of inquiry investigation or impeachment and the same may be served and executed in any part of this Commonwealth Any member of council and the city clerk shall have power to administer oaths to such witnesses If any witness shall refuse to testify as to any fact within his knowledge or to produce any books or papers within his possession or under his control required to be used as evidence in any such case the city clerk shall forthwith report the facts relating to such refusal to the court of common pleas [of the county within which such city is situated] All questions arising upon such refusal and also upon any new evidence not included in said clerk's report (which new evidence may be offered in behalf of or against such witness) shall at once be heard by said court If the court determines that the testimony or evidence required by such witness is legal and properly competent and ought to be given or produced by him then said court shall make an order commanding such witness to testify or produce books or papers or both as the case may be If such witness shall thereafter in disobedience of such order of the court refuse to testify or produce books or papers as aforesaid then the said court shall have the power to order the commitment of such witness [to the county jail of the proper county] for contempt

Any person so called as a witness and examined under oath shall be liable to indictment conviction and punishment for perjury in the same manner and to the same extent as if the witness had been called and examined before any committee of the Legislature or in any judicial proceeding before any of the courts of record in accordance with existing laws No person outside of such city subpoenaed as aforesaid shall be required to respond to the same until he has been furnished with mileage to and from said city at the rate of ten cents per mile and a per diem allowance of [two] three dollars for the time his presence is desired in said city

Section [1017] 1016 Salaries Councilmen shall receive for their services during their term of service annual salaries to be fixed by ordinance payable in monthly or semi-monthly instalments Councils may by the ordinance fixing said salaries provide for the assessment and retention therefrom of reasonable fines for absence from regular or special meetings of council or councilmanic committees The salary paid to any councilman shall not be less than two hundred and fifty dollars per year For the term of city councilmen in newly created cities and until thereafter changed by ordinance the salary of each councilman shall be as follows

In cities of fifteen thousand inhabitants or under by the last United States census each councilman shall receive a salary of four hundred and fifty dollars per annum where said population is between fifteen thousand and thirty thousand eleven hundred and twenty-five dollars per annum in cities having a population above thirty thousand and not exceeding fifty thousand three thousand dollars per annum in cities having a population of over fifty thousand and not exceeding seventy thousand three thousand seven hundred and fifty dollars per annum in cities having a population of over seventy thousand four thousand five hundred dollars per annum. The compensation to be received by councilmen shall not be increased or diminished after their election but succeeding councils may change all compensation said change

to take effect as to councilmen [elected after such change of salaries has been made] taking office at least six months after the passage of the ordinance providing for such change

Section [1018] 1017 Enforcement of Ordinances Recovery and Payment Over of Fines and Penalties All actions prosecutions complaints and proceedings for the violation of the ordinances of the city and for fines penalties and forfeitures imposed thereby shall be instituted in the corporate name of the city and be conducted in the manner prescribed by law

No warrant shall be issued except upon complaint upon oath or affirmation specifying the ordinance for the violation of which the same is issued All process shall be directed to and be served by any policeman or constable of the city who shall execute the same [anywhere within the city or in the county of which it is part or elsewhere] as may be provided by law

Warrants shall be returnable forthwith Every summons shall be returnable in not less than five or more than eight days from the date thereof Upon such return like proceedings shall be had in all cases as are directed by law for summary convictions or proceedings for the recovery of penalties before justices of the peace with the same right of appeal from any final judgment entered

All fines and penalties for the violation of the city ordinances received by any magistrate or alderman and all fees costs fines and penalties received by any alderman in cases heard before him while presiding in the mayors police court shall be paid over by the magistrate or alderman before whom the same are recovered into the city treasury monthly according to a statement certified by oath or affirmation taken before the [superintendent] director of accounts and finance and filed with him

Any alderman of the city may at the request of the mayor or acting mayor where either is for any reason unable or unwilling to act attend the mayor's police court and there perform all such duties and exercise all such powers as to which he has concurrent jurisdiction with the mayor and for such services shall be allowed such compensation as council shall provide

Section [1019] 1018 Cost of Maintenance of Prisoners in County Jails When a prisoner shall be committed to any county jail or prison in this Commonwealth either for the violation of any city ordinance or while awaiting a hearing upon any charge for the violation of any city ordinance the costs of proceedings and the expenses of maintaining such prisoner during his confinement by virtue of any such commitment shall be paid by the city whose ordinances were alleged to have been violated or to which any such fines or penalties are payable The county in which such city is located shall not be liable for any such maintenance or to any officer magistrate alderman or person for any costs of such proceedings

Section 10.2 Article X subdivision (b) and sections 1030 to 1033 inclusive of said act are hereby reenacted revised and amended to read as follows

(b) Initiative

Section 1030 Initiation of Proposed Ordinances by Petition Exceptions Any proposed ordinance may be submitted to the council by a petition signed by the electors of any city as hereinafter provided except

(a) Proposed ordinances relating to any matter subject or thing which is not the subject of a referendum vote as provided in subdivision (c) of this article or

(b) Proposed ordinances to repeal amend or modify any ordinance which has been subject to the provisions of the referendum as provided in subdivision (c) of this article

Section 1031 Petition Notice The city clerk upon the written request of one hundred qualified electors of the city directed to him asking for the preparation of a petition for the submission of any proposed ordinance to the council of such city and accompanied by a copy of the proposed ordinance shall prepare such petition within ten days and in the meantime notice shall be published

at least one time in one newspaper in the manner provided by section one hundred and nine of this act that such petition will be ready for signing at the expiration of ten days from the presentation of said request This notice shall state the purpose for which the petition is made the place where and when it may be signed [Ten] Fifteen days shall be allowed for signatures

Section 1032 Signing Oath The signing shall be done in the city clerk's office only The petition shall be retained there at all times during the period of [ten] fifteen days Each signer shall add to his signature his place of residence by street and number and shall make oath before the city clerk that he is a qualified elector of the city and resides at the address given The city clerk shall keep his office open for the purpose of permitting voters to sign such petition from eight o'clock ante meridian to ten o'clock post meridian of each day except Sundays and holidays He shall not permit any person to sign such petitions after ten o'clock post meridian on the last day for signing the same

Section 1033 Number of Signatures Examinations and Certificate by City Clerk At the expiration of the [ten] fifteen days aforesaid and within ten days thereafter the city clerk shall examine such petition and from the record of registered voters of the city ascertain whether or not said petition is signed by voters equal to twenty per centum of all votes cast for all candidates for mayor at the last preceding municipal election at which a mayor was elected If necessary the council shall allow the city clerk extra help for that purpose The city clerk shall attach to said petition his certificate showing the result of said examination If less than the required twenty per centum is certified the petition shall fail and shall be filed in the office of the city clerk

Section 10.3 Section 1034 of Article X subdivision (b) of said act is hereby repealed and the subsequent sections of said subdivision are hereby renumbered sections 1034 to 1041 and as such are reenacted revised and amended as follows

Section [1035] 1034 Submission to Council If the petition shall be certified to contain signatures equalling the required twenty per centum of said votes cast as aforesaid the clerk shall submit the same to the council without delay

Section [1036] 1035 Actions by Council Notices If the petition accompanying the proposed ordinance be signed by electors in number to twenty per centum of the votes cast for all candidates for mayor at the last preceding municipal election at which a mayor was elected the council shall either

(a) Pass said proposed ordinance without alteration within twenty days (except as otherwise provided herein) after attachment of the clerk's certificate to the accompanying petition or

(b) Forthwith after the clerk shall attach to the petition accompanying such ordinance his certificate of sufficiency the council shall call a special election [unless the] to be held at the time of the next general [or] municipal or primary election [is fixed within] occurring at least ninety days thereafter and at such [special general or municipal] election such proposed ordinance shall be submitted without alteration to the vote of the electors of the said city Notice of such election shall be given as provided by the Pennsylvania Election Code

Section [1037] 1036 Form of Ballot or Ballot Label on Submission to Vote The ballots or ballot labels used when voting upon said ordinance shall be supplied by [council] the county board of elections and shall contain a question stating the nature of the proposed ordinance followed by the words "yes" and "no" [and blank spaces in which the voter by his X mark may express his preference] and shall be as provided in the Pennsylvania Election Code The [ballots] votes shall be counted and returns thereof made and computed as provided in section ten hundred and sixty-two [(Section 1062)] of this act

Section [1038] 1037 Effect of Majority Vote If the majority of the qualified electors voting on the proposed ordinance shall vote in favor thereof such ordinance shall

thereupon become a valid and binding ordinance of said city

Section [1039] 1038 No Repeal Within Two Years Any ordinance [which is] so proposed by petition whether passed by council or [which shall be] adopted by a vote of the electors cannot be repealed or amended within two years of its effective date except by a vote of the electors

Section [1040] 1039 Number of Proposed Ordinances to be Submitted Special Elections Limited Any number of proposed ordinances may be voted upon at the same election in accordance with the provisions of this subdivision [but there shall not be more than one special election in any period of six months for such purpose] Provided That the same subject matter shall not be submitted by petition oftener than once in three years

Section [1041] 1040 Submission for Repeal by Council The council may submit a proposition for the repeal or amendment of any such ordinance to be voted upon at any succeeding municipal [or] general or primary election occurring at least ninety days thereafter Should such proposition so submitted receive a majority of the votes cast thereon at such election such ordinance shall thereby be repealed or amended accordingly

Section [1042] 1041 Publication of Proposed Ordinance Repeal or Amendment Whenever any proposed ordinance is to be submitted to the voters of the city at any election or any ordinance is submitted by council for repeal or amendment notice thereof shall be published as required by the Pennsylvania Election Code [the city clerk shall cause such ordinance to be published once in at least two of the newspapers published in said city as required by section one hundred and nine of this act not less than five nor more than twenty days before the submission of such ordinance to be voted on]

Section 10.4 Article X subdivision (c) and sections 1050 to 1064 inclusive of said act are hereby reenacted revised and amended to read as follows

(c) Referendum

Section 1050 Referendum Exceptions No [ordinances] ordinance passed by council shall go into effect before ten (10) days from the time of its final passage except

(a) Ordinances expressly required to be passed by the general laws of the State or by the provisions of any act of Assembly or the provisions of which and the matter to be carried out thereunder are subject to the approval of an officer or tribunal of the State Government

(b) Ordinances providing for tax levies annual and other appropriations and for the exercise of the right of eminent domain

(c) Ordinances for the preservation of the public peace health morals safety and in the exercise of the police powers of the city government and for the prevention and abatement of nuisances

(b) Any ordinance providing for an election to increase indebtedness and any other ordinance which by law must be submitted to an election before it shall take effect

(e) Ordinances for the opening paving grading or other improvement of streets or highways when the improvement is petitioned for by a majority in number or interest of the abutting property owners

(f) Ordinances for the construction of sewers and for the purpose of keeping the streets highways and sidewalks in good order and repair and in a safe and passable condition

Section 1051 Petition Reconsideration of Ordinance If during such period of ten days from the time of its final passage a petition signed by electors of the city equal in number to at least twenty per centum of the entire vote cast for all candidates for mayor at the last preceding municipal election at which a mayor was elected protesting against the passage of any ordinance other than those excepted from the provisions of this subdivision by the foregoing section is presented to the council said ordinance shall be suspended from going into operation and council shall reconsider such ordinance

Section 1052 Preparation of Petition by City Clerk Notice Such petition shall be prepared by the city clerk immediately upon receipt by him of written request of one hundred qualified electors of the city asking that the same be prepared Upon its preparation he shall give notice by one insertion in one of the daily newspapers if one be published in the city and if not then in a weekly or daily newspaper published in the county that such petition is ready for signing and the purpose of the petition giving the place where and time when it may be signed. The said signing shall be done only in the city clerk's office where the petition shall be retained during the period of ten days after the passage of the said ordinance

Section 1053 Additional Petitions In order to facilitate the signing of such petition the city clerk shall cause to be made at least two additional similar petitions for signing by the qualified electors and the signing of such petitions shall have the same force and effect as the signing of the original petition The city clerk is hereby authorized to employ at least two persons to take charge of said additional petitions the city clerk and said persons being hereby empowered to administer the oath hereinafter required to be taken by the electors This section shall apply as well to petitions initiating ordinances

Section 1054 Signatures Oath Time of Signing Each signer shall add to his signature his place of residence by street and number and shall make oath before the city clerk or other person authorized as aforesaid that he is a qualified elector of the city and resides at the address given The city clerk shall keep his office open for the purpose of signatures to the petitions from eight o'clock ante meridian to ten o'clock post meridian of each day except Sundays and holidays He shall not permit any person to sign any of the said petitions after ten o'clock post meridian of the tenth day following the passage of the ordinance on which the referendum vote is prayed for

Section 1055 Presentation of Petition to Council At the expiration of said ten days the said petition shall be deemed and taken to be filed with and presented to the council and it shall be the duty of the city clerk to lay the same before the council at its first meeting thereafter

Section 1056 Ascertainment of Number of Signers Report After its presentation the city clerk shall ascertain from the record of registered voters of the city whether or not said referendum petition is signed by voters equal to twenty per centum of all the votes cast for mayor at the last preceding municipal election at which a mayor was elected If necessary the council shall allow him extra help for that purpose and after he has made said examination he shall report the result to [Council] council

Section 1057 Ordinances Granting Franchises No franchise or consent to occupy the public streets highways or other places in any city of the third class shall be given or granted to any person or persons railroad railway gas water light telephone or telegraph company or to any public [service] utility corporation except by ordinance and no ordinance for such purpose shall go into effect [for thirty days after its final passage] before thirty days after it has been filed with the public utility commission

Section 1058 Petition against Ordinances Suspensions If within said thirty days a petition prepared advertised and perfected in all respects complying with the provisions of this subdivision (except that the petitioners shall have thirty days in which to prepare said petition) is addressed to the council signed by registered electors of the city equal in number to at least twenty per centum of all the votes cast for mayor at the last preceding municipal election at which a mayor was elected protesting against the passage of said ordinance the latter shall be suspended and it shall be the duty of the city clerk to examine said petition and ascertain from the registry of voters whether or not said petition is signed by the required number of electors If necessary the council shall allow the city clerk

extra help for said purpose Upon such examination he shall report the result to council

Section 1059 Effect of Petition Submission to Voters If in any case it shall appear that the petitions provided for in this subdivision have not been signed by the requisite number of voters no action shall be taken but the ordinance shall be deemed and taken to be in full force from the time or times they each would have gone into effect had there been no petition against the same But in [cases] case such petitions are signed by electors equal to twenty per centum of all the votes cast for mayor as aforesaid the council shall reconsider such ordinance and if the same is not entirely repealed the council shall call a special election [unless the] to be held at the time of the next general or municipal or primary election [is to be held within ninety] occurring not less than sixty days therefrom [in which case the question of reference shall be to the general or municipal election as the case may be] At such [special general or municipal] election [occurring within ninety days] the said ordinance shall be submitted without alteration in accordance with the Pennsylvania Election Code

Section 1060 Certification of County [Commissioners] Board of Elections Ballots or Ballot Labels Expense of Elections [When the submission is at a general or municipal election] the city clerk shall certify to the county [commissioners] board of elections a copy of the ordinance and the proceedings of council directing the referendum vote and the county board of elections shall cause the question to be printed [on a separate ballot] for use in the election districts of the city [Where there is a special election the ballots shall be prepared and furnished by the city and said elections shall be held by the regular election officers The expenses of said special elections shall be paid for by the city and said city may fix not only the day of the election but the time for opening and closing the polls] The preparation of ballots or ballot labels for and the holding of special elections shall be as provided in the Pennsylvania Election Code Any number of ordinances may be referred [to] and voted on at the same election [There may not be more than one special election every six months]

Section 1061 Form of Ballot or Ballot Label The ballot used when voting upon such ordinance shall contain a question stating the nature of the referred ordinance followed by the words "yes" and "no" [and blank spaces in which the voter by his X mark may express his preference] and shall be as provided in the Pennsylvania Election Code

Section 1062 Computing and Filing Returns The officers holding said elections shall keep tally sheets and make returns of votes in the same manner as tally sheets are kept and returns made in elections of officers and the submission of other questions as [now] provided by [law] the Pennsylvania Election Code The returns shall be filed with the [prothonotary of the court of common pleas and the court shall compute the returns and cause the results thereof to be filed in said court The prothonotary shall certify the result to the council of the proper city] county board of elections which shall compute the returns and certify the results thereof to the city council [In case of] The returns and certifications of all special elections [the prothonotary shall lay the returns of the election before the court at a meeting or session of the court to be held on the Tuesday succeeding the election for computation as aforesaid] shall be made as provided in the Pennsylvania Election Code

Section 1063 Effect of the Vote If it shall appear that more persons have voted for said ordinance than against it the ordinance shall take immediate and full effect [the same as if it had been passed by the council been signed by the mayor and there had been no referendum vote thereon] without more from the date the results are certified to the city council If the vote is against said ordinance it shall be lost and of no effect

Section 1064 Publication of Ordinance Before Election Before any referendum election is held on any ordinance [it shall be the duty of the city clerk to cause to be pub-

lished] a copy of the ordinance which is to be submitted to the vote of the people [once in at least two newspapers as required by section one hundred and nine of this act A copy of said publication duly verified by affidavit shall be filed by the city clerk in the prothonotary's office of said court with the result of the election as computed and filed by the court] shall be published as required by the Pennsylvania Election Code

Section 11 Article XI and sections 1101 to 1103 inclusive of said act are hereby reenacted revised and amended to read as follows

Article XI

The Executive Department

Section 1101 Executive Departments The executive and administrative powers authority and duties in each city shall be distributed into and among five departments as follows

- 1 Department of Public Affairs
- 2 Department of Accounts and Finance
- 3 Department of Public Safety
- 4 Department of Streets and Public Improvements
- 5 Department of Parks and Public Property

Section 1102 Determination of Powers and Duties of Departments The council shall determine the powers and duties to be performed by and assigned them to the appropriate department shall prescribe the powers and duties of officers and employees may assign particular officers and employees to one or more of the departments may require an officer or employee to perform duties in two or more departments and may make such other rules and regulations as may be deemed necessary or proper for the efficient and economical conduct of the business of the city

Section 1103 Designation of Departments Changes The mayor shall be director of the department of public affairs and as such shall have supervision over the city police The council shall at the biennial organization meeting designate by majority vote one councilman to be director of the department of accounts and finance one to be director of the department of public safety one to be director of the department of streets and public improvements and one to be director of the department of parks and public property Such designation [shall] may be changed [whenever it appears that the public service would be benefited thereby] at council's discretion

Section 11.1 Said act is hereby amended by adding to Article XI thereof a new section numbered 1104 as follows

Section 1104 Department Directors Responsible for City Property and Supplies Perpetual Inventory Reports The director of each department shall be responsible for the personal property and supplies of the city within his department and shall prepare and maintain a perpetual inventory of such property and supplies He shall file with the city clerk a copy of such inventory from time to time during the fiscal year and shall make available to the director of accounts and finance a copy of such inventory to assist him in the preparation of the proposed budget ordinance he shall furnish a copy of such inventory to the council upon request

Section 12 Article XII and sections 1201 to 1203 inclusive of said act are hereby reenacted revised and amended to read as follows

Article XII

The Mayor

Section 1201 Qualifications The mayor shall be at least twenty-five years of age and shall be elected by the qualified electors of the city He shall have been a resident [and inhabitant] of the city wherein he shall be elected for one year [and of the State for four years] next before his election and shall reside in the city [during] throughout his term of service

Section 1202 Chief Executive Inauguration The mayor shall be the chief executive of the city He shall be inaugurated and take the oath of office provided for by this act at ten o'clock in the forenoon of the first Mon-

day of January next succeeding his election or as soon thereafter as possible

Section 1203 Execution of Laws Powers of Sheriff Conferred It shall be the duty of the mayor to be vigilant and active in causing the ordinances of the city and the laws of the Commonwealth relating to the government of the city to be executed and enforced. In order to enable him effectually to preserve the public peace within the city all the powers which are devolved by the laws of this [State] Commonwealth upon sheriffs to prevent and suppress mobs riots and unlawful and tumultuous assemblies are hereby conferred upon him

Section 12.1 Said act is hereby amended by adding to Article XII thereof a new section numbered 1204 as follows

Section 1204 Official Seal of Mayor Council shall provide an official seal for the mayor and prescribe the form thereof

Section 12.2 The subsequent sections of Article XII of said act are hereby renumbered 1205 to 1209 inclusive and so renumbered are hereby reenacted revised and amended to read as follows

Section [1204] 1205 Supervision of Conduct of City Officers The mayor shall supervise the conduct of all city officers examine the grounds of all reasonable complaints against any of them and cause all of their violations or neglect of duty to be promptly punished or reported to the council for correction For the purposes aforesaid he is hereby empowered to issue subpoenas and compulsory processes under his official seal for the attendance of such persons and the production of such books and papers as he may deem necessary and shall have like enforcement of such subpoenas as is provided for council in section one thousand fifteen of this act

Section [1205] 1206 Quarterly Reports from Directors of Department Report of Mayor to Council Information from Directors of Departments [Special Meetings Communications to Council] The director of each department of the city shall prepare and submit to the mayor at the close of each quarter of the fiscal year a comprehensive and detailed report of all expenditures and operation of his department during the quarter The mayor shall review and consolidate such quarterly reports and shall prepare and submit to council a consolidated report on the expenditures and operations of the entire city government together with his recommendations not later than the second meeting of council after the close of each quarter The mayor shall have the authority at all times to call upon any official of the city or heads of departments for any information as to the affairs under their control and management as he may require [He shall communicate to council from time to time] [as he may deem expedient a statement of the condition and affairs of the city in respect to its government finances and improvements together with suggestions and recommendations of all such measures as he may deem conducive to the interest and welfare thereof] He may likewise report upon any and all matters of city government as frequently to council as he deems conducive to the interest and welfare of the city

Section [1206] 1207 Criminal and Civil Jurisdiction Docket Fees The mayor shall have the criminal jurisdiction of an alderman within the city to enforce the ordinances of the city and collect fines and penalties imposed thereunder or to sentence violators to suppress riots tumults and disorderly meetings and in or upon properties within the Commonwealth owned or controlled by the city or by any municipality authority of the city and shall have no civil jurisdiction except in relation to actions for [fines] penalties or forfeitures imposed by virtue of the ordinances of the city or the laws of the Commonwealth relating thereto

He shall have the power of a committing magistrate under the acts of Assembly relating to tramps vagrants dissolute disorderly and drunken persons as may be provided by law

He shall be empowered to take acknowledgements of any instruments in writing pertaining to the business of the city solemnize marriages and administer oaths and

affirmations as to city business and shall attest all his acts with his official seal He shall keep a docket and shall enter therein all actions and proceedings had before him and said docket with the entries therein and duly certified transcripts thereof shall be received in evidence in the same manner and with like effects as the docket entries and transcripts of aldermen are by law admissible for similar purposes

He shall charge and receive for all official services the same fees and costs as are allowed by law to aldermen of the city for similar services but shall pay over the same into the city treasury monthly according to the statements thereof verified by his oath or affirmation taken before the [superintendent] director of accounts and finance and filed with him

Section [1207] 1208 Salary The mayor of each city shall receive for his services during the term of service an annual salary to be fixed by ordinance payable in [monthly] such equal instalments as council shall provide The council shall by ordinance fix the amount of salary to be paid to the mayor for his services and may provide for the assessment and retention therefrom of reasonable fines for absence from regular or special meetings of council or councilmanic committees The amount of salary in cities shall not be less than five hundred dollars Until changed by ordinance the salary of mayors in newly created cities shall be as follows In cities having a population of fifteen thousand or under by the last United States census five hundred dollars per annum in cities having a population of over fifteen thousand and less than thirty thousand inhabitants one thousand two hundred dollars per annum in cities having a population exceeding thirty thousand and not exceeding fifty thousand inhabitants two thousand five hundred and fifty dollars per annum in cities having a population of over fifty thousand and not exceeding seventy thousand inhabitants three thousand dollars per annum in cities having a population of over seventy thousand inhabitants three thousand five hundred dollars per annum The amount of compensation for the mayor in any of the said cities shall not be increased or dismissed after his election

Succeeding councils may change the amount of [such] the mayor's compensation but such change shall not affect the compensation of the mayor then in office or [elected and not inaugurated] of any person taking office as mayor within six months of final passage of the ordinance providing for such change

Section [1208] 1209 Acting Mayor Powers and Duties The member of city council who shall be designated as the director of the department of accounts and finance shall be vice president of the city council and acting mayor of the city during the absence or inability of the mayor to act and during such absence or inability he shall exercise all the rights and powers of the mayor In the event of a vacancy in the office of the mayor by reason of death resignation or otherwise the vice president of council shall in like manner act as the mayor and shall receive the compensation of mayor but not of director of accounts and finance or councilman during such incumbency until the successor of the mayor is duly elected and qualified as hereinbefore provided In case of the absence or inability of the director of accounts and finance to act the council shall designate one of its members to act as mayor

Section 13 Article XIII and sections 1301 to 1303 inclusive of said act are hereby reenacted revised and amended to read as follows

Article XIII

City Clerk

Section 1301 [Election] Appointment Compensation Removal The council of each city shall [elect] appoint a city clerk on the first Monday of May one thousand nine hundred and fifty-two and on the first Monday of May every fourth year thereafter and fix his compensation by ordinance He shall serve for a term of four years and until his successor is duly [elected] appointed and qualified [and shall be removable in the manner provided by law for the removal of appointed officers]

Section 1302 Power to Administer Oaths Duties The city clerk shall have the power of a notary public to administer oaths in any matter pertaining to the business of said city or in any legal proceeding in which it is interested He shall also perform such other duties as shall be prescribed for his office by law ordinance or resolution of council

Section 1303 Records Open to Inspection The [fiscal] records and documents of city council of every city [of the third class] shall be kept in the office of the city clerk and shall be open to the inspection of any taxpayer thereof his her or its agent upon demand therefor during office hours

Section 14 Sections 1401 and 1402 of Article XIV of said act are hereby reenacted revised and amended to read as follows

Article XIV

The City Treasurer

Section 1401 Qualifications The city treasurer shall be a competent accountant at least twenty-five years of age and shall have been a resident of the city [and an elector thereof] for at least [three years previous] one year next prior to his election He shall reside in the city throughout his term of office

Section 1402 Bond Salary The city treasurer shall give lawful fidelity bond to the Commonwealth with [two or more sufficient sureties or with] a surety company authorized by law to act as surety to be approved by the city council in such sum as it may by ordinance direct conditioned for the accounting for and paying over all moneys received by him in his capacity as city treasurer and the safe-keeping and payment over of all public moneys entrusted to his care and that as tax collector of city county institution district and school [and poor] taxes he shall account for and pay over all moneys received by him as taxes penalties and interest The city treasurer and his [sureties] surety shall be discharged from further liability on any bond as tax collector as soon as all tax items contained in the duplicates delivered to him are either (1) collected and paid over or (2) certified to the city council for entry as liens in the office of the prothonotary or as claims in the tax claim bureau as the case may be or (3) returned to the county treasurer or city treasurer for sale or (4) in the case of [personal property occupation poll and per capital taxes not levied upon real estate a record of those which remain uncollected is filed with the tax authority The city treasurer shall be required to give but one bond which shall include his duties as city treasurer and collector of city county institution district and school [and poor] taxes and shall cover the full term of his office [Should the county institution district school district or poor district be of the opinion at any time that the bond given is not sufficient additional security may be required to be given at the expense of the taxing district requiring the same] Should any of the taxing districts be of the opinion at any time that the bond given by the city treasurer is not sufficient in amount or as to the surety thereon the said taxing district may petition the court of quarter sessions having jurisdiction in the city to have the city treasurer furnish additional bond Thereupon the city treasurer shall furnish such additional bond if any as the said court may prescribe The premium of such bond shall be shared pro rata by the taxing districts interested according to their respective tax interests The treasurer shall not in any event be required to give bond or bonds aggregating an amount in excess of the [tax] taxes to be collected by him The bond or bonds given by the city treasurer shall or be for the use of the [city the county the institution district the school district and the poor district] city and the taxing districts involved He shall as city treasurer receive a fixed annual salary to be provided by ordinance His compensation as tax collector for the city county institution district and school district [and poor district] shall be [fixed] as provided for in [article twenty-five of this act] the Local Tax Collection Law

Section 14.1 Section 1402.1 of said act is hereby re-

numbered section 1408 and as such is reordered within Article XIV of said act to appear after section 1407 thereof and sections 1403 to 1407 inclusive of said article and act are hereby reenacted revised and amended to read as follows

Section 1403 Receipt and Payment of Moneys Daily Transmittal of Receipts Duplicates The city treasurer shall demand and receive all moneys payable to the city from whatever source and shall issue a receipt in every case to the person making such payment and shall pay all warrants duly countersigned by the director of accounts and finance and the city controller All receipts for money received on behalf of the city by the treasurer shall be numbered serially and made in duplicate at least and all such duplicates shall daily not later than the next succeeding business day be transmitted by the city treasurer to the city controller

Section 1404 Method of Keeping Accounts The accounts of the city treasurer should be kept in such manner as to clearly exhibit all the items of receipts and expenditures of the city and the sources from [whence] which the moneys are received and the objects for which the same are disbursed He shall keep separate and distinct accounts of the receipts and expenditures of the city the sinking fund and the water and lighting department respectively and also of every special fund which may come into his hands

Section 1405 Moneys Appropriated Only to be Paid Out No money shall be paid out of the city treasury unless the same shall have been previously appropriated by council to the purpose for which it is to be drawn which shall be explicitly mentioned in the warrant therefor

Section 1406 Depositories of City Funds The treasurer shall keep the public funds in such banks or financial depositories as council may direct under such restrictions and safeguards as council may provide and shall verify his [cash] accounts [monthly or] whenever required to the satisfaction of council

No treasurer complying with the provisions of this section and any ordinance of the city nor his surety or sureties shall be chargeable with losses of city funds caused by the insolvency or negligence of any such city depositories

Section 1407 Delivery of City Property in His Possession to Successor The city treasurer shall upon the termination of his office deliver to the city or to his duly qualified successor all moneys accounts property or effects in his possession belonging to the city

Section [1402.1] 1408 Assistants and Employees The city treasurer shall appoint all the assistants and employees of his office whose number and compensation shall be fixed by council and who in all other respects shall be considered as employees of the city

Section 15 Sections 1501 to 1505 inclusive subdivision (a) of Article XV of said act are hereby reenacted revised and amended to read as follows

Article XV

The City Engineer

(a) General Provisions

Section 1501 Election of the City Engineer Term Bond Filling of Vacancies The council of each city shall on the first Monday of May one thousand nine hundred and [thirty-two] fifty-two and on the first Monday of May every fourth year thereafter or as soon thereafter as practicable in each of said years [elect] appoint a city engineer who shall be a registered engineer in civil engineering He shall serve for a term of four years from the said first Monday of May and until his successor is qualified [unless sooner removed in the method prescribed by law for the removal of appointed officers] He shall receive a fixed annual salary to be provided by ordinance He shall give lawful bond to the city with [two or more sureties or with] a surety or other company authorized by law to act as surety to be approved by council in such sum as it shall by ordinance direct conditioned for the faithful performance of his official duties Vacancies in

said office shall be filled by council for the unexpired term

Section 1502 Control of Engineering Matters The city engineer shall have the superintendence direction and control of the engineering matters of the city and no department of the city shall employ or retain any additional engineer except with the previous assent of council Assistants and employees in the office of the city engineer shall be appointed in accordance with the civil service provisions of this act The provisions of this article shall not apply to any board of commissioners of water-works of any city wherein the title to the water-works therein located is in the name of the commissioners of water-works

Section 1503 Duties Preparation of Plans. The city engineer shall perform such duties as the council shall prescribe with reference to the construction reconstruction maintenance and repair of all streets [roads] pavements sewers bridges culverts and other engineering work He shall prepare plans specifications and estimates for all such work undertaken by such city and shall whenever required furnish council the committees thereof the mayor public boards or heads of departments with reports information or estimates on any city engineering work or on questions submitted by [either] any of them in their official capacity

Section 1504 Certificate of Commencement and of Completion of Municipal Improvements The city engineer shall immediately after the completion of any municipal improvement the cost and expense of which in whole or in part is to be paid by the abutting property make certificate in which he shall state the day or time on which the particular improvement was completed and shall file the same with the city clerk who shall enter the said day or time of completion in a book to be kept by him for said purposes and the said day or time mentioned in said certificate shall be conclusive on all parties as to the time the said work was completed The time of completion of the work referred to in this section and in other parts of this act shall be taken to mean the time of completion of the whole contract for the improvement He shall also furnish to the city clerk a certificate showing the time on which any such particular improvement was commenced and such certificate shall be conclusive evidence of the time when the said improvement was begun An entry of such date shall be made by said clerk in the books aforesaid

Section 1505 Surveys The city engineer shall have the charge and direction of all surveys and regulations authorized by any act of Assembly or ordinances of such city and shall perform such other duties as council shall direct

Section 15.1 Sections 1515 to 1520 inclusive subdivision (b) of Article XV of said act are hereby reenacted revised and amended to read as follows

(b) Real Estate Registry

Section 1515 Council to Provide for Registry of Real Estate For the purpose of procuring accurate information in reference to the ownership of all real estate the council of each city shall provide by ordinance for a registry thereof in accordance with this subdivision

Section 1516 Preparation of Books Plans and Maps The city engineer of any city in which such registry shall be established shall cause to be made all such necessary books maps and plans as will show the situation and dimensions of each property therein which books maps or plans shall be so prepared as to show the city number and name of the owner or owners thereof with blank spaces for the owner of each lot with provisions for the names of future owners and dates of future transfer of title For such purpose the city engineer shall have free access without charge to any of the public records wherein the necessary information may be obtainable therefor He may also cause search to be made in any other place for any muniments or evidence of title not reported to him as hereinafter provided and requisite for the completion of said books maps or plans

Section 1517 Preservation of Records The said books maps and plans shall be carefully preserved in the office

of the engineer and shall be so kept by additions from time to time or otherwise as to show the ownership of every lot or piece of real estate or subdivision thereof within the city limits with the successive transmissions of title from the date of the commencement of such plans but nothing herein or in this article shall invalidate any municipal or tax claim by reason of the fact that the same is not assessed or levied against the registered owner

Section 1518 Certified Copies of Entries Admissible as Evidence Certified copies signed by the city engineer of any of the entries in said books or upon said maps or plans shall be received in evidence in the same manner as the books maps and plans themselves might be admissible for such purposes and may be also furnished to any person desiring the same for such fee or compensation for the use of the city as may be fixed by ordinance

Section 1519 Duties Imposed on Owners of Real Estate When registry Established Penalty All owners of unregistered real estate within the city limits within [one month] thirty days from the date of the approval of the ordinance establishing such registry and every subsequent purchaser devisee or person acquiring title by partition or otherwise to any real estate therein within [one month] thirty days after acquiring such title shall furnish to the said engineer at his office descriptions of their respective properties upon blanks to be furnished by the city and at the same time present their conveyance to be stamped by said engineer without charge as evidence of the registration thereof Any person or persons neglecting or refusing to comply with the provisions of this section for a period of thirty days after public notice of the requirements thereof shall be liable to a penalty of five dollars to be recovered with costs of suit in the name and for the use of the city as penalties for the violation of city ordinances are recoverable Provided however That such registration may within said thirty day period be also effected by the recorder of deeds of the county in accordance with existing law

Section 1520 Registry of Properties Sold at Judicial Sales The sheriffs of the respective counties in which such cities are situated shall present for registry the deeds of all properties within the city limits sold by them at judicial sales whether by execution, in partition or otherwise

Section 15.2 Said act is hereby amended by adding to Article XV subdivision (b) thereof a new section numbered 1521 as follows

Section 1521 Filing of Municipal Claims Each city's registry may be used as the lawful and proper source of property owners' or reputed owners' names for the purpose of filing municipal claims as liens or of reviving municipal liens

Section 15.3 Sections 1530 to 1538 inclusive subdivision (c) of Article XV of said act are hereby reenacted revised and amended to read as follows

(c) Topographical Survey

Section 1530 Council May Authorize Topographical Survey Any city may by ordinance cause a topographical survey thereof to be made by its city engineer or by such other civil engineer and assistants as they may employ for that purpose

Section 1531 [Record] Plan of Streets and Highways Surveys Grades The city engineer upon being duly authorized shall procure and keep in his office such necessary plot or other books as shall be necessary for the purpose of entering or recording thereon all the streets [avenues] and highways of the city already opened or to be hereafter opened He shall survey and mark the lines of all the streets [avenues] and highways of the city already opened or intended to be opened for public use and survey and lay out new streets [avenues] and highways as council may deem necessary for a regular and convenient city plan and if specially directed he shall report a grade for any proposed new streets For the said purposes the city engineer and his assistants or any other person engaged in such engineering work for the city shall have full power and authority to enter upon the

lands and premises of any person or persons within the said city

Section 1532 Return of Draft of Completed Survey to Council Inspection When the survey shall be completed the said engineer shall make or cause to be made a draft or plan thereof with every provision and explanation necessary for a full understanding of the same distinctly designating where new streets [avenues] and highways are thereafter to be opened and shall return the same to the council It shall remain in the office of the city clerk and open to inspection by those interested until finally approved as hereinafter provided

Section 1533 Notice of Return Objections Alterations Approval Recording Council shall give at least thirty days' previous notice by publication once in at least two [(2)] newspapers of general circulation if there be that many as required by section one hundred and nine of this act and by posting at least ten handbills upon lands or territory contained in the map or plans returned for approval that on a certain day or days to be fixed by the said council the said council will hear any objection that may be made to said draft or plan by any freeholder or citizen of said city or interested person The council at the time appointed or at any subsequent time within three months shall determine whether any and what alterations shall be made in the said plan or draft When the same is finally approved whether as returned or as altered and changed said council may direct that the same be entered and recorded in the plot-book of street plans in the office of the city engineer

Section 1534 Notation of Grades on Plans In case the city engineer is directed to report grades for said streets [avenues] or highways the same shall be noted on said draft or plan and be returned with his surveys and said grades shall be subject to alterations and changes by council in the manner aforesaid and when approved by the said council shall become part of the plans and be entered and recorded as foresaid

Section 1535 Effect of Recording Upon the recording of such plan or draft in the street plan book and the passage of an ordinance approving said street drafts or plans and grades or of either as the case may be therein designating the book and page or pages at or in which the said plan or plans are recorded thereafter all the streets [avenues] and highways as designated upon said approved plan and recorded as aforesaid shall be adjudged and taken to be laid out and located [public] streets and highways

Section 1536 Deviation from Established Plans Liability of City In case the council shall thereafter change or alter or should they by themselves or their officers deviate from the regulations of the streets [avenues] or highways so as aforesaid established and damages thereby accrue to the property of any person or persons in consequence thereof the said city shall be liable for the payment of such damages

Section 1537 Sectional Surveys Sectional surveys or drafts may be returned to the council by said engineer at any time and be confirmed as aforesaid and with like force and effect

Section 1538 Reports of Partial Surveys Confirmation The said engineer may from time to time as he shall deem expedient and the said council shall direct make report of the surveys plans and regulations by him made in convenient sections without awaiting the completion of the entire survey and shall make duplicate drafts and plans of said section in the manner hereinbefore prescribed The same proceedings shall be had for the final confirmation of such partial or sectional drafts and plans as is herein directed in relation to the confirmation of the entire survey and with like effect and force

Section 15.4 Said act is hereby revised and amended by repealing sections 1539 and 1540 of subdivision (c) Article XV of said act

Section 16 Section 1601 and 1602 of Article XVI of said act are hereby reenacted revised and amended to read as follows

Article XVI

The City Solicitor

Section 1601 [Election] Appointment of City Solicitor Term Compensation Bond Filling of Vacancies The council of each city shall on the first Monday of May one thousand nine hundred and [thirty-two] fifty-two and on the first Monday of May every fourth year thereafter or as soon thereafter as practicable in each of said years [elect] appoint a city solicitor who shall be learned in the law and [qualified] admitted to practice in the Supreme Court of the Commonwealth and shall maintain an office in the city He shall serve for a term of four years from the said Monday of May and until his successor is qualified [unless sooner removed in the method prescribed by law for the removal of appointed officer] He shall receive a fixed annual salary to be provided by ordinance He shall give lawful bond to the city with [two or more sureties or with] a surety or other company authorized by law to act as surety to be approved by council in such sum as they shall by ordinance direct conditioned for the faithful preformance of his official duties Vacancies in said office shall be filled by council for the unexpired term

Section 1602 Direction of Law Matters The city solicitor shall have the superintendence direction and control of the law matters of the city No department of the city shall employ or retain any additional counsel in any matter or cause except with the previous assent of council

Section 16.1 Said act is hereby revised and amended by repealing section 1603 of Article XVI of said act and the subsequent sections of said article and act are hereby renumbered sections 1603 to 1609 inclusive and so renumbered are hereby reenacted revised and amended to read as follows

Section [1604] 1603 Duties The city solicitor shall prepare all bonds obligations contracts leases conveyances and assurances to which the city or any department thereof may be party as may be directed by resolution or ordinance and shall commence and prosecute all and every suit or suits action or actions brought by the city for or on account of any of the estates rights trusts privileges claims or demands of the same as well as defend all actions or suits against the said city or any officer thereof wherein or whereby any of the estates rights privileges trusts ordinances or acts of the city or any department thereof may be brought in question before any court [in this Commonwealth] he shall have like duties before any administrative agency or other judicial or quasi-judicial body He shall do all and every professional act incident to the office which he may be lawfully authorized and required to do by the mayor or by any ordinance or resolution of the council

Section [1605] 1604 Written Opinions to be Furnished The city solicitor shall whenever required furnish the council the mayor or [the] [heads of departments] any elected city official with his opinion in writing upon any question of law which may be submitted by any of them in their official capacities

Section [1606] 1605 City Lien Docket The city solicitor shall keep in his office a city lien docket which shall be open to public inspection and in which he shall cause to be entered all claims for curbing paving or repaving sidewalks assessments of damages contributions for opening [public] streets [lanes and alleys] or parts thereof for grading paving and macadamizing the same for water and lighting frontage tax and water and lighting rates sewerage city taxes and other matters that may be the subjects of claim on the part of the city which have or shall be returned to the solicitor as remaining due and unpaid after the period prescribed by law or ordinance for the payment of such claims Nothing contained herein shall be deemed to alter or replace the administration and effect of the Real Estate Tax Sale Law in any city wherein said law is in operation

Section [1607] 1606 Department Heads to Furnish Statements of Claim It shall be the duty of the head of each department wherein any such claim shall originate

to furnish to the city solicitor within the period prescribed by law or ordinance a state of all claims for curbing paving at cetrea which remains due or unpaid a certified copy of which the said heads of departments shall at the same time furnish to the [superintendent] director of accounts and finance

Section [1608] 1607 Satisfaction of Liens Due City Upon the payment of any lien or other debt of record due the city to any person authorized to receive the same that person shall forthwith forward to the city solicitor a satisfaction piece therein and it shall be the duty of the city solicitor or his assistant forthwith to [enter] cause satisfaction to be entered upon the proper record thereof

Section [1609] 1608 Return and Payment of Money and Fees Received The city solicitor shall at least once in every month make a return to the director of accounts and finance under oath or affirmation of each item of moneys received by or through him or his assistants by virtue of his office or on account of any matter connected therewith Immediately upon making such return he shall pay over the amount in his hands to the city treasurer He shall in like manner pay into the city treasury all fees received by him in his official capacity but this provision shall not be taken to include the judgment fee or commission allowed him in his capacity of attorney

Section [1610] 1609 Assistant Solicitor The council of each city may [elect an] appoint one or more assistant city [solicitor] solicitors whose term of office shall be [four years] concurrent with that of the city solicitor and whose compensation shall be fixed by [ordinance] resolution and who shall assist the solicitor in the performance of all duties prescribed for him

Section 16.2 Said act is hereby amended by adding to Article XVI thereof a new section numbered 1610 as follows

Section 1610 Special Counsel Council may at its discretion retain special counsel for particular proceedings or matters of the city and fix his compensation by resolution

Section 17 Article XVII and section 1701 to 1709 inclusive of said act are hereby reenacted revised and amended to read as follows

Article XVII

The City Controller

Section 1701 Qualifications The city controller shall be a competent accountant [and] at least twenty-five years of age shall have been a resident of the city [and an elector thereof] for at least [three years previous to his election] one year next before his election and shall reside in the city throughout his term of office

Section 1702 Bond [Salary] He shall give lawful bond to the city [with two or more sufficient sureties or] with a surety or other company authorized by law to act as surety to be approved by the council in such sum as it may by ordinance direct conditioned for the honest and faithful discharge of his official duties

Section 1703 Compensation He shall receive a fixed annual salary to be provided by ordinance which shall not be less than the compensation paid to members of council

Section 1704 Examination and Audit of Accounts The city controller shall examine audit and settle all accounts whatsoever in which the city is concerned either as debtor or creditor and shall also annually or as often as he desires or is directed to do so by council examine and audit the accounts of all bureau officers and departments which collect receive and disburse public moneys or who are charged with the management control or custody thereof and in every case he [discovers any default irregularity delinquency or mismanagement he] shall make report of such examination audit and settlement to the council He shall likewise audit and report upon the accounts of any such officer upon the death resignation removal or expiration of the term of the said officer He shall likewise audit and report upon the accounts of any library to which the city makes appropriations those of any institution

owned by the city and those of National Guard units to which the city makes appropriations

(a) He shall likewise audit or with the consent of council cause to be made by [a certified public] an accountant an annual audit of all the accounts of any municipal officer in any department of the city government who may be charged with the duty or who may perform the services of receiving and disbursing the funds of any association society or organization of municipal employees or persons directly or indirectly connected with the municipal government for the benefit relief or pensioning of firemen policemen or other municipal employees or persons as aforesaid

(b) [Such] All such audits [always] shall be made in the months of January and February following each calendar year and be annually reported to council [before the first day of] at its first meeting in March as other reports of the controller are made

[(b)] (c) Brief abstracts or summaries of the reports of such accounts and financial statements or such other reports thereof as council may require shall be published at least once a week for two weeks in one newspaper in [accord] accordance with the provisions of section one hundred and nine of this act The expense and cost of such publication shall be paid out of the funds of the various associations organizations or societies as their other expenses are paid

Section 1705 Annual Report to Council Filing Copy in Court and Appeal Therefrom The city controller shall make report to council [on the first Monday of] at its first meeting in March in each year [and oftener if so required by council] of the audits which he shall have made of the accounts of the officers having charge custody control [and disbursements] or disbursement of such public moneys and other funds showing the balance in their hands respectively and at the same time the city controller shall file a copy of the said annual report to council with the clerk of the court of quarter sessions It shall be lawful for the city or any taxpayer thereof on its behalf or any officer whose account is settled or audited to appeal from the settlement or audit to the court of common pleas of the county within forty-five days after the said annual report to council has been filed in the court of quarter sessions If the appellant is a taxpayer or any officer charged as aforesaid he shall file a bond with one or more sufficient sureties conditioned to pay all costs thereafter accruing in case a decision shall not be obtained more favorable to the party on whose behalf the appeal shall be taken than that contained in the said report The city controller shall also prepare an [intelligent] intelligible summary of said reports showing the fiscal condition of the affairs of the city and post one copy of said summary in a conspicuous place in the city [or town] hall Council may require advisory interim reports from the city controller

Section 1706 Power to Administer Oaths Countersigning of Warrants The city controller shall have the power to administer oaths or affirmations in relation to any matter touching the authentication of any account claim or demand of or against the city but shall not receive any fee therefor and shall countersign all warrants for the payment of moneys out of the city treasury when satisfied of the legality of such payment

Section 1707 Power to Subpoena City Officers The city controller shall have power to issue subpoenas to obtain the attendance of officers whose accounts he is authorized to adjust audit and settle and also to subpoena any person or persons [who] whom it may be necessary to examine as witnesses and in case any city officer or any witness refuses to appear upon being subpoenaed he shall report such refusal to council and the council is hereby empowered to enact ordinances to compel the attendance of city officers and witnesses before the said city controller and to impose penalties in case of refusal

Section 1708 Appointment of Deputy Controller Powers Responsibility The city controller may appoint a deputy controller who in case of the sickness absence or inability of such controller to act shall have the same

powers and shall perform the same duties as are imposed by law upon the city controller In the case of such appointment the said controller shall be responsible and liable for the acts of such deputy [Such deputy controller shall furnish such bond and receive such compensation as shall be fixed by council]

Section 1709 Appointment of Temporary Deputy by Council Bond Compensation In case of the sickness absence or inability of a city controller and when no deputy shall have been appointed by him the council of such city may [elect] appoint a deputy controller to serve during the sickness absence or inability of such controller or until such controller shall appoint a deputy as aforesaid who shall furnish such bond and receive such compensation as shall be fixed by council

Section 18 Article XVIII and sections 1801 to 1809 inclusive of said act are hereby reenacted revised and amended to read as follows

Article XVIII

Accounts and Finances

Section 1801 Fiscal Year The fiscal year of each city shall begin on the first Monday of January [in each and every year]

Section 1802 Director of Accounts and Finance Bond The director of accounts and finance shall be the head of the Department of Accounts and Finance He shall furnish bond in such amount [and with such sureties] as shall be fixed by ordinance He shall have authority to administer oaths and affirmations in relation to any matter touching the authentication of every account with or claim or demand of or against the city but shall not be entitled to receive any fee therefor

Section 1803 Deputy The director of accounts and finance may appoint a deputy subject to the approval of council which shall fix the salary of such deputy The deputy shall have power to administer oaths and affirmations in all matters relating to the affairs of said office The director of accounts and finance shall in all cases be responsible and liable for the actions and conduct of the said deputy

Section 1804 Regulations Concerning Appropriation No debt shall be created by any department of the city except in pursuance of previous authority of law ordinance or resolution No money shall be paid out of the city treasury except upon appropriation made according to law and on warrant drawn by the proper officer in pursuance thereof No work shall be hired to be done no materials purchased no contracts made and no order issued for the payment of any moneys in any amount which will cause the sums appropriated to specific purposes to be exceeded In every case in which an appropriation shall be exhausted and the object of which is not completed the director of accounts and finance shall immediately report the fact to the city council and accompany such report with a statement of the moneys which have been drawn on such appropriation and the particular purpose for which they were drawn The council may at any time by ordinance make supplemental appropriations for any lawful purpose from any funds on hand or estimated to be received within the fiscal year and not appropriated to any other purpose including the proceeds of any borrowing now or hereafter authorized by law The council shall have the power to authorize the transfer [within the same fund] of any unexpended balance of any appropriation item or any portion thereof [from one spending agency to another] but such action shall be taken only on the recommendation of a director of one of the departments [and only during the last nine months of the fiscal year]

When a transfer of over five per cent of an appropriation item is made within a [fund] department or when a transfer of over five per cent of the total appropriation [to a fund] is made from [said fund to another fund] one department to another department an affirmative vote of four members of the council shall be required

Section 1805 Countersigning Warrants Evidence Required The director of the Department of Accounts and Finance shall countersign all warrants upon the city treasury the form whereof shall be prescribed by council

and shall not suffer any appropriation made by the council to be withdrawn No warrant shall be countersigned unless there is money in the treasury to pay the same Except in the case of warrants for the payment of moneys to volunteer fire companies whenever a warrant on the treasurer shall be presented to the director of accounts and finance to be countersigned the person presenting the same shall be by the said director [of finance] required to produce evidence

(1) That the amount expressed in the warrant is due to the person in whose favor it is drawn

(2) That the supplies [or] services or other consideration for payment of which the warrant is drawn have been furnished [or] performed or given according to law and the terms of the contract if any

Section 1806 Record of Assets Property Trusts Debts Due Receipts and Expenditures The director of accounts and finance shall have charge and keep a record of accounts under appropriate titles to show separately and distinctly all of the assets and property whatsoever vested in the city and all trusts in care of the same debts owing by the city and all of the receipts and expenditures of the various departments

Section 1807 Supervision of Accounts of Departments The director of accounts and finance shall have the supervision and control of the accounts of all of the departments and may require from them at any time a statement in writing of all money or property of the city in their hands

Section 1808 Suggestions by Director for Improvement of City Finances The director of accounts and finance may from time to time and shall when the council shall direct suggest plans to the council for the management and improvement of the city finances

Section 1809 Annual Budget Presentation to Council Notice Revision Adoption The director of accounts and finance shall on behalf of council at the [first] last stated meeting in [December] November in each year [or at least thirty days prior to the adoption of the annual budget] present to council for first reading a proposed budget ordinance for all funds showing the estimated receipts expenditures and liabilities of every kind for the ensuing year with the balance of unexpended appropriations and all other information of value as a basis for fixing the levy and tax rate for the next fiscal year [Said budget shall reflect as nearly as possible the estimated revenues and expenditures of the city for the year for which the budget is prepared It shall be unlawful to prepare and advertise notice of a proposed budget when the same is knowingly inaccurate Where upon any revision of the budget it appears that the estimated expenditures in the adopted budget will be increased more than ten per cent in the aggregate or more than twenty-five per cent in any individual item over the proposed budget it shall be presumed that the tentative budget was inaccurate and such budget may not be legally adopted with any such increases therein unless the same is again advertised once as in the case of the proposed budget and an opportunity afforded to taxpayers to examine the same and protest such increases] Such proposed budget ordinance shall be prepared on forms furnished as provided in section one thousand eight hundred twelve of this act Council shall upon passing the said proposed budget ordinance on first reading fix a date for adoption thereof which shall be not later than the thirty-first day of December of such year

The several departments of the city government shall before the proposed budget ordinance is presented as above provided furnish to the council an estimate of the probable receipts and expenditures and of the amount required by each of said departments for the public service during the ensuing fiscal year as a basis for making the annual appropriations thereto

[Final action shall not be taken on the proposed budget until after at least ten days public notice The budget when submitted by the director of accounts and finance to the council shall be published or otherwise made available for public inspection at least twenty days prior to the date set for adoption of the budget] When the pro-

posed budget ordinance is submitted to council and has passed first reading the city clerk shall forthwith make the same available for public inspection at his office in the city hall and shall thereupon publish a notice to that effect once in at least one newspaper in accordance with the provisions of section one hundred nine of this act such notice shall state the date fixed by council for adoption of the proposed budget ordinance and such notice shall be published at least twenty days prior to the time fixed by council for adoption of the proposed budget ordinance The proposed budget ordinance shall be available for public inspection at the city clerk's office for at least ten days after the aforesaid newspaper notice thereof is published

The council shall after making such changes and modifications therein as appear proper adopt the budget and any [necessary] appropriation measures required to put it into effect upon the date fixed for adoption thereof Provided That said budget shall reflect as nearly as possible the estimated revenues and expenditures of the city for the year for which the budget is prepared That should it appear upon any revision of the budget that the estimated expenditures in the adopted budget would be increased more than ten per cent in the aggregate or more than twenty-five per cent in any individual item over the proposed budget such budget shall not be adopted with any such increases therein unless the same be again made available for public inspection and for protest of such increases for a period of at least ten days after notice to that effect is published as hereinbefore provided

Within fifteen days after the adoption of the budget ordinance the director of accounts and finance shall file a copy of the same in the office of the Department of Internal Affairs

Section 18.1 Said act is hereby amended by adding to Article XVIII thereof a new section numbered 1810 as follows

Section 1810 Amending Budget Notice During the month of January next following any municipal election the council of any city may amend the budget and the levy and tax rate to conform with its amended budget ordinance A period of ten day's public inspection at the office of the city clerk of the proposed amended budget ordinance after notice by the city clerk to that effect is published once in a newspaper as provided in section one hundred nine of this act shall intervene between council's first reading of the proposed amended budget ordinance and the adoption thereof Any amended budget ordinance must be adopted by council during the month of January and any purported adoption thereof by council in any other month shall be void and of no effect

No such proposed amended budget ordinance shall after first reading be revised upward in excess of ten per cent in the aggregate thereof or as to an individual item in excess of twenty-five per cent of the amount of such individual item in the proposed amended budget ordinance

Within fifteen days after the adoption of an amended budget ordinance the director of accounts and finance shall file a copy thereof in the office of the Department of Internal Affairs

Section 18.2 Said act is hereby further revised and amended by renumbering the subsequent section of Article XVIII thereof sections 1811 to 1813 inclusive and so renumbered the said sections of said article and act are hereby reenacted revised and amended as follows

Section [1810] 1811 Appropriations Tax Rate When all estimates for the receipts liabilities and expenditures for the ensuing year shall be made council shall proceed to make the annual appropriations and shall fix the tax rate at such figure as [with all sources of revenue] will in combination with all other estimated receipts of the city fully meet and cover the aggregate amount of such [estimate] estimates of liabilities and expenditures for the ensuing year

No appropriation however shall be made for any purpose until the interest accruing on the funded debt of the city and the principal of such part of said debt as may be coming due in that fiscal year the salaries of officers

and the ordinary and necessary expenses of the city shall first be provided for and no appropriation shall be made for any purpose in excess of the estimated receipts and revenues for the fiscal year for which such appropriations are made

Section [1811] 1812 Annual Reports Publication Filling Report with Department of Internal Affairs Penalty The director of accounts and finance shall make a report verified by oath or affirmation to the council at [the] a stated meeting in March in each year of the public accounts of the city and of the trusts in its care for the preceding fiscal year exhibiting all of the expenditures thereof respectively and the sources from which the revenue and funds are derived and in what measures the same have been disbursed Each account shall be accompanied by a statement in detail of the several appropriations made by council the amount drawn and encumbered on each appropriation and the unencumbered balance outstanding to the debit or credit of such appropriation at the close of the fiscal year

Such report accompanied by a concise financial statement setting forth the balance in the treasury at the beginning of the fiscal year all revenues received during the fiscal year by major classifications all expenditures made during the fiscal year by major functions and the current resources and liabilities of the city at the end of the fiscal year the gross liability and the net debt of the city the amount of the assessed valuation of the taxable property in the city the assets of the city and the character and value thereof the date of the last maturity of the respective forms of funded debt and the assets in each sinking fund shall be published once in not more than two newspapers printed or circulated in such city as required by section one hundred and nine of this act Such publication shall be deemed compliance with the provisions of the Municipal Borrowing Law which requires the corporate authorities to publish an annual statement of indebtedness Before such report or statement is made or published the same shall be approved by the controller who may approve it subject to such exceptions as he may have thereto Provided Council may cause such statement to be printed in pamphlet form in addition to the publications made as aforesaid

The director of accounts and finance shall also annually make report of the financial condition of the city in the form above provided to the Department of Internal Affairs within sixty days after the close of the fiscal year signed and duly verified by the oath of the director and approved by the city controller as above provided Any director of accounts and finance refusing or wilfully neglecting to file such report shall upon conviction thereof in a summary proceeding brought at the instance of the Department of Internal Affairs be sentenced to pay a fine of five dollars for each [days'] day's delay beyond said sixty days and costs All fines recovered shall be for the use of the Commonwealth

The report to the Department of Internal Affairs shall be presented in [the] a form as provided for in section one thousand eight hundred and [twelve] thirteen of this act

Section [1812] 1813 Committee to Prepare Uniform Forms The uniform budget and report forms specified in the foregoing sections of this act shall be prepared by a committee consisting of four representatives of the League of Third Class Cities of Pennsylvania and the Secretary of Internal Affairs or his agent who shall be a person trained in the field of municipal finance

Such representatives shall be appointed by the president of said organization within sixty days after the effective date of this act Such representatives shall be chosen from among finance officers of third class cities or other officers of such cities who have knowledge of their fiscal procedures As far as possible they shall be chosen to represent cities in the various population groups within the range of cities of the third class The president of the League of Third Class Cities shall supply to the Secretary of Internal Affairs the names and addresses of such representatives immediately upon their appointment

Said representatives shall serve without compensation but they shall be reimbursed by the Commonwealth for all necessary expenses incurred in attending meetings of the committee. The committee shall meet at the call of the Secretary of Internal Affairs or his agent who shall serve as chairman of the committee.

In preparing the uniform forms for both budgets and annual reports the committee shall give careful consideration to the fiscal needs and procedures of cities of the various population groups producing separate forms if necessary to the end that said forms shall not be inconsistent with the general administrative practices of the cities of various sizes.

It shall be the duty of the Secretary of Internal Affairs or his agent to see to it that the forms required by this act are prepared in cooperation with said committee. In the event that said committee should for any reason fail to furnish such cooperation the Secretary of Internal Affairs or his agent shall complete the preparation of the forms. After their preparation he shall issue said forms and distribute them annually as needed to the designated officers of each city of the third class.

No change or alteration in the forms prescribed shall be made by the Secretary of Internal Affairs or his agent except by a majority approval of the committee unless upon reasonable notice two or more representatives thereof fail to attend the committee meetings. In voting upon any change or alteration each representative and the chairman of the committee shall have one vote.

Section 18.3 Said act is hereby amended by adding to Article XVIII thereof a new section numbered 1814 as follows:

Section 1814 Annual Reports to Council on Insurance and Bonds. The director of accounts and finance shall prepare or cause to be prepared and submit to council at the first stated meeting in October of each year a complete and itemized report of all policies of insurance contracted for by the city for the information and consideration of council. The director of accounts and finance shall make a like report at the same time each year of all bonds given for the protection of the city in whole or in part.

Section 19 Sections 1901 and 1902 of Article XIX of said act are hereby consolidated into one section numbered 1901 and as such are reenacted revised and amended and a new section numbered section 1902 is hereby added to said article and act all as follows:

Article XIX

Contracts [and Purchasing]

Section 1901 Power to Make Contracts Regulations Concerning Contracts. Each city may make contracts for carrying into execution the provisions of this act and the laws of the Commonwealth [but no department thereof shall make any contract except in pursuance of previous authority of law or ordinance]. The council shall by ordinance provide for and regulate the award of all contracts. No contract shall be entered into or purchase made by the city in an amount involving two hundred dollars or more except upon council's approval thereof.

[Section 1902 Regulations Concerning Contracts] All [work and materials] services and personal properties required by any city [of the third class] or any department thereof where the amount exceeds the sum of [five hundred] seven hundred and fifty dollars shall be furnished and performed under written contract and the contract shall be awarded and given to the lowest responsible bidder after advertising three times each publication on a different day in not more than two newspapers in accord with the provisions of section one hundred and nine of this act and the bids shall not be opened until at least ten days have elapsed after the first advertisement.

The amount of the contract shall in all cases whether of straight sale price conditional sale bailment lease or otherwise be the entire amount which the city pays to the successful bidder or his assigns in order to obtain the services or property or both and shall not be construed to mean only the amount which is paid to acquire

title or to receive any other particular benefit or benefits of the whole bargain.

The contracts or purchases made by council involving an expenditure of over [five hundred] seven hundred and fifty dollars which shall not require advertising or bidding as hereinbefore provided are as follows:

(1) Those for maintenance reports or replacements for water electric light or other public works of the city provided they do not constitute new additions extensions or enlargements of existing facilities and equipment but a bond may be required by council as in other cases of work done.

(2) Those made for improvements repairs and maintenance of any kind made or provided by any city through its own employes. Provided however That this shall not apply to construction materials used in a street improvement.

(3) Those where particular types models or pieces of new equipment articles apparatus appliances vehicles or parts thereof are desired by council which are patented and manufactured or copyrighted products.

(4) Those involving any policies of insurance or surety company bonds those made for public utility service under tariffs on file with the Pennsylvania Public Utility Commission those made with another political subdivision or a county the Commonwealth of Pennsylvania the Federal government any agency of the Commonwealth or the Federal government or any municipal authority including the sale leasing or loan of any supplies or materials by the Commonwealth or the Federal government or their agencies but the price thereof shall not be in excess of that fixed by the Commonwealth the Federal government or their agencies.

(5) Those involving personal or professional services.

The acceptance of bids by advertising required herein shall be made by public announcement at the meeting at which bids are received by council or at a subsequent meeting the time and place of which shall be publicly announced when bids are so received. If for any reason the award is not made at either of the above meetings the same business may be transacted at a subsequent meeting the time and place of which shall be announced at the previous meeting held for such award. At such third meeting the council shall either award the contract or shall reject all bids.

All bids advertised for shall be accompanied by cash by a certified good faith check drawn upon a bank authorized to do business in this Commonwealth in an amount required by council but at least ten per centum of the bid or by a bond with corporate surety in such amount as council shall determine but not less than ten per centum of the amount bid. In the event any bidder shall upon award of the contract to him fail to comply with the requirements hereinafter stated as to a bond guaranteeing the performance of the contract the good faith deposit by cash certified check or bond shall be forfeited to the city as liquidated damages.

Where advertising is required herein the successful bidder shall be required to furnish a bond with suitable reasonable requirements guaranteeing the performance of the contract with surety sufficient to council within twenty days after the contract has been awarded unless council prescribes a shorter period of not less than ten days and failure to furnish such bond within such time shall avoid the award. Council may in all cases of contracts or purchases require bonds for performance delivery or other terms.

Where the roadway of a street is to be paved originally and for the first time or reconstructed by putting down a new base or a sewer is to be constructed or grading done such work shall be done under written contract after advertising as provided in section one hundred and nine of this act and such contract shall be given to the lowest responsible bidder.

The council [shall] may by ordinance provide for and regulate the purchase of supplies and materials and the sale of personal property.

The council may also by ordinance provide a contingent fund or funds for necessary repairs and inci-

dental expenses not otherwise provided in the general appropriations and such funds may be expended without advertising for bids

Section 1902 Evasion of advertising requirements no member or members of council shall evade the provisions of the preceding section as to advertising for bids by purchasing or contracting for services and personal properties piecemeal for the purpose of obtaining prices under seven hundred and fifty dollars upon transactions which should in the exercise of reasonable discretion and prudence be conducted as one transaction amounting to more than seven hundred and fifty dollars this provision is intended to make unlawful the practice of evading advertising requirements by making a series of purchases or contracts each for less than the advertising requirement price or by making several simultaneous purchases or contracts each below said price when in either case the transactions involved should have been made as one transaction for one price any members of council who so vote in violation of this provision and who know that the transaction upon which they so vote is or ought to be a part of a larger transaction and that it is being divided in order to evade the requirements as to advertising for bids shall be jointly and severally subject to surcharge for ten per centum of the full amount of the contract or purchase wherever it shall appear that a member of council may have voted in violation of this section but the purchase or contract on which he so voted was not approved by council this section shall be inapplicable

Section 19.1 Section 1903 of said act is hereby renumbered section 1908 and as such is reordered within Article XIX of said act to appear after section 1907 thereof and said act is hereby revised and amended by adding to Article XIX thereof three new sections numbered 1903 1904 and 1905 to read as follows

Section 1903 Contracts for Less Than Seven Hundred and Fifty Dollars Written Bids In all cases of contracts or purchases other than the kinds mentioned in clauses (1) to (5) inclusive of section one thousand nine hundred one of this act from twenty-five dollars to seven hundred and fifty dollars inclusive whether made by council or by an officer or appointee of the city written bids shall be solicited therefor and no such contract or purchase shall be made for the city except upon at least two such written bids The specifications upon which bids are solicited shall be uniform in so far as possible to afford equal opportunity for bidding Catalogues and circulars of firm prices shall be acceptable as bids upon the contracts or purchases herein regulated All such bids shall be retained in the proper department or office and shall be reported monthly to the director of accounts and finance who shall make a consolidated monthly report thereof to council The members of council and the controller shall have access to the bids in all departments and offices of the city for the enforcement of this provision Any official or appointee of the city contracting or purchasing in violation of the provisions of this section shall be liable upon his bond if any or personally in the full amount of the purchase or contract so made and council may avoid any such purchase or contract

Section 1904 Reference of Expenditures for Approval by Council Any expenditures or transactions exclusive of compensation paid to city employees in any department office or bureau of the city which may reasonably seem likely to exceed the sum of five hundred dollars over a period of sixty days shall not be undertaken or proceeded upon except after reference thereof to council and approval by council by ordinance or resolution council may approve revise or refuse to approve any such referred expenditure or transaction no official agent or employee of the city shall knowingly violate the provisions of this section and any person so violating shall forfeit and pay to the use of the city a penalty of one hundred dollars for each offense

Section 1905 Personal Interest in Contracts In any case where a city officer or official elected or appointed knows or by the exercise of reasonable diligence could know that he is interested to any appreciable degree either

directly or indirectly in any contract for the sale or furnishing of any personal property for the use of the city or for any services to be rendered for such city involving the expenditure by the city of more than three hundred dollars in any year he shall notify council thereof and any such contract shall not be passed and approved by council except by an affirmative vote of at least four members thereof In case the interested officer is a member of council he shall refrain from voting upon said contract The provisions of this section shall not apply to cases where such officer or official is an employee of the person firm or corporation to which money is to be paid in a capacity with no possible influence on the transaction and in which he cannot possibly be benefited thereby either financially or in any other material manner Any officer or official who shall knowingly violate the provisions of this section shall be liable to the city upon his bond if any or personally to the extent of the damage shown to be sustained thereby by the city to ouster from office and shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars or imprisonment not exceeding one year or both

Section 19.2 The subsequent sections of Article XIX of said act including the section formerly numbered 1903 but now reordered within said article and now numbered 1908 are hereby renumbered sections 1906 to 1916 inclusive and so numbered are reenacted revised and amended to read as follows

Section [1904] 1906 Designation of Appropriations Certification in Excess of Appropriation Contracts for Governmental Services for More Than One Year Every contract involving an appropriation of money shall designate the item of appropriation on which it is founded and the estimated amount of the expenditure thereunder shall be charged against such item and so certified by the director of accounts and finance on the contract before it shall take effect as a contract The payments required by such contract shall be made from the fund appropriated therefor If the director of accounts and finance shall certify any contract in excess of the appropriation made therefor the city shall not be liable for such excess but the director of accounts and finance shall be liable for the same which may be recovered in an action at law by the contracting party aggrieved But nothing herein contained shall prevent the making of contracts for governmental services for a period exceeding one year but any contract so made shall be executory only for the amounts agreed to be paid for such services to be rendered in succeeding fiscal years

It shall be the duty of the director of accounts and finance to certify contracts for the payment of which sufficient appropriations have been made [and he shall within ten days after any certification of a contract report back to the council in writing that he has or has not certified the same in accordance with the provisions of this section]

Section [1905] 1907 Bonds for the Protection of Labor and Materialmen It shall be the duty of every city to require any person copartnership association or corporation entering into a contract with such city for the construction erection installation completion alteration repair of or addition to any public work or improvement of any kind whatsoever where the amount of such contract is in excess of five hundred [(\$500)] dollars before commencing work under such contract to execute and deliver to such city in addition to any other bond which may now or hereafter be required by law to be given in connection with such contract an additional bond for the use of any and every person copartnership association or corporation interested in a sum not less than fifty [(50%)] per centum and not more than one hundred [(100%)] per centum of the contract price as such city may prescribe having as surety thereon one or more surety companies legally authorized to do business in this Commonwealth conditioned for the prompt payment of all material furnished and labor supplied or performed in the prosecution of the work whether or not the said material or labor enter

into and become component parts of the work or improvement contemplated Such additional bond shall be deposited with and held by the city for the use of any party interested therein Every such additional bond shall provide that every person copartnership association or corporation who whether as subcontractor or otherwise has furnished material or supplied or performed labor in the prosecution of the work as above provided and who has not been paid therefor may sue in assumpsit on said additional bond in the name of the city for his their or its use and prosecute the same to final judgment for such sum or sums as may be justly due him them or it and have execution thereof Provided however That the city shall not be liable for the payment of any costs or expense of any suit

Section [1903] 1908 Purchasing Department Each city may by ordinance provide for the establishment of a purchasing department which shall have supervision over the purchase and distribution of all supplies purchased [to the amount allowed by the provision of the next preceding section of this act] The said department shall be attached to the department of accounts and finance or such other department as council may determine and shall be operated in accordance with rules and regulations to be adopted by council the rules to include the manner in which quotations shall be secured on the supplies purchased The said department shall assist council at all times in eliminating waste and extravagance in the purchase and distribution of the supplies of the city

Section [1906] 1909 Separate Bids for Plumbing Heating Ventilating and Electrical Work Elevators and Moving Stairs In the preparation of specifications for the erection construction and alteration of any public building when the entire cost of such work shall exceed one thousand dollars the architect engineer or other person preparing such specifications shall prepare only the following separate specifications [for the] (1) plumbing (2) heating (3) ventilating [and] (4) electrical work (5) elevators and moving stairs and (6) one complete set of specifications for all the other work to be done in such erection construction and alteration The person or persons authorized to enter into contracts for the erection construction or alteration of such public buildings shall receive separate bids upon each of the said branches of work and award the contract for the same to the lowest responsible bidder for each of said branches including the balance of the work in addition to the plumbing heating ventilating and electrical work and elevators and moving stairs where it is desired to install an air conditioning unit the heating and ventilating so involved may be regarded as one branch of work having only one set of specifications and bids may be received and a contract awarded thereon as hereinbefore provided

Section [1907] 1910 Acceptance by Contractor of Workmen's Compensation Act All contracts executed by any city or any officer or bureau or board thereof which involve the construction or doing of any work involving the employment of labor shall contain a provision that the contractor shall accept in so far as the work covered by any such contract is concerned the provisions of the Workmen's Compensation Act [of one thousand nine hundred fifteen] and any reenactments supplements or amendments thereto and that the said contractor will insure his liability thereunder or file with the city with whom the contract is made a certificate of exemption from insurance from the [Bureau of Workmen's Compensation of the] Department of Labor and Industry of this Commonwealth

Every officer of any city or bureau or department thereof who shall sign on behalf of the said city any contract requiring in its performance the employment of labor shall require before the said contract shall be signed proof that the said contractor with whom the contract is made shall have accepted the Workmen's Compensation Act [of one thousand nine hundred fifteen] and any reenactments supplements or amendments thereto and proof that the said contractor has insured his liability thereunder in accordance with the terms of the said act or that the said contractor has had issued to him a certifi-

cate of exemption from insurance from the [Bureau of Workmen's Compensation of the] Department of Labor and Industry of this Commonwealth

Any contract executed in violation of the provisions of this section shall be null and void

Section [1908] 1911 Contracts for Improvements Assignment of Assessments Where the whole or any part of the cost of an improvement is to be paid by assessments upon the property abutting or benefited the city may enter into an agreement with the contractor that he shall take an assignment of such assessments in payment of the amount due him under the terms of his contract and in such case the city shall not be otherwise liable under such contract whether said assessments are collectible or not

Section [1909] 1912 Architects and Engineers in Employ of City Prohibitions from Bidding on Public Works Penalty It shall be unlawful for any architect or engineer in the employ of any city [and engaged in the preparation of plans specifications or estimates] to bid on any public work [at any letting of such work in this Commonwealth] of the city

It [is] shall be unlawful for the officers of any city charged with the duty of letting any public work to award a contract to any such architect or engineer in the employ of the [Commonwealth or of any county municipality borough township or other subdivision of the Commonwealth] city

[It is unlawful for any architect or engineer in the employ of the Commonwealth or of any county municipality borough township or other subdivision of the Commonwealth to be in any wise interested in any contract for public work for the city or receive any remuneration or gratuity from any person interested in such contract]

Any person or persons violating these provisions or [either] any of them [shall forfeit his office and] shall be guilty of a misdemeanor and on conviction thereof shall forfeit his office and be sentenced to pay a fine not exceeding five hundred dollars or to undergo imprisonment for not less than six months or both in the discretion of the court Any contract made in violation of the provisions of this section shall be null and void

Section [1910] 1913 Contracts With [Railway] Transportation Companies Subject to the provisions of the Public [Service Company] Utility Law any city of the one part and any [street railway company surface elevated or underground or motor power company leasing and operating the franchise and property of such company] person operating a public transportation service within the limits of such city of the other part may enter into contracts with each other affecting fixing and regulating the franchises powers duties and liabilities of such companies and the regulations and respective rights of the contracting parties Such contracts may inter alia provide for payments by the companies to the city in lieu of the performance of certain duties or the payment of license fees or charges imposed in favor of such city by the charters of the respective companies or by any general law or ordinance for the appointment by the city of a certain number of persons to act as directors of such company in conjunction with the directors elected by the stockholders of such company and further may provide for the ultimate acquisition by the city upon terms mutually satisfactory of the leaseholds property and franchises of the contracting companies

Section [1911] 1914 Contracts for Relocation of Railroads Subject to the provisions of the Public [Service Company] Utility Law any city may enter into contracts with any of the railroad companies whose roads enter its limits whereby the said railroad companies may relocate change or elevate their railroads within said limits [or either of them] in such manner as in the judgment of the proper authorities of such city may be best adapted to secure the safety of lives and property and promote the interest of said city and for that purpose may do all such acts as may be necessary and proper to effectually carry out such contracts Any such contracts made by any railroad company or companies as foresaid with any city are hereby fully ratified and confirmed Nothing herein con-

tained shall affect any contract made or hereafter to be made with any railroad company from apportioning the expenses of altering and adjusting the grades of existing railroads and intersecting streets in any city so as to dispense with grade crossings

Section [1912] 1915 Contracts with Street Railways for Exclusive Right to Lay Tracks In case any city shall deem it necessary for the public benefit and convenience to secure the removal of any street railway tracks already laid or prevent the laying of such tracks already authorized to be laid or to change the route of any street railway on any street or streets or portion of a street or streets within its corporate limits and such purpose or purposes can be accomplished by agreement with the street [passenger] railway company or motor power company owning leasing or operating such tracks the said parties may subject to the provisions of the Public [Service Company] Utility Law enter into a contract for a period not exceeding fifty years for such considerations and upon such terms and conditions and containing such stipulations reservations and covenants as may be agreed upon between the respective parties thereto and such contract may include a covenant providing that during the continuance thereof municipal consent shall not be granted to any other company to use or occupy the street streets or portions of a street or streets covered by such contract [or] for street railway or passenger transportation purposes which covenant shall be enforceable by bill in equity against such city in case of attempted breach thereof and such contract may also provide for the laying or relaying of such tracks upon such terms and under such contingencies and conditions as may be agreed upon When such contract shall have been made it shall form a part of the charter of the company with like force and effect as to all its terms conditions stipulations restrictions covenants and provisions as to change of routes as if the same formed a part of the original charter of such company and no removal of tracks already laid or postponement of or delay in the time of beginning or completing the work of laying tracks already authorized to be laid and no change of route therein provided for shall operate or be construed to deprive or divest any such company entering into such contract of any of the rights franchises or privileges possessed by it at the time of entering into such contract so as to operate in favor of any company subsequently formed and seeking to occupy for street railway purposes the street streets or portions of a street or streets covered by such contract Nothing in this section contained nor any contract made in pursuance thereof shall be construed to limit or affect in any way or impose any additional liability for the exercise of the right of a [steam] railroad company to lay its tracks over upon under and across such streets or streets or portions thereof

Section [1913] 1916 Advertisement of Contracts in Trade Journals Authorized Any officer of any city whose duty it is by law to advertise for bids for public works contracts supplies or equipment or the sale of city property may at his or its discretion legally authorize the publication of such advertising in addition to the newspapers specified by law also in any publication or journal devoted to the dissemination of information about construction work regularly published [in this Commonwealth at least once a week] and circulating among contractors manufacturers and dealers doing business in the community in which such public works are to be constructed or supplies or equipment purchased [Provided That no advertisement for bids for public works contracts supplies or equipment shall be inserted in any publication or journal devoted to the dissemination of information about construction work which has not been established and regularly issued from a printing office and publication house in this Commonwealth for a period of at least eighteen months and that such publication and journal shall be entered or entitled to be entered for admission to the United States mails as second-class matter and shall have a bona fide income from subscribers within the Commonwealth of Pennsylvania of not less than fifteen thousand dollars (\$15,000) per annum duly certified by a public accountant and the rates and charges for such advertising shall not

be in excess of those of newspapers of general circulation as defined by the Newspaper Advertisement Act of May sixteen one thousand nine hundred twenty-nine (P. L. 1784) of a like circulation published in the community in which the public works are to be constructed or the supplies or equipment purchased] or city property sold

Section 19.3 Said act is hereby revised and amended by adding to Article XIX thereof a new section numbered 1917 to read as follows

Section 1917 Sales of Personal Property No city property shall be disposed of by sale or otherwise except upon approval of council by ordinance or resolution In cases where council shall approve a sale of city property it shall estimate the sale value of the entire lot to be disposed of If council shall estimate such sale value to be less than two hundred dollars it shall require a notice of the proposed sale to be posted for at least ten days on the bulletin board in the city hall describing and itemizing the property to be sold and directing that bids may be made thereon at the office of the city clerk thereafter council may sell such property in whole or in part for the best price or prices obtainable If council shall estimate the sale value to be two hundred dollars or more the entire lot shall be advertised for sale once in at least one newspaper in accordance with the provisions of section one hundred nine of this act and sale of the property so advertised shall be made to the best responsible bidder and the bids shall not be opened until at least ten days after the said advertisement Council may sell any such property at auction but the provisions as to notice contained in this section shall be likewise observed as to the holding of such auction sales The provisions of this section shall not be mandatory where city property is to be traded-in or exchanged for new city property

Section 20 Article XX and sections 2001 to 2008 inclusive of said act are hereby reenacted revised and amended to read as follows

Article XX Police Bureau

Section 2001 Appointment Number Rank Compensation and Qualifications of Policemen The council shall fix by ordinance the number [rank] grades and compensation of the members of the city police force who shall be appointed in accordance with the civil service provisions of this act No policeman shall after his appointment and qualification hold at the same time the office of constable Council shall prescribe all necessary rules and regulations for the organization and government of the police force

Section 2002 Designation of Chief and Other Officers The [council may] mayor shall designate from the force the chief and other officers who shall serve as such officers until their successors are appointed and qualified

Section 2003 Extra Policemen Compensation The [council or the] mayor [acting by authority and direction of council on occasions of threatened public disorder or danger] whenever in [the] his judgment [of the council or the mayor] it is necessary for the public safety or to preserve order may appoint [supernumerary or] extra policemen to serve for such period as the council [or the mayor] may designate not exceeding [ten] thirty days whose compensation shall be fixed by council [before or at the time said appointments are made]

Section 2004 Hours of Service Exceptions Vacations No city shall employ or require any police officer to remain on duty for more than eight hours in any twenty-four consecutive hours or more than fifty-six in any one week unless in emergency cases for the suppression of riots or tumults or the preservation of the public peace Provided That for the duration of [the present] any war in which the United States is engaged and six months thereafter the hours of service may exceed the number hereinbefore provided as the maximum number of hours of service and in such cases council shall provide for the payment of extra compensation for any hours of service in excess of such maximum hours of service at the same rate as paid for regular service Nothing contained herein shall prevent any such city from requiring any such police officer to remain on duty or to work sixteen hours in any twenty-four consecutive hours not more than one day

each week if required by a change in working hours or a change in shifts. Cities shall permit every member of the police department to have at least twenty-four consecutive hours of rest in every calendar week except in emergency cases for the suppression of riots or tumults or the preservation of the public peace in times of war riot conflagration or public celebrations and to have an annual vacation of not less than fourteen days without diminution of the salary or compensation fixed by ordinance.

Section 2005 Powers of Policemen to Arrest Policemen shall be ex-officio constables of the city and shall and may within the city or upon property owned or controlled by the city or by a municipality authority of the city within the Commonwealth without warrant and upon view arrest and commit for hearing any and all persons guilty of breach of the peace vagrancy riotous or disorderly conduct or drunkenness or who may be engaged in the commission of any unlawful act tending to imperil the personal security or endanger the property of the citizens or violating any of the ordinances of said city for the violation of which a fine or penalty is imposed.

Section 2006 Service of Process Fees Payment into Treasury. Policemen shall have authority to serve and execute within the city or upon property owned or controlled by the city or by a municipality authority of the city within the Commonwealth all criminal process or processes for the violation of city ordinances which may be issued by the mayor or any alderman and shall charge the same fees and costs as pertain by law to the constables of the city for similar services but the said fees and costs shall be received and collected by the mayor or alderman and by him paid into the city treasury monthly as herein provided.

Section 2007 Supervision by Mayor Policemen shall obey the orders of the mayor and make report to him which report shall be laid by him before council [when-ever required] monthly. The mayor shall exercise a constant supervision and control over their conduct.

Section 2008 Extra Compensation Prohibited Exception Penalty. No policeman shall ask demand or receive any compensation or reward whatsoever for his services other than that provided by ordinance except rewards offered for the arrest of persons accused of crime committed outside of the city in which they hold office and witness fees and mileage as [now] provided by law for their appearance in any court of record. Any policeman violating any of the provisions of this section shall be guilty of a misdemeanor in office and upon conviction shall be sentenced to pay a fine not exceeding fifty dollars or undergo imprisonment not exceeding thirty days or both at the discretion of the court to be followed by dismissal from office. [All payments heretofore made to any policeman on account of witness fees or mileage for appearance in any court of record are hereby ratified confirmed and made valid to the same extent as though these amendments had been enacted at the time of making such payments].

Section 20.1 Said act is hereby revised and amended by adding to Article XX thereof a new section numbered 2009 to read as follows:

Section 2009 Compensation or Insurance for Volunteer Policemen. Each city may make necessary appropriations to provide compensation or insurance for volunteer policemen injured or killed while engaged in the performance of such duties as may be assigned to them in the city.

Section 21 Article XXI and section 2101 to 2108 inclusive of said act are hereby reenacted revised and amended to read as follows:

Article XXI

Fire Bureau

Section 2101 Organization of Fire Bureau Maintenance Apparatus. Each city may organize a fire bureau with or without pay make appropriations for the maintenance of the same prescribe rules and regulations for the government of the officers and companies belonging thereto and purchase [fire engines hooks ladders trucks fire alarms] equipment and [other] apparatus for the ex-

tinguishment prevention and investigation of fires and for the public safety.

Section 2102 Paid Bureau Election of Officers and Companies. When a paid fire bureau is organized by any city the [city] council may provide by ordinance for the election or appointment of the officers and companies belonging thereto in accordance with civil service provisions where applicable.

Section 2103 Platoon System Hours of Service. The director of the department having charge of the fire bureau in each city shall divide the officers and members of companies of the uniformed fire force in the employ of such cities or in the case of a volunteer fire department the firemen and drivers regularly employed and paid by the city excepting the chief engineer and assistant chiefs and those employed subject to call into two bodies or platoons one to perform day service and the other to perform night service. The hours of day service shall not exceed ten commencing at eight o'clock in the morning the hours of night service shall not exceed fourteen commencing at six o'clock in the afternoon and the hours of day service shall not exceed sixty hours in any one calendar week and the hours of night service shall not exceed eighty-four hours in any one calendar week unless the hours of day and night service shall be equalized in which case neither the hours of day or night service shall exceed seventy-two in any one calendar week. Provided That for the duration of [the present] any war in which the United States is engaged and six months thereafter the hours of service may exceed the number hereinbefore provided as the maximum number of hours of service and in such cases council shall provide for the payment of extra compensation for any hours of service at the same rate as paid for regular service in excess of such maximum hours of service. The employees of such fire forces shall be allowed to have at least twenty-four consecutive hours of rest in every calendar week and to have an annual vacation of not less than fourteen days without diminution of the salary or compensation fixed by ordinance [or resolution]. In cases of riot serious conflagration times of war public celebrations or other such emergency the chief engineer of the bureau of fire or the assistant chief deputy or chief officer in charge at any fire shall have the power to assign all the members of the fire force to continuous duty or to continue any member thereof on duty if necessary. No member of either of said shifts bodies or platoons shall be required to perform continuous day service or continuous night service for a longer consecutive period than two weeks nor be kept on duty continuously longer than ten hours in the day shifts bodies or platoons or fourteen hours in the night shifts bodies or platoons excepting as may be necessary to equalize the hours of duty and service and also excepting in cases of emergency as above provided.

Section 2104 Fire Marshal Powers. Every city may by ordinance provide for the creation of the office of fire marshal [to] who shall be appointed by the mayor by and with the approval and consent of council biennially. [Such fire marshal under the instructions and orders of the mayor may enter any building or premises wherein a fire has at any time occurred for the purpose of making such examination as may be deemed necessary to ascertain the cause of burning]. The fire marshal and his assistants if council shall provide for such assistants shall inspect all constructions or buildings within the city or upon property owned or controlled by the city or a municipality authority of the city within the Commonwealth whether public private or business and shall enforce all laws of the Commonwealth and ordinances of the city relating to such constructions or buildings for the prevention containment or investigation of fire and fire hazards both as to the constructions or buildings and as to the contents or occupancies thereof. The fire marshal or his assistants shall report to the director of public safety or to council as council shall by ordinance provide any faulty or dangerous construction or building or like condition in any building that may constitute a fire hazard or any proposed use or occupation of any construction

building or premises which would create or increase a hazard of fire He shall investigate and keep a permanent record of the cause origin and circumstances of every fire and the damage resulting therefrom occurring within his jurisdiction immediately after the occurrence of such fire The said records of the fire marshal shall be open to public inspection The fire marshal shall submit to council an annual report consolidating the information contained in said records at the first stated meeting in March of each year He shall request the mayor or any alderman of the city to investigate under the act approved the seventeenth day of April one thousand eight hundred sixty-nine (P. L. 74) the origin of any fire he deems suspicious and shall be equally subject to appointment and removal and to all the powers and duties under the act approved the twenty-seventh day of April one thousand nine hundred twenty-sevn (P. L. 450 Number 291) as amended as is the chief of the fire department

Section 2105 Obstructing Fire Marshal [Penalty Any person preventing or obstructing or attempting to prevent or obstruct said fire marshal while in the discharge of his duty shall be guilty of a misdemeanor and on conviction thereof shall be fined in a sum not exceeding fifty dollars or undergo an imprisonment not exceeding three calendar months or both at the discretion of the court] Fine It shall be unlawful for any person to obstruct or prevent or attempt to obstruct or prevent the fire marshal in the discharge of his duties Council may by ordinance establish the types or grades of such criminal conduct and may establish fines or imprisonment in default of payment thereof for such violations No fine so ordained shall exceed three hundred dollars for any single violation and no imprisonment in default of payment of such a fine shall exceed ninety days

Section 2106 Investigation of Cause of Fire Power of Mayor The mayor of any city may whenever in his judgment the occasion demands it issue a subpoena in the name of the [State] Commonwealth of Pennsylvania to any person or persons requiring them to attend before him or the fire marshal at such time and place as may be named in said subpoena then and there to testify under oath or affirmation which the fire marshal in the absence of the mayor is hereby empowered to administer as to the origin of any fire occurring within the bounds of such city and also as to any facts or circumstances that may be deemed important to secure the detection and conviction of any party or parties guilty of the offense of arson or attempted arson

Section 2107 [Chief of Police or] Fire Chief Ex-Officio Fire Marshal The [chief of police or the] fire chief of any city [may by ordinance] shall be [made] ex-officio fire marshal thereof in any city wherein the office is not separately filled by council and in such case all the powers and duties herein given to or imposed upon such fire marshal shall be enjoyed and exercised by such [chief of police or] chief of the fire department [as the case may be]

Section 2108 Compensation Insurance for Injured Volunteer Firemen or Special Fire Police Each city may make such appropriations as may be necessary to secure insurance or compensation for volunteer firemen killed or injured while [going to returning from or attending fires in said municipality or territory adjacent thereto] engaged in the performance of their duties or a special fire police

Section 22 Section 2201 of Article XXII of said act is hereby reenacted revised and amended to read as follows

Article XXII

Bureau of Mine Inspection and Surface Support

Section 2201 Ordinance Creating [Each] Any city within the limits of the anthracite [region] or of the bituminous coal regions of the Commonwealth may by ordinance create a bureau of mine inspection and surface support

Section 22.1 Section 2201-A of Article XXII of said act is hereby repealed

Section 22.2 Sections 2202 to 2206 inclusive of Article XXII of said act are hereby reenacted revised and amended to read as follows

Section 2202 Bureau How Constituted The bureau shall

consist of one practical mining engineer to be appointed by the mayor with consent of the council and such assistants clerks and employes as the council may provide The officers and employes of the bureau shall receive such compensation as may be prescribed by council

Section 2203 Inspection of Mines Members of the bureau may enter inspect examine and survey any mine or colliery within the limits of the city in whole or in part at all reasonable times either by day or night but not so as to impede nor obstruct the workings of the mine or colliery and may take with them such other persons as may be necessary for the purpose of making an examination or survey The owner operator or superintendent of such mine or colliery shall furnish the means necessary for such entry inspection examination survey and exit

Section 2204 Operators to Furnish Maps Contents The owner operator or superintendent of every coal mine or colliery within the limits of the city in whole or in part within three months after the passage of an ordinance by any city creating such bureau shall make or cause to be made and furnished to such bureau an accurate map or plan of the workings or excavations of such coal mine or colliery within the limits of said city on a scale of one hundred feet to the inch The map or plan shall exhibit the workings or excavations in every seam of coal on a separate sheet and the tunnels and passages connecting with such workings or excavations It shall show in degrees the general inclination of the strata with any material deflection therein in the workings or excavations and shall also show the tidal elevations of the bottom of every shaft slope tunnel and gangway and of any other point in the mine or on the surface where such elevation shall be deemed necessary by the bureau The map or plan shall show the number of the last survey station and date of each survey on the gangways or the most advanced workings

Section 2205 Extensions to Be Placed on Maps Every mine owner operator or superintendent shall place or cause to be placed upon the map of the bureau at least once in every three months all the extensions made in any mine within the limits of such city [during the three preceding months] and not already so placed upon the map except those made within thirty days immediately preceding the time of placing such extensions upon the said map

Section 2206 Certain Surface Supports Not to be Removed It shall be unlawful for any person copartnership association or corporation to dig mine remove or carry away the coal rock earth or other minerals or materials forming the natural support of the surface beneath the [public highways] streets [alleys courts] and places of any city in the anthracite region or in the bituminous region to such an extent and in such a manner as to thereby remove the necessary support of the surface without having first placed or constructed an artificial permanent support sufficient to uphold and preserve the stability of the surfaces of such [public highways] streets [alleys courts] and places

Section 22.3 Section 2206-A of Article XXII of said act is hereby repealed

Section 2207 Penalty for Surface Support Violations Any person corporation or association being the owner lessee or operator of any coal mine and [being the general manager superintendent or person in charge of the work of any corporation copartnership or association] violating [any of] the provisions of this article concerning surface support of streets and places within the city shall be guilty of a misdemeanor and upon conviction [before any alderman of the city] thereof shall be sentenced for such offense to pay a fine not exceeding one thousand dollars or to undergo imprisonment in the county jail for a period not exceeding ninety days or both and each five day continuance in any such violation shall constitute an additional and separate offense and be likewise punishable upon conviction thereof [All fines imposed under this section shall be paid into the treasury of the city]

Section 22.4 A new section numbered section 2208 is hereby added to article XXII of said act and the sub-

sequent section is hereby changed from section 2208 to section 2209 and reenacted revised and amended as follows

Section 2208 General Penalties Any owner operator or superintendent of any coal mine or colliery who shall violate any of the provisions of this article except those requiring surface support of streets and places within the city shall upon summary conviction thereof before a justice of the peace or an alderman of the city be fined not less than fifty dollars nor more than three hundred dollars and in default of payment thereof shall be imprisoned for not more than ninety days for each such violation. Each five day continuance in any such violation shall constitute an additional and separate offense and be likewise punishable upon summary conviction thereof. All fines imposed under this section shall be paid into the treasury of the city.

Section [2208] 2209 Enactment of Ordinances Council may enact such ordinances as may be necessary for the enforcement of the provisions of this article and provide penalties for the violation thereof.

Section 23 Sections 2301 to 2337 inclusive subdivisions (a) and (b) of Article XXIII of said act are hereby repealed and the said article and act are hereby reenacted revised and amended by adding thereto new sections numbered sections 2301 to 2311 inclusive in subdivision (a) and sections 2320 to 2324 inclusive in subdivision (b) to read as follows

Article XXIII

Public Health

(a) Board of Health

Section 2301 Board of Health Incompatibility Each city shall by ordinance create a board of health as herein provided or in lieu thereof council shall be the board of health. The board of health shall have five members appointed by council who shall serve without compensation. Except as otherwise herein provided membership on the board of health shall be incompatible with every other city office.

Section 2302 Qualifications Term Removal The members of the board of health shall be residents of the city and at least two shall be reputable physicians of not less than two years' experience in the practice of their profession. Upon the creation of the board council shall designate for one appointee a term of one year for another a term of two years and so on up to five thereafter one member of the board shall be appointed annually to serve for a term of five years from the first Monday of April succeeding his appointment. Council may remove members of the board for official misconduct or neglect of duty. All vacancies shall be filled for the unexpired term.

Section 2303 Oath of Office Organization Secretary Each member of the board of health shall take the oath of office prescribed in section nine hundred and five of this act. The board shall organize annually on the first Monday of January. The board shall elect a president annually from among the members and shall appoint a secretary who is not a board member. The secretary shall take the aforesaid oath and shall give a fidelity bond with corporate surety to the city in such amount as council requires. The secretary shall receive such salary as council shall approve.

Section 2304 Duties of Secretary The secretary of the board shall keep the minutes of the proceedings of the board. The board shall keep accurate accounts of the expenditures of the board. The board shall draw all requisitions for the payment of moneys on account of the board of health from appropriations made by the council to the board and shall present the same to the president of the board for his approval. The board shall render statements of the expenditures to the board at each stated meeting or as frequently as the board may require. The board shall prepare under the directions of the board the annual report to council together with the estimate of appropriations needed for the ensuing year. He shall make such reports to the State Department of Health as are required by law or by rule or regulation of the Department and shall make such other reports and perform such other duties as are required of him by law or by the board of health.

Section 2305 Health Officer Qualifications Oath and Bond The board shall appoint as a health officer a person with some experience or training in public health work in accordance with rules and regulations of the Advisory Health Board of the State Department of Health and shall not enter upon his duties until he has been certified for the office of health officer by the State Department of Health. The health officer shall take the oath required of members of the board and shall give bond with corporate surety approved by council to the city for the faithful performance of his duties. The amount of the bond shall be fixed by council. The health officer shall be the agent of the board of health.

Section 2306 Duties of Health Officer It shall be the duty of the health officer to attend all stated and special meetings of the board of health and to be available for the prompt performance of his official duties at all times. He shall quarantine places of communicable diseases in accordance with law and with the rules and regulations of the State Department of Health or of the board of health. He shall execute all laws and rules or regulations for the disinfection of quarantined places. He shall serve written notice on teachers and persons in charge of public parochial Sunday and other schools requiring the exclusion from school of children who are suffering from or who reside with persons who are suffering from communicable diseases and shall make sanitary inspections and shall execute the orders of the board of health and all other laws and regulations and orders pertaining to his office. He shall in the performance of his duties have the power and authority of a policeman of the city.

Section 2307 Duties of Board of Health The board of health shall enforce the laws of the Commonwealth and the rules regulations and orders of the State Department of Health. The board shall undertake to prevent or diminish the introduction or further spread of infectious or contagious diseases and otherwise to protect and increase the public health by regulating communication with places of infection or contagion by isolating carriers of infection or contagion or persons who have been exposed to any infectious or contagious disease by abating or removing all nuisances which the board shall deem prejudicial to the public health and by enforcing the vaccination laws and the board shall make all such rules and regulations as to it appear proper for the preservation or improvement of the public health consistent with this article and the laws of the Commonwealth. The board shall transmit to the State Department of Health all of its reports and publications and such other information regarding public health in the city as may be requested by the Department.

Section 2308 Powers of Board of Health The board of health shall have authority

(1) To employ agents and employees at such rates or salaries as council shall approve.

(2) To establish and staff emergency hospitals with the consent of council in case of the prevalence or threat of any contagious or infectious disease or other serious peril to public health and to provide for and regulate the management of such hospitals.

(3) To enter upon any premises whatsoever within the city as a body or by committee or by its agents or employees which premises are suspected of infectious or contagious disease or of any other nuisance prejudicial to the public health or of the danger of them for the purpose of examining the premises or of preventing confining or abating public nuisances.

(4) To conduct investigations and to hold public hearings in the performance of its duties and powers wherein the president and secretary of the board shall have full power to administer oaths and affirmations but shall receive no fee therefor. For such purposes the board of health may require the attendance of witnesses and their books and papers.

(5) To establish a force of sanitary police for the enforcement of its rules and regulations whenever in the opinion of the board the public health of the city requires. To fix the number of such police and the duration

of their service and to have the exclusive control and direction of them The mayor shall detail police from the regular police force or make new appointments in order to provide a sanitary police force and upon the expiration of the need for such a force the members thereof shall be returned to duty as regular policemen or if newly appointed be dismissed as the mayor may direct but no permanent increase of the police force shall be made thereby unless council so ordains

(6) To publish and enforce its rules and regulations

(7) To provide for or cooperate in providing for general and gratuitous vaccination disinfection and other public health control programs and likewise to make available medical relief in such ways as in its opinion will benefit the public health

(8) To certify to council expenditures in excess of council's appropriations therefor necessarily incurred by the board by reason of an epidemic or upon approval of council for any other immediate and serious peril to public health Council shall thereupon appropriate sufficient money to meet such additional expenditures

(9) To prevent abate or remove conditions found by it to be detrimental to the public health as public nuisances or to declare and certify to council such conditions and the premises or ways or places harboring them to be public nuisances

(10) To prescribe regulations for the erection or operation of bone boiling establishments or of repositories of dead animals in the city and in accordance therewith to permit or refuse to permit such erections or operations within the city Any person who shall erect or operate any such establishment or repository in the city without the permission of the board of health or in violation of its regulations pertaining thereto shall forfeit and pay to the city the sum of three hundred dollars for every such offense and the like amount for each month's continuance thereof to be collected by an action before an alderman of the city and shall also be subject to indictment for the common law offense of creating and maintaining a nuisance Nothing herein shall limit the remedies of injunction or abatement as to any such establishment

(11) To determine whether or not the keeping or slaughtering of stock animals or fowls in or about any dwelling or part thereof or in the yard lot or adjoining property of any such building within the city or parts thereof is or may become detrimental to the public health Council may prohibit any such keeping or slaughtering which the board certifies to it as detrimental or the board may issue permits in accordance with regulations adopted by it for the keeping of such animals or fowls within the city or parts thereof No such permit shall extend beyond the calendar year within which it was issued and the fee for each permit shall be one dollar

Section 2309 Effect of Rules and Regulations The rules and regulations of the board of health may be approved by council and when printed and advertised by council as required by this act in the case of ordinance shall have the force of ordinances of the city and all penalties fines or imprisonment prescribed therein for violations thereof together with the expenses necessarily incurred in carrying the rules and regulations into effect and the costs of proceedings incident thereto shall be recoverable for the use of the city as provided for in the case of other city ordinances

Section 2310 Fees and Penalties All fees and penalties collected or received by the board or any officer thereof in his official capacity shall be paid monthly to the city treasurer for the use of the city

Section 2311 Proceedings of Board to be Public The proceedings of the board shall be public and its journal of proceedings shall be open to the inspection of any taxpayer

(b) Abatement of Public Nuisances

Section 2320 Definition Any condition or usage whatsoever in or about the buildings structures or land or the streets or private ways and places or elsewhere within the city whether public or private which the board of health shall find to be detrimental to the public

health is hereby declared to be a public nuisance Whenever in this subdivision the words "public nuisance" or "nuisance" are used they shall be deemed to mean a nuisance detrimental to the public health unless a different meaning is specified The powers of investigation and entering upon premises vested in the board of health and its agents and employees pursuant to its orders shall be available for the determination of public nuisances

Section 2321 Procedure for the Abatement of Public Nuisances Whenever the board of health shall determine after such examination investigation or hearing as shall suffice to inform its judgment that a public nuisance exists or is about to exist it may order the nuisance to be removed abated suspended altered or otherwise prevented or avoided Notice of such order bearing the official title of the board and the number of days for compliance therewith and the alternative remedy of the board in case of non-compliance shall be served upon the person if any whom the board deems responsible therefor or concerned therein and upon the owner or abutting owner of the land premises or other places whereon such a nuisance is or is about to be if any In case no such party or parties can be discovered by the board the order shall be served by posting a copy or copies thereof conspicuously upon the premises for a period of at least ten days

Section 2322 Contents of Notice The notice of the board's order shall clearly specify

1 The place and manner of the nuisance or anticipated nuisance as determined by the board

2 The nature or condition thereof

3 The board's order with respect to the nuisance or anticipated nuisance

4 The names of the persons found by the board to be responsible therefor or concerned therewith and the name of the owner if any of the land or premises involved

5 The date of the board's order and the number of days therefrom allowed for compliance with it

6 The alternative remedy of the board in case of non-compliance

7 Notice that the persons affected thereby may apply within the time set for compliance with the order to the board for a hearing and may request such stay of execution or modification or rescission of the said order as they shall believe just and proper

8 The signature of the president of the board attested by the secretary

Section 2323 Hearing Disposition If any person affected thereby shall apply for a hearing within the time provided the board shall promptly notify all interested parties of the time and place of the hearing The board shall enter upon its minutes such facts and proofs as it may receive and its proceedings on such hearing and thereafter may rescind modify or reaffirm its order and require execution of the original or of a new or modified order as it shall determine and direct The persons affected shall be notified of the board's final order and within ten days from the mailing of such notice may appeal therefrom to the court of quarter sessions which appeal may operate as a supersedeas if the court upon proper cause shown so orders and provided the appellants post bond approved by the court for the use of the city with sufficient surety to cover all the expense and costs of executing the board's order

Section 2324 Abatement of Public Nuisances by Board of Health or City In any case where the persons ordered by the board of health to abate or prevent a public nuisance or anticipated public nuisance refuse or neglect to do so within the time specified in the original or any subsequent order of the board then unless the said order shall have been suspended by appeal to the court and proper bond posted the board may direct its health officer and employees to execute the said order or if the execution of the said order requires the grading paving or repaving of private alleys or any similar work upon any property whatsoever within the city or any other work or service that may best be performed or contracted for by the agencies and employees of the city itself then the board shall certify its order to the city council and council

shall thereupon proceed to cause the execution of the order. In any case where the board of health or the council thus abates or prevents or causes the abatement or prevention of a public nuisance the cost and expense of such work services and materials shall be charged to the persons affected in their proper proportions and upon non-payment of such charges the city may file a lien therefor upon the affected premises in the name of and for the use of the city as provided by law for municipal claims in addition to the other remedies available for the collection of debts due the city. The lien shall attach as of the time the work was commenced which shall be fixed by the certificate of the health officer or of the city engineer filed with the city clerk.

Section 23.1 Sections 2345 to 2352 inclusive subdivision (c) of Article XXII of said act and section 2360 subdivision (d) of the said article and act are hereby renumbered sections 2330 to 2337 inclusive subdivision (c) and section 2340 subdivision (d) respectively and as such are reenacted revised and amended to read as follows

(c) Corporations Acting as Boards of Health

Section [2345] 2330 Board of Directors of Corporation to Be Appointed Members of Board of Health Whenever any corporation not for profit has been or shall hereafter be chartered whose principal corporate purpose is or shall be substantially to preserve and promote the health of the public of any city and the control and elimination of disease and such corporation in the opinion of the council of such city and the State Department of Health shall have at its disposal sufficient means to render its assistance of value to the city in the administration of its public health affairs and is properly organized and managed said council may by ordinance appoint the members of the board of directors for such corporation as the board of health of such city for a term of five years. The said board of directors shall not be more than nine or less than five in number and at least two of the members shall be reputable physicians with not less than five years' experience in the practice of their profession. When by limitation in the charter or by-laws of such corporation the office of any member of the board of directors shall terminate such person's membership in the board of health shall also terminate and a vacancy in such membership exist to be filled as hereinafter provided. Whenever the number of directors of such corporation shall be increased subject however to the aforesaid maximum limitation of nine the council of said city may appoint any person added to the corporation's board of directors as an additional member of the board of health for a term equal in the unexpired term of the other members subject also to termination resulting from limitations in the corporation's charter or by-laws as aforesaid.

Section [2346] 2331 Councilmen and School Directors Eligible for Appointment Members of council of such city not more than two in number and one member of the board of directors of the school district of such city if they are also members of the board of directors of said corporation shall be eligible to appointment as members of the board of health of said city.

Section [2347] 2332 Power of Board The board of health so appointed shall have all the power and authority and perform the duties now or hereafter conferred and prescribed by law upon boards of health of cities.

Section [2348] 2333 Health Officer If the board of directors of such corporation shall employ as manager or chief administrator of the activities and operations of the corporation a reputable physician of five years' experience in the practice of his profession or in public health work for a compensation to be paid out of the corporation's funds it shall be lawful for such council to appoint such manager or chief administrator as the principal health officer of such city with all the powers and authority and duties now or hereafter to be conferred or prescribed by law upon principal health officers.

Section [2349] 2334 Secretary The secretary of the board of directors of such corporation may serve as secretary of such board of health.

Section [2350] 2335 Filling of Vacancies As the five year terms of members of such board of health expire

and as vacancies therein occur the council of such city may appoint successors to those whose terms shall have so expired for further terms of five years and appoint persons to fill vacancies in both cases by selection of the then members of such board of directors including in the case of vacancies the persons in the said board of directors who may be selected to fill the vacancies therein. Such appointment in the case of a vacancy shall be for the unexpired portion of the five year term.

Section [2351] 2336 Appointment and Renewal of Health Employees The council of such city shall in all cases where possible follow the recommendations of said board of health as to appointment and removal of all persons having to do with the administration of the public health affairs of the city. Such appointees shall be required to pass any civil service examination required by any civil service commission lawfully established in such city.

Section [2352] 2337 No Compensation for Members The members of such board of health shall serve without compensation from the city.

This subdivision (c) shall be effective only under the circumstances set forth in section two thousand three hundred and [forty-five] thirty.

(d) Penalties

Section [2360] 2340 Any person violating any provision of this article or any order of [said] the board of health made under the authority of [the same] this article or of any law or ordinance therein referred to or authorized or who shall obstruct or interfere with any person in the execution of any order of said board or wilfully and illegally omit to obey any such order shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one hundred dollars or undergo imprisonment not exceeding ninety days or both at the discretion of the court.

Section 24 Sections 2401 and 2402 of Article XXIV of said act are hereby reenacted revised and amended to read as follows

Article XXIV

Corporate Powers

Section 2401 Existing Powers Saved The corporate powers and the duties of the officers of cities now in existence by virtue of the laws of the Commonwealth and not repealed by this act shall be and remain as now provided by law.

Section 2402 Powers of City Each city is hereby declared to be a body corporate and politic and shall have perpetual succession and may

1 Sue and be sued

2 Purchase and hold real and personal property for the use of the city

3 Lease sell and convey any real or personal property owned by the city and make such order respecting the same as may be conducive to the interests of the city

4 Make all contracts and do all other acts in relation to the property and affairs of the city necessary to the exercise of its corporate or administrative powers

5 Have and use a corporate seal and alter the same at pleasure Every such seal shall have upon its the word "Pennsylvania" the name of the city and the year of its original incorporation

6 Display the flag of the Commonwealth or of any county city borough or other municipality in the Commonwealth on the public buildings of the city

7 To appropriate money for the exercise of powers expressed or implied in this act or any other applicable law and for like uses to accept gifts or grants of money other property or services from public or private sources

The powers hereby granted shall be exercised by the mayor and councilmen in the manner herein provided

Section 24.1 Section 2403 of said article and act is hereby reenacted revised and amended as to the several clauses thereof and is further revised and amended by re-ordering two of the clauses of said section and changing the numbers thereof from 55 and 56 to 54 and 55 respectively by adding to said section four new clauses numbered clauses 56 57 58 and 59 and by re-ordering and re-numbering clause 54 of said section to be clause 60 all as follows

Section 2403 Specific Powers In addition to other powers granted by this act the council of each city shall have power by ordinance

1 Payment of Debts and Expenses To provide for the payment of the debts and expenses of the city and to appropriate money therefor

2 Hiring of Employes Salaries To provide for and regulate the manner of hiring and discharging employes and laborers and the fixing of their salaries or compensation

3 Creation of Necessary Offices Boards or Departments To create any office public board or department which it may deem necessary for the good government and interests of the city and unless otherwise provided by this act [elect] appoint the members of any board bureau or commission to prescribe the powers thereof and to regulate and prescribe the terms duties and compensation of all such officers and of all officers who are members of any public board or any department so created but no ordinance shall be passed increasing or diminishing the salary or compensation of any officer or of any member of any board bureau or commission after his or their [election or] appointment The provisions of this clause as to the creation of any public board bureau or commission and prescribing the duties thereof shall not apply to the creation of any board of commissioners of water-works of any city wherein the title to the water-works therein located is in the name of the commissioners of water-works

4 Lock-ups [or Watch-houses] and Police Stations To provide for the erection lease or purchase of lock-ups [or watch-houses in some convenient part of the city] and police stations for the detention and confinement of [vagrants and] persons arrested [by the police officers until the persons so arrested can be taken before the proper magistrate for hearing and committed to prison or discharge No person shall be detained therein for a longer time than twenty-four hours except upon the order of the mayor or an alderman legally authorized who may commit] [such person for further hearing] for any cause or of persons convicted under city ordinances and sentenced for periods not in excess of ten days

5 Market Houses and Milk Depots To purchase lease and own ground for and to erect maintain and establish market houses milk depots and market places for which latter purpose parts of any streets sidewalks or city property may be temporarily used to provide and enforce suitable general market regulations to contract with any person or persons or association of persons companies or corporations for the erection and regulation of market houses milk depots and market places on such terms and conditions and in such manner as the council may prescribe to raise all necessary revenue therefor as herein provided and to levy and collect a license tax from every person or persons who may be authorized by council to occupy any portion of the streets [or] sidewalks or city property for temporary market purposes

6 Collection and Removal of Garbage To provide for and regulate the collection [and] removal and disposal of garbage ashes and other waste or refuse material either by contract or by municipal conduct of such services and to impose and collect by lien or otherwise reasonable fees and charges therefor and to prescribe fines and penalties for the violation of ordinances regulating such matters

7 Comfort and Waiting Stations and Drinking Fountains Waiting Rooms [for Females] in Court Houses To take purchase or acquire [by the right of eminent domain subject to proceedings provided for by this act in cases of the exercise of the right of eminent domain] property for the purpose of erecting providing maintaining and operating thereon comfort stations waiting stations and drinking fountains and to construct and maintain such stations and fountains on such property or in any of the [highways] streets or public places within [their] its corporate limits to provide and equip and maintain in the court house in cooperation with the county commissioners of the county wherein the city is situated whenever such city is the county seat rest or waiting rooms [for females] and provide [female] attendants therefor [One-half of

the] The cost of providing such waiting and rest rooms and of maintaining the same including salaries and all incidental expenses shall be paid by the county and [the other half] by the city [for all which purposes the council may appropriate moneys] in such proportion as may be agreed upon

8 Running at Large of Animals Et Cetera To provide for the erection of all needful pens pounds [and buildings] and other means of confinement within or without the city limits to appoint keepers thereof and to regulate or prohibit the running or being at large of [cattle hogs horses mules sheep goats dogs or other] stock and domestic animals [also geese ducks chickens] and fowls [et cetera] and to cause such as may be [running] at large to be impounded and sold to discharge the costs and penalties provided for the violations of such prohibitions and the expenses of impounding and of keeping the same and of such sale To regulate the maintaining and care of dogs within the city To regulate or prohibit the keeping of bee hives within the city

9 Destruction of Dogs To destroy dogs found at large contrary to the laws of the Commonwealth or to prohibit or regulate by its own ordinance the running at large of dogs cats or other animals and in the enforcement of such regulations to direct the killing of dogs cats or other animals or their seizure and detention including reasonable charges therefore or to provide for their sale for the benefit of the city The powers herein expressed shall be exercised in conformity with the Dog Law of 1921

10 Inspection and Regulation of Fireplaces Chimneys Et Cetera Smoke Regulations To regulate the construction and inspection of fireplaces chimneys stoves stovepipes ovens boilers kettle forges or any apparatus used in any building manufactory or business and to order the suppression or cleaning thereof when deemed necessary [for the prevention of fires] to regulate and control the production and emission of unnecessary smoke or fly-ash from any chimney or other source except railroad locomotives

11 Manufacturer Sale [and] Storage and Transportation of Explosives Offensive Business To regulate or prohibit the manufacture sale storage or transportation of inflammable or explosive substances within the city and to [prescribe limits within which no] regulate or prohibit dangerous obnoxious or offensive business [shall be carried on] within the city

12 Regulation of [Partition] Division Fences Party Walls Foundations To provide regulations for party walls and division fences and for the foundations of buildings to enter upon the land or lands lot or lots of any person or persons within the city at all reasonable hours by [their] its duly appointed city [engineers] engineer or building inspectors in order to [regulate partition fences] enforce such regulations and set out foundations [and when adjoining parties shall improve or enclose their lots such fences shall be made in the manner generally used and be kept in good repair at the equal expenses of the parties unless the owners or occupants between whom such fences are erected shall agree otherwise] and to prescribe reasonable fees for the service of city officers in the inspection and regulation of party walls division fences and foundations and to enforce the payment of the same To provide fines or penalties for violations of such regulations In setting out foundations and regulating party walls as to breadth and thickness the city shall cause the foundations to be laid equally upon the lands of the persons between whom the party wall is to be made and the builder thereof or his successor interest shall be reimbursed on moiety of the charge of said wall or for so much thereof as the next builder shall have occasion to make use of before such next builder shall or may use or break into said wall

13 Public Wells Cisterns [Acqueducts] Aqueducts and Reservoirs To establish make and regulate public wells: cisterns [acqueducts] aqueducts and reservoirs and to provide for filling the same

14 Construction of Levees and Ferries Deepening of Channels [To] Subject to the provisions of State law to

provide for the construction and maintenance of levees and ferries within the jurisdiction of the city and within the limits thereof to erect wharves on navigable waters adjacent to the city regulate the use thereof collect wharfage and establish wharf and dock lines to provide for protection against floods to construct and maintain docks retaining walls dams or embankments and to remove obstructions from deepen and widen the channels of rivers and streams flowing through or adjacent to the city

15 Railroad Crossing Flagmen Speed of Locomotives Subject to the provisions of the Public [Service Company] Utility Law to provide for and require the construction and maintenance of bridges or other crossings over or under railroad tracks and to enter into contracts with railroad companies for the construction and maintenance of the same to require the erection of safety-gates and the placing of flagmen or warning devices at the intersection of railroads with [public] streets to forbid the obstruction of the said crossings by locomotives or railroad cars and to regulate the rate of speed at which locomotives cars or trains shall pass upon or cross the streets within the built-up portions of the city

16 [Removal of] Nuisances and Obstructions [To require the removal of all obstructions and nuisances from the sidewalks curb-stones gutters streets public alleys ways and street crossings at the expense of the owners or occupiers of the ground fronting thereon or at the expense of the person or persons placing the same there or causing the same] To prohibit nuisances including but not limited to accumulations of garbage and rubbish and the storage of abandoned or junked automobiles or other vehicles on private or public property and the carrying on of any offensive manufacture or business and to require the removal of any nuisance or dangerous structure from public or private places upon notice to the owner and upon his default to cause such removal and collection the cost thereof together with a penalty of ten per centum of such cost from the owner by an action in assumpsit The cost of removal and the penalty may be entered as a lien against such property in accordance with existing provisions of law In the exercise of the powers herein conferred the city may institute proceeding in courts of equity

17 Regulation of Signs Porches Et Cetera To regulate by uniform rules and regulations porches porticoes benches doorsteps railings bulk bay or jut windows areas cellar doors and cellar windows signs and sign posts boards poles or frames awnings awning posts or other devices or things projecting over under into or otherwise occupying the sidewalks or other portion of any of the streets [lanes alleys] the building of cellars and basement ways and other excavations through or under the sidewalks and boxes bales barrels hogs-heads crates or articles of merchandise lumber coal wood ashes building materials or any other article or thing whatsoever placed in or upon any of the said sidewalks or other portion of said streets [lanes or alleys] and also to prevent and [remove] require or cause the removal of upon notice all encroachments thereon In the exercise of the powers herein conferred the city shall have the same remedies penalties and procedures as are expressed in clause 16 of this article

18 Trees To regulate the planting trimming care and protection of shade trees in or extending over the streets

19 Numbering of Buildings To require and regulate the numbering of buildings and lots

20 Cab-stands [Rates] To establish stands for coaches cabs omnibuses carriages wagons automobiles and other vehicles for hire and to enforce the observance and use thereof

21 [Night Watch] Police Force To establish and maintain a [night watch and] police force and define the duties of the same

22 Police Protection Et Cetera Parks Et Cetera Commitment of Professional Thieves To establish and enforce suitable police regulations for the protection of persons and property at public squares parks depots depot grounds and other places of public resort owned controlled or

managed by the city or an agency or bureau thereof whether within or without the city in whole or in part and for the arrest and commitment of professional thieves and suspicious persons found in any part of the city who can give no reasonable account of themselves

23 Rewards for Apprehension of Certain Criminals To offer rewards for the arrest and conviction of persons guilty of capital or other [high] crimes within the city

24 [Tippling shops gaming prosecution] gaming prostitution Et Cetera To restrain prohibit an suppress [tippling shops] houses of prostitution gambling houses gaming cock or dog fighting and other disorderly or unlawful establishments or practices desecration of the Sabbath day commonly called Sunday and all kinds of public indecencies

25 Prevent Riots To prevent and restrain riots noises disturbances or disorderly assemblies in any street house or place in the city

26 Regulate [Discharge of Firearms] Guns Et Cetera To regulate prohibit and prevent the discharge of [firearms] guns rockets powder or any other dangerous instrument or combustible material within the city and to prevent the carrying of concealed deadly weapons

27 Sale and Use of Fireworks [Discharge of Firearms] To regulate or prohibit and prevent the sale use and discharge of fireworks firecrackers sparklers and other pyrotechnics [in such cities and the unnecessary firing and discharge of firearms in the city]

28 Arrest of Vagrants To arrest fine or set at work on the streets or elsewhere all vagrants found in said city

29 [Horse] Racing [on Streets] Dangerous Practices Et Cetera To prevent [horse] the racing of horses cars and other vehicles fast driving or riding in the streets [highways alleys bridges] or public places in the city and all games practices or amusements therein likely to result in danger or damages to any person or property

30 Riding or Driving on Sidewalks To prevent or regulate the riding or driving of animals or the passage of any vehicle [drawn thereby or self-propelled] over along and across sidewalks and to regulate the passing of the same through the [public] streets

31 Regulations of Skating-rinks Theatres Et Cetera [To] Subject to the provisions of general laws of the Commonwealth regarding the same to regulate all skating-rinks operas theatres concerts shows circuses menageries and all kinds of public exhibitions for pay (except those for religious educational or charitable purposes) and to restrain and prohibit under fines or penalties all exhibitions of indecent or immoral character

32 Bathing Boat Houses and Bath Houses To regulate the time and place of bathing in rivers and other public water in and adjoining the said city and to construct maintain and manage municipal boat houses and bath houses

33 [Appropriations for Memorial Day To appropriate money for the expenses of Memorial Day services] Prohibition of Fire Producing Devices in Certain Retail Stores To prohibit the smoking or carrying of lighted cigarettes cigars pipes or matches and the use of matches or fire producing devices in retail stores arranged to accommodate one hundred persons or more or which employ ten or more employees Provided That any such ordinance passed under this provision shall not prohibit smoking in any restaurant room rest room beauty parlor executive office or any room designated for smoking in such store To provide penalties for the violation of such ordinances

34 Appropriations to Posts of Veterans To appropriate annually to each camp of the United States War Veterans in the city and to each post of the American Legion and to each post of the Veterans of Foreign Wars and to each post of the American Veterans of World War II (AMVETS) to each post of the Catholic War Veterans Inc and to each detachment of the Marine Corps League and to each Naval Association and to each post of the Grand Army of the Republic and to each post of the Disabled American Veterans of the World War and to each chapter of the Military Order of the Purple Heart and to each post of the Jewish War Veterans and to

[each] any other such organization of ex-service men in the city incorporated under the laws of the Commonwealth a sum not to exceed three hundred dollars to aid in defraying the expenses of Memorial Day and Armistice Day Where the Grand Army of the Republic has ceased to exist or to function such appropriation may be made to the Sons of Union Veterans of the Civil War or in the absence of such order to a duly constituted organization which conducts the decorating of the graves of Union veterans of the Civil War Such payments shall be made to defray actual expenses only Before any payment is made the organization receiving the same shall submit verified accounts of their expenditures

35 Support of National Guard Units To appropriate annually a sum not exceeding seven hundred and fifty dollars for the support and maintenance discipline and training of any dismounted company or similar unit of the National Guard and a sum not to exceed fifteen hundred dollars for the support and maintenance of any mounted or motorized troop or similar unit of the National Guard Where such units are organized as a battalion regiment or similar organization the total amount due may be paid to the commanding officer of the battalion regiment or similar organization Any moneys so appropriated shall be paid by warrant drawn to the order of the commanding officer of such company battalion regiment or similar organization only when it shall be certified to the city by the Adjutant General of the [State] Commonwealth that the said company or companies have satisfactorily passed the annual inspection provided by law The moneys so appropriated shall be used and expended solely and exclusively for the support and maintenance discipline and training of the said company battalion regiment or similar organization and the commanding officer shall account by [the] proper vouchers to the said city each year for the expenditure of the money so appropriated and no appropriation shall be made for any subsequent year until the expenditure of the previous year is duly and satisfactorily accounted for

The accounts of such expenditures shall be subject to the inspection of the Department of Military Affairs and shall be audited by the [Auditor General] city controller in the manner provided by [law] this act for the audit of accounts of [State] city moneys

36 Appropriation of Money Et Cetera to Assist in Erection of Armories To appropriate money or convey land either independently or in conjunction with any [county city town borough or] other [municipal division] political subdivision to the Commonwealth [of Pennsylvania] for the purpose of assisting the Armory Board of the [Commonwealth] State of Pennsylvania in the erection of armories for the use of the National Guard and to furnish water sewer services light or fuel free of cost to the Commonwealth [of Pennsylvania] for use in any armory of the National Guard and to do all things necessary to accomplish the purpose of this clause

37 Eminent Domain for National Guard Purposes To take by right of eminent domain for the purpose of appropriating to [themselves] itself for the use of the National Guard of Pennsylvania such public lands easements and public property as may be in [their] its possession or control and used or held by [them] it for any other purpose Such right however shall not be exercised as to any street or wharf [but all other public easements and property may be appropriated and used for the purposes herein provided any limitation of the use thereof by the city either by donation dedication appropriation statute or otherwise to the contrary notwithstanding]

38 Lands for Armory Purposes To acquire by purchase or by gift or by the right of eminent domain any land for the use of the National Guard of Pennsylvania and to convey such lands so acquired to the Commonwealth [of Pennsylvania] in order to assist the Armory Board in the erection of armories [The proceedings for the condemnation of lands under the provisions of this clause and for the assessment of damages for property taken injured or destroyed shall be taken in the manner as is provided by this act for the condemnation of land

for] [public purposes] The power conferred by this clause shall not be exercised to take any church property grave-yard cemetery [or any dwelling-house or the curtilage of the same in the actual occupancy of the owner]

39 Purchase of Burial Grounds for Deceased Service Men To appropriate money for and purchase plots of grounds in any cemetery or burial ground within their respective limits for the interment of or shall die beyond such city and shall have a legal residence within such deceased service men as shall hereafter die within such city such city at the time of their death and whose bodies are entitled to be buried by the county under the provisions of existing laws

40 Payment of Rent for Veterans' [Posts and Camps] Organizations By a two-third vote of the council to appropriate money to any incorporated [camp or post] organization of veterans of any war in which the United States was engaged to be used in the payment of the rent of any building or rooms in which such [camp or post] organization has its regular meetings

41 Rooms for Meetings of Veterans To furnish upon application to each organization composed of veterans of the Civil War veterans of the Spanish American War veterans of the World War or World War II veterans of any foreign war and sons of veterans a room or rooms in any public building of such city sufficient for the meeting of each of such organizations at least once each month

42 Care of Memorials To take charge of care for maintain and keep in good order and repair at the expense of the city any soldiers' monument gun or carriage or similar memorial situate in the city and not in the charge or care of any person body or organization and not put up or placed by the Government of the United States the Commonwealth of Pennsylvania the commissioners of the county or by the direction or authority of any other state of the Union and to receive from any person or organization any moneys or funds which can be used for the [maintenance] benefit of such memorials and to expend the same

43 Manufacture and Sale of Ice To manufacture ice and to sell the same to the inhabitants of the city at such rates as shall be fixed by ordinance and to erect equip and maintain such buildings and other structures and purchase or hire and maintain such vehicles as may be deemed necessary for such purpose

44 Inspection of Milk To provide for the inspection of milk sold or consumed within the city and milk depots and dairies which offer milk or milk products for retail sale within the city under such rules and regulations as will protect the people from adulteration and dilution of the same

45 Municipal Music To appropriate money to defray the expenses of musical entertainments held under the auspices of the [cities] city and for the purpose of having music in any public park or place

46 Regulation and Licensing of Auction Sales To regulate and license sales of merchandise at public auction other than judicial sales sales by executors or administrators or sales by or in behalf of licensed pawn-brokers of unredeemed pledges in the manner provided by law

47 Aid to Historical Societies To make annual appropriations not exceeding one thousand dollars [(\$1000)] for the support and maintenance of the principal historical society located therein which shall be incorporated under the laws of the Commonwealth shall maintain permanent quarters and shall keep the same open to the public shall have a membership of at least one hundred persons who have paid into the treasury of the society a membership fee of at least two dollars [(\$2.00)] for the support of the society shall hold annually at least two regular meetings that shall be open to the public and shall at all times maintain facilities for the free storage deposit and inspection of official documents and records of the city and other proper public or historical archives and records

48 Establishment of Institutions to Collect Educational Collections To establish institutions authorized to collect and hold certain scientific educational and economic col-

lections the object of each being the [scientific educational and economic] instruction of the public concerning commerce manufacturing mining and agriculture said institutions to have power to purchase or accept by gift any real estate money or personal property necessary for their use and promotion and power to use convey or transfer the same as if they were bodies corporate to be governed by boards of trustees nominated appointed and confirmed in such manner as council may determine

49 Sprinkling of Streets To cause any [public] street or part thereof not less than one block to be sprinkled with water or if such street is paved to be cleaned during such time as it may be necessary at the expense of the owners of property abutting upon the same Upon the petition of the owners of such property who shall represent a majority of the feet front on the street or part thereof it shall be the duty of council to cause such sprinkling or cleaning to be done at the expense of the owners of property abutting thereon Council may cause such sprinkling to be done with the water of the city when water works are owned or operated by the city and with sprinkling carts and apparatus owned by the city or may contract for the use of said carts and apparatus with the lowest responsible bidder

50 Electric Wires May Be Placed Underground in Certain Districts To define a reasonable district within which all electric light wires telephone and telegraph wires shall be placed under ground in conduits owned and constructed either by the municipality or by corporations owning such wires or by corporations organized for the purpose of laying such conduits and renting space therein In all cases in which such conduits are owned by any private corporation partnership or individual there shall be reserved to the city whether expressed in the ordinance or not the right to regulate by ordinance the manner in which such conduit shall be used and the terms and conditions [and rate of rental to be charged for space therein] of such use and also the right to take such conduits either by purchase upon agreement of the owners thereof and the city or by condemnation proceedings in which latter case the proceedings for the assessment of damages shall be the same as provided in this act for property taken injured or destroyed

The court of quarter sessions [of the county] upon the appeal of any person may review any ordinance passed in pursuance of this [act] clause and may annul such ordinance if deemed unreasonable capricious or arbitrary such appeal to be taken within thirty days from the approval of such ordinance

51 Gift Ambulance Maintenance To acquire by gift or bequest and to operate and maintain a motor ambulance for the purposes of conveying sick and injured [residents of] persons in the city and the vicinity to and from hospitals and for such purposes to appropriate and expend moneys of the city

52 Weighing and Measuring of Commodities To regulate the weighing and measuring of every commodity sold in the city in all cases not otherwise provided for by law including the measuring of gas water and electric currents to provide for and regulate the inspection and weighing of hay grain and coal and the measuring of wood bark and fuel to be used in the city and to designate the place or places of inspecting and weighing the same to regulate and prescribe the place or places for exposing for sale hay coal bark and wood to demand and receive reasonable fees for such inspection weighing and measuring for the regulation and stamping of weights and measures and the regulation and inspection of [gas water and electric current meters and other] meters except as otherwise provided by law

53 Insurance To make contracts of insurance with any mutual or other fire insurance company association or exchange duly authorized by law to transact insurance business in the Commonwealth of Pennsylvania on any building or property owned by the city

To make contracts of insurance with any insurance company or nonprofit hospitalization corporation or nonprofit medical service corporation authorized to transact insurance business within the Commonwealth insuring its

elected or appointed officers officials and employees or any class or classes thereof under a policy or policies of group insurance covering life health hospitalization medical service or accident insurance and to contract with any such company granting annuities or pensions for the pensioning of such [employees] persons and for such purposes to agree to pay part or all of the premiums or charges for carrying such contracts and to appropriate out of its treasury any money necessary to pay such premiums or charges or portions thereof All contracts procured hereunder shall conform and be subject to all the provisions of any existing or future laws concerning group insurance and group annuity contracts The proper officer agency board or commission of the city having authority to enter into such contracts of insurance is hereby authorized enabled and permitted to deduct from the officer's or employee's pay salary or compensation such part of the premium as is payable by the officer or employee and as may be so authorized by the officer or employee in writing

[55] 54 Parking Lots To acquire by lease purchase or condemnation proceedings any land which in the judgment of city council may be necessary and desirable for the purpose of establishing and maintaining lots for the parking of motor vehicles and for no other use or purpose and to regulate the use thereof

[56] 55 Disorderly Conduct To define disorderly conduct within the limits of the city and to provide for the imposition of penalties for [the violation thereof] such conduct in such amounts without limitation except as in this act provided as council shall establish and notwithstanding any statutes of the Commonwealth upon disorderly conduct and the penalties therefor

56 Official Expenses on City Business To make appropriations for the reasonable expenses of city officials actually incurred in the conduct of city business

57 Insurance Against Burglary Etc To insure against burglary or theft of city property or against fire and other calamities and against public liability

58 To Provide Against Hazards of War To build or establish bomb shelters or assist in so doing to provide against all hazards of war and their consequences and for all such purposes to have the power of eminent domain to cooperate with any other unit and agency of government Federal State or local in every lawful way for purposes of defense and against the hazards of war

59 Municipality Authorities Cooperation with Other Political Subdivisions To form municipality authorities as authorized by law To cooperate with other political subdivisions in the conduct of city affairs as authorized by law

[54] 60 Local Self-Government In addition to the powers and authority vested in each city by the provisions of this act to make and adopt all such ordinances by-laws rules and regulations not inconsistent with or restrained by the Constitution and laws of this Commonwealth as may be expedient or necessary for the proper management care and control of the city and its finances and the maintenance of the peace good government safety and welfare of this city and its trade commerce and manufactures and also all such ordinances by-laws rules and regulations as may be necessary in and to the exercise of the powers and authority of local self-government in all municipal affairs and the said ordinances by-laws rules and regulations to alter modify and repeal at pleasure and to enforce all ordinances inflicting penalties upon inhabitants or other persons for violations thereof not exceeding three hundred dollars for any one offense recoverable with costs together with judgment of imprisonment not exceeding ninety days if the amount of said judgment and costs shall not be paid Provided however That no ordinance by-law rule or regulation shall be made or passed which contravenes or violates any of the provisions of the Constitution of the United States or of this Commonwealth or of any act of Assembly heretofore or that may be hereafter passed and in force in said city

Section 25 Sections 2501 to 2521 inclusive of Article

XXV of said act are hereby reenacted revised and amended to read as follows

Article XXV

Taxation

(a) Assessments and Revisions

Section 2501 Election of Assessor Term Removal Qualifications The council of each city on the first Monday of January one thousand nine hundred and [thirty-two] fifty-two and on the first Monday of January in every fourth year thereafter or as soon thereafter as may be conveniently done shall elect one person resident of the city for at least five years previous to his election a qualified elector thereof and owner of real estate therein at the time of his election and during the entire term of service of the assessed value of at least five hundred dollars as city assessor to serve for the term of four years from the first Monday of January in the year in which he is elected Any assessor may be removed from office by council and the vacancy thus occasioned may be filled in the manner hereinafter provided Council shall not permit any person elected assessor to enter upon the duties of said office nor continue in office when he does not have and possess all of the qualifications aforesaid For this purpose council shall have power by a majority vote of all the members elected thereto to declare the said office of assessor vacant at any time any person has not or ceases to have the qualifications aforesaid for the said office They may thereupon fill the vacancy thus occasioned in the manner hereinafter provided for the filling of vacancies

Section 2502 Oath of Assessor Filling of Vacancies The said assessor shall before entering upon his duties take and subscribe the oath prescribed for municipal officers and file the same with the city clerk Any vacancy happening in said office shall be filled by appointment by council for the unexpired term

Section 2503 Assistant Assessors Compensation of Assessors and Assistant The council may during each triennial year and in the intervening year appoint such assistant assessors to serve for such length of time as council may authorize direct or appoint by ordinance Such assistant assessors to serve for such length of time as council may authorize direct or appoint by ordinance Such assistant assessors shall be removable at the pleasure of council The compensation or salary of the city assessor and of the assistant assessors if any shall be fixed by ordinance

Section 2504 Assessment of Property Duties of Assessors The assessor shall make or cause to be made during the year one thousand nine hundred [forty-five] fifty-four and every third year thereafter a full just equal and impartial assessment of all property taxable according to the laws of this Commonwealth for county purposes and all matters and things within the city subject by law to taxation for city purposes and a just and perfect list of all property exempt by law from taxation with a just valuation of the same But nothing hereinbefore contained shall be construed as making taxable for city purposes the classes of personal property which by law are made taxable exclusively for county purposes at the rate of four mills With his assessments he shall return such dimension description or quality of each lot or parcel of land as will be sufficient to identify the same together with the number and kind of improvements at the triennial assessment the assessor shall if council so directs by ordinance classify all real estate in the city in such manner and upon such testimony as may be adduced before him so as to distinguish between the buildings on land and the land exclusive of the buildings and he shall certify to the council the aggregate valuation of all real estate subject to taxation for city purposes within each such classification In all cases he shall value or cause to be valued the property at the actual value thereof In arriving at such value the price for which any property would separately bona fide sell or the price at which any property may bona fide actually have been sold shall be considered but shall not be controlling Instead such selling price estimated or actual shall be subject to re-

vision by increase or decrease to accomplish equalization with other similar property within the taxing district It shall be the further duty of the assessor to return annually a list of all the inhabitants over twenty-one years of age

Section 2505 Manner of Assessments The assessor may assess real estate in the name or names of the registered owner actual owner (legal or equitable) reputed owner owner of the life estate occupier vendor vendee or any person who has or has had any connection with the legal title thereof or an interest in the premises or has charge or control thereof in the name of the husband when lands are owned by the wife partnership property in the name of the partnership or in the name of the partners or any of them trust property in the name of the trustee or trustees or any of them or in the name of the cestui que trust property of a minor in the name of the minor or his guardian property of a lunatic in the name of the lunatic or his guardian or committee and property formerly belonging to a person since deceased may be assessed in the name of the decedent or in the name of the estate of said decedent or of his administrator or administrators executor or executors or his heirs generally or in the name of any administrator executor or heir and in assessing the same in the names of the executors administrators or heirs it shall not be necessary to designate them by their christian or surnames and other property not herein provided for may be assessed in the manner the same is assessed for county taxation This provision shall not prevent the collection under existing laws of any tax assessed against property by a sufficient designation or description where the same has been assessed in the name of any person or persons who are not the owners thereof Where lands of owners are part within and part without the city limits they shall be assessed in the same manner and within the same jurisdiction as if the same were being assessed for county purposes

Section 2506 Duties of Assessors in Other Than Triennial Years In the years between triennial assessments the said assessor shall perform the following duties with reference to the assessment of property and other matters and subjects of taxation namely He shall

(a) Assess any property which has been omitted and correct any errors of law fact or judgment which may have been made in making the triennial assessment

(b) Add to the assessment any property which has ceased to be exempt and any property acquired since the triennial assessment

(c) Add to the value of any real estate the value of any new building or other new improvements

(d) Deduct from the value of any property any [depreciation] loss caused by destruction injury or otherwise howsoever

(e) Where tracts as assessed at the triennial assessment have been subdivided equalize and apportion the assessment of the lands thus subdivided upon the basis of the value as fixed at the triennial assessments upon the whole lot or tracts

(f) Where any borough township part of a borough or township or any tract or tracts of land have been added to the city since the last triennial assessment make a full and impartial assessment of the property in the annexed district and return the same in a like manner as if it were a triennial assessment

(g) When any property has been transferred or disposed of make the proper changes deductions or transfers upon the proper assessment books and duplicates

(h) Perform such other duties as may be prescribed by ordinance necessary to the making of proper assessments or valuations

Section 2507 Notice to Owner of Change of Valuation Appeal When any property is assessed which had been omitted errors corrected or any increase is made in valuation or by additions for any cause after the triennial assessment or where valuations have been made upon subdivisions of any lot or tract such assessment shall not be considered final or conclusive without first giving to the person or party affected thereby at least five days'

notice of a time and place where such person or party may be heard by the assessor

Section 2508 Omitted Property to Be Assessed Liability of Owner for Back Taxes When the said assessor ascertains that any property is omitted he shall assess the same for the omitted years but not back further than and including the last year of the preceding triennial assessment. The person or party owning said omitted property shall be liable for the tax against the property for the omitted year or years at the tax rate levied during the omitted year or years and the proper authorities shall make out the proper tax and place the amount thereof in the hands of the city treasurer for collection.

Section 2509 Clerk Power to Administer Oaths Inventories The assessor shall have the right to procure such books maps et cetera as may be necessary to the performance of his duties and when authorized by council may employ clerks for the purpose of transcribing and making duplicate and assessment books. He and each of them shall have power to administer oaths and to require under oath of every taxable or person in charge or control of any property an inventory of his taxable property with his estimate of the just full fair and impartial value thereof and which in his judgment the same would bring at a fair public sale thereof. Such estimate shall not be conclusive but shall be subject to revision by increase decrease or equalization with other property.

Section 2510 Information from Real Estate Registry Office Sufficiency of Description Where any city has established a registry of real estate by law the assessor shall have the right to obtain from the official in charge of said registry such information as to the registered owners of real estate as said department is able to furnish and under such rules and regulations as shall be established by ordinance of council. It shall be a sufficient description of any real estate in any assessment books or duplicates to designate the same by such city lot number other number or designation as is used on the registry.

Section 2511 Time of Completion of Assessments The assessor shall complete his triennial assessment and the annual assessments in intervening years on or before the first day of September in each year or as soon thereafter as practicable. He may with the approval of the board of revision and appeals add to the duplicates in the hands of the city treasurer any subject of taxation omitted therefrom and rectify any and all errors and mistakes made therein.

Section 2512 Liability for Neglect Any assessor or assessors who shall wilfully omit neglect or refuse to assess any property liable to taxation shall be held responsible to the city for any loss or damage caused thereby.

Section 2513 Ordinances to Regulate Assessments Transfers Appeals Et Cetera The council of each city may pass such ordinances as it may deem proper and necessary providing for and regulating the manner of making the assessments valuations and transfers and the taking of appeals to the board of revision and appeal and regulating the manner of making assessments valuations and transfers and the taking of appeals to the board of revision and appeal and regulating proceedings before said board on any and all matters not specifically provided for in this act.

Section 2514 Board of Revision of Taxes and Appeals The council of each city shall constitute the board of revision of taxes and appeals and the city clerk shall serve as clerk thereof.

Section 2515 New Assessments The council in any years other than a triennial year if it shall deem a new assessment necessary may on or before the first day of May issue its precept to the city assessor and by ordinance or resolution require him to take out and return a full just and equal assessment of property within the city or such parts thereof as may be deemed advisable.

Section 2516 Revision of Assessments The said board of revision of taxes and appeals shall take and receive the triennial and yearly assessment as returned by the city assessor and may arise equalize and [or] alter such assessments in any and every year by increasing or re-

ducing the valuation either in individual cases or by wards or parts of wards rectify all errors and add to the assessment book and to the duplicate thereof in the hands of the city treasurer any property or person subject to taxation omitted therefrom and any real estate in such city which has been exempt from taxation and has ceased to be occupied and used for the purpose or purposes which entitled it to such exemption as taxable for the portion of the year commencing at the time when the right to exemption ceases. Such property shall thereupon become subject to taxation at the rate fixed for the year for the proportionate part of the year during which it is not entitled to exemption.

Section 2517 Hearing of Appeals The board of revision of taxes and appeals may require the attendance of the assessor and assistant assessors or any of them or other citizens before them for examination on oath or affirmation. It shall hear and determine all appeals by taxpayers from the assessments made by the city assessor at such time and place as it may prescribe conformably with law as to notice to the taxable and his filing of notice of intention to appeal.

Section 2518 Notice of Taxables of Assessments Appeals [When the time or time and place for the meeting or meetings of the board of revision and appeals shall have been fixed the] The assessor shall give or cause to be given at least five days' printed or written notice to each taxable of the city whose property is newly assessed or whose last previous assessment has been increased or diminished of the amount of sum for which such taxable stands rated in any [triennial] assessment [also of any sum or amount for which said persons stand rated by reason of any change in his or their assessment in any intervening year for any cause] whatsoever [together with the time and place of hearing appeals]. The said notice shall also inform the taxable of the requirements of this section as to appealing from any assessment. Such notice may be served personally or by posting on the premises or by mailing the same to the last known address of the taxable. Any person dissatisfied or aggrieved by [the] any assessment or any change thereof made by the assessor may appeal to the said board of revision and appeal [and be heard at the time and place fixed in the notice] by filing with the board a statement in writing of intention to appeal setting forth

(1) The assessment or assessments by which such person feels aggrieved

(2) The address to which the board shall mail notice of when and where to appear for hearing

The statement of intention to appeal shall be filed with the said board not later than thirty days after the notice of assessment has been mailed to the taxable at his last known address or has been served upon him personally or has been posted upon the premises. No appeal shall be permitted except upon such a statement of intention as herein required nor may any taxable appeal as to an assessment not designated in his statement of intention to appeal. The board shall fix the time and place of hearing appeals and shall notify the taxable thereof.

Section 2519 Power of Assessor to Administer Oaths For the purposes of all hearings and for all other purposes necessary to the discharge of his duties the assessor shall have authority to administer oaths and affirmations touching any matter relating thereto.

Section 2520 Custody of Assessment Books Completion of Work of Board The board of revision of taxes and appeals shall procure and have the custody and control of all books relating to assessment of city taxes and keep them arranged according to wards and dates and shall furnish the city assessor the necessary books for making the assessment which on the completion of such assessment shall be returned to such board of revision of taxes and appeals. The board shall complete its labors and the hearing and determination of all appeals on or before the first day of December of each year or as soon thereafter as practicable after which the assessment shall be copied by wards into a tax duplicate or duplicates for the use of the city. The assessment so corrected and copied

shall be and remain a lawful assessment for the purpose of city taxation until altered as provided in this article. The board shall give notice in writing within five days after its disposition of each appeal advising the taxable of its decision.

Section 2521 Appeals from Decisions of Board Costs. Any owner of taxable property who may feel aggrieved by the [last or any future] decision of the board of revisions of taxes and appeals as to the assessment or valuation of his taxable property may appeal from the decision of the board of revisions of taxes and appeals to the court of common pleas of the county within which such property is situated and for that purpose may present to said court or file in the prothonotary's office within sixty days after mailing notice to him that the board of revision of taxes and appeals have held the appeals provided for by law and acted on the said assessments and valuations a petition signed by him his agent or attorney setting forth the facts of the case. The court shall thereupon after notice to the said board of revisions of taxes and appeals hear the said appeal and the proofs in the case and make such orders and decrees touching the matter complained of as to the judges of said court may seem just and equitable having due regard to the valuation and assessment made of other property in such city. The costs of the appeal and hearing shall be apportioned or paid as the court may direct. The said appeals shall not however prevent the collection of the taxes complained of but in case the same shall be reduced then the excess shall be returned to the person or persons who shall have paid same.

Section 25.1 Sections 2551 2552 2554 2555 2557 2564 2568 and 2569 of subdivision (b) Article XXV of said act are hereby respectively renumbered sections 2531 2532 2533 2534 2535 2536 2537 and 2538 and as such are reenacted and revised and amended to read as follows

(b) Levy and Collection

Section [2551] 2531 Tax Levies [The council of each city] Council may by ordinance levy and provide for the collection of the following taxes

1. A tax for general revenue purposes not to exceed fifteen mills on the dollar in any one year on all persons and property taxable according to the laws of the Commonwealth for county purposes the valuation of such property to be assessed as hereinbefore provided

2. A tax in addition to the above on all persons and property taxable for county purposes for the payment of interest on bonded indebtedness and for sinking fund requirements for the payment of loans

3. A poll-tax for general revenue purposes not exceeding five dollars annually on all inhabitants above the age of twenty-one years. Any ordinance of council fixing the rate of taxation for any year at a mill rate shall also include a statement expressing the rate of taxation in dollars and cents on each one hundred dollars of assessed valuation of taxable property

4. The Council of any city may by ordinance in any year levy separate and different rates of taxation for city purposes on all real estate classified as land exclusive of the buildings thereon and on all real estate classified as buildings on land when real estate tax rates are so levied. They shall be uniform as to all real estate within each such classification and such rates shall be determined by the requirements of the city budget as approved by council

Section [2552] 2532 City Treasurer to be Tax Collector. The city treasurer by virtue of his office shall be the collector of the City county school and [poor] institution district taxes assessed or levied in the city by the proper authorities therein

Section [2554] 2533 Oath of City Treasurer as Collector of Taxes. At the time the city treasurer enters upon his duties he shall take and subscribe his oath of office as collector of city county school and [poor] institution district taxes which oath shall be filed with the city clerk

Section [2555] 2534 Office for Receipt of Taxes Supplies. The city treasurer as collector of taxes shall keep

his office in the same place occupied by him as city treasurer which shall be kept open for the receipt of taxes at all times during business hours. All printing and stationery supplies shall be furnished by the proper authorities respectively

Section [2557] 2535 Date of Delivery of Duplicate Collection. The council of each city and [poor] institution district authorities now empowered or which may be hereafter empowered to levy taxes upon persons and property within the city shall on or before the first day of March in each year make out and deliver their respective duplicates of taxes assessed to the city treasurer as the collector of the said taxes which shall be collected by the city treasurer by virtue of his office as aforesaid. The proper county and school authorities shall make out and deliver the county and school duplicates of their respective taxes in such city at the time and in the manner provided by the school laws of the Commonwealth. All duplicates of taxes placed in the hands of said treasurer shall at all times be open to proper inspection of the taxpayers and of the proper auditing and examining officers of said city county or school district as the case may be and shall be delivered by said treasurer at the expiration of his term to his successor in office

Section [2564] 2536 [Payment Over of Taxes] Deposits [Monthly Report]. [The city treasurer as collector of taxes shall once a month or oftener if required by ordinance or resolution pay over to himself as city treasurer or charge himself therewith all the city and poor taxes collected by him. At the same time he shall make a report or return to the director of accounts and finance verified by affidavit showing by whom and upon what real estate the city and poor taxes have been paid.] The city treasurer as collector of taxes shall pay over to himself as city treasurer in accordance with the provisions of the Local Tax Collection Law all the city taxes collected by him. He shall at the same time deposit [said moneys] all the city taxes so paid over to him into a bank or financial institution which shall be a city depository named by the city council [if a depository has been so named]. All such deposits shall be made in the name of the city treasurer as such or in the name of the city as council may provide

Section [2558] 2537 Tax Liens Schedule of Uncollected Taxes Liability for False Return. Upon the settlement of the duplicates of city county [poor] institution district and school taxes which by law are made a lien on real estate the city treasurer as collector of said taxes shall make out schedules of said city county school or [poor] institution district taxes uncollected upon his duplicates or those delivered to him by his predecessor with a brief description of the properties against which the same are assessed for the purpose of having the same entered for lien or sold according to law. The failure of the said collector to collect the said taxes from personal property when the same could have been collected shall not impair the lien thereof or affect any sale made for the collection thereof. In case any such collector shall make any wilfully false return he shall be liable therefor to any person or persons injured thereby

Section [2569] 2538 Certification of Schedule. The schedule of unpaid city taxes shall be certified by the city treasurer as collector of taxes to the city solicitor for filing in court with the like force and effect as if certified by the city treasurer under existing laws. The schedule of unpaid school and [poor] institution district taxes shall be certified to such officer or person as is now or shall hereafter be designated to receive the same for filing as a lien in court and where no such persons is designated the said schedule may be certified to the solicitor of the authority levying the tax who may cause the said taxes to be registered as a lien in court under existing laws and the certifying of the said schedules by the city treasurer as a collector shall in all cases have the like effect as if the same had been certified by the city treasurer as aforesaid

Section 25.2 Sections 2575 to 2586 inclusive of subdivision (c) Article XXV of said act are hereby respectively

renumbered sections 2541 to 2552 inclusive and as such are reenacted revised and amended to read as follows

(c) Sales of Real Estate for Delinquent Taxes

Section [2575] 2541 Public Sale of Property to Satisfy Tax Claims In addition to other remedies provided for the collection of delinquent city taxes the city treasurer may sell at public sale in the manner hereinafter provided any property upon which the taxes assessed and levied have not been paid and have become delinquent unless such property has already been purchased and is held for the benefit of all the tax levying authorities concerned

Section [2576] 2542 Time of Holding Sales Such sales shall be made on the first Monday in June in the year succeeding the year in which the respective taxes are assessed and levied or on any day to which such sale may be adjourned or on any first Monday of June in any succeeding year

Section [2577] 2543 Certification of Schedules of Taxes Where the treasurer has not already in his hands the duplicates of said taxes or certificates or schedules thereof any receiver or collector of taxes or other person having such delinquent taxes in his hands shall certify to the city treasurer schedules of all unpaid taxes with descriptions of the property assessed

Section [2578] 2544 Advertisement of Sales The city treasurer shall advertise for sale any of the property upon which it appears the taxes have not been paid as shown by the duplicates in his hands or by the returns or schedules certified to him as aforesaid Said advertisement shall be made once a week for three successive weeks prior to the day of sale in at least two newspapers of general circulation printed and published in the city and in case two newspapers are not published in said city then publication shall be made in two newspapers printed and published in the county in which the city is situate The city treasurer shall also cause to be posted or tacked in a conspicuous place on each parcel or lot of land advertised for sale at least ten days prior to the day of sale a notice stating that said property will be sold by said treasurer for delinquent taxes on a certain day and time and at a certain place within the city for which posting of notice he shall receive and tax as costs twenty-five cents for each notice No sale shall be valid where the taxes have been paid prior to said advertisement or where the taxes and costs have been paid after advertisement and before sale

Section [2579] 2545 Redemption of Lands by Owner or Interested Person Any lands so sold may be redeemed by the owner or by any one interested in said lands at any time within two years after such sale by the payment to the city treasurer of the full amount which the purchaser paid to said treasurer for taxes and costs and twenty-five per centum in addition thereto When the sale has been made for less than the taxes and costs the party redeeming shall pay to said treasurer the balance of taxes and costs which were not made by the sale of the said property In case there are any city taxes levied either before or after the said sale which remain unpaid the person redeeming shall pay the same and in case the purchaser has paid any taxes of any kind whatsoever assessed and levied against said property the same shall be reimbursed to said purchaser before any redemption shall take effect

Section [2580] 2546 Record of Sales to Be Kept City may Purchase Lands at Sale The treasurer shall keep in his office a book in which he shall enter all the sales made by him giving a description of each property sold the name of the person as the owner thereof as the same appears upon the duplicate or has been returned to him the time of sale and the price at which sold together with the cost The city shall have the right to bid at any such sale the amount of taxes and costs and if necessary purchase such lands

Section [2581] 2547 Payment of Purchase Price by Purchaser Resale for Default Any purchaser or purchasers at said treasurer's sale except the city as soon as the property is struck down shall pay the amount of the purchase money or such part thereof as may be necessary to

pay all the taxes and costs as also one dollar and fifty cents for the use of the prothonotary for entering the report of the treasurer filing surplus bond and acknowledgment of the treasurer's deed as hereinafter mentioned In case said amount is not forthwith paid after the property is struck down the sale may be avoided and the property put up again by the city treasurer at said sale or at any subsequent sale

Section [2582] 2548 Return of Sale The city treasurer shall promptly make a report and return to the court of common pleas wherein he shall set forth (a) a brief description of each parcel of real estate sold (b) the name of the person (where known) in which the same is assessed (c) the amount of tax and the year for which the same was assessed (d) the time when and the names of the newspapers in which the advertisement for sale was made with a copy of said advertisement (e) the time of sale (f) the name of the purchaser and (g) the price for which each respective property was sold

Section [2583] 2549 Confirmation of Sale Disposition of Objects Upon the presentation of said report or return if it shall appear to said court that such sale has been regularly conducted under the provisions of this subdivision (c) of this article the said report and sales so made shall be confirmed nisi in case no objections or exceptions are filed to any such sale in the office of the prothonotary within ninety days from the date of such [sale] confirmation a decree of absolute confirmation shall be entered as of course by the prothonotary Any objections or exceptions to such a sale may raise the legality of the taxes for non-payment of which the real estate was sold or the return thereof or the validity of the sale for the reason that the tax was actually paid or question the regularity or legality of the proceedings of the treasurer in any respect In case any objections or exceptions are filed they shall be disposed of according to the practice of the court and when the same are overruled or set aside a decree of absolute confirmation shall be entered by the court If such objections or exceptions are sustained and the court deems the defect not amendable it shall by its order or decree invalidate the sale From the decisions of the court of common pleas any party affected may appeal to the Supreme or Superior Court as in other cases If no objections or exceptions are filed as herein provided or if such objections or exceptions are finally overruled and the sale confirmed absolutely the validity of the assessment of the tax and the validity of the proceedings of the treasurer with respect to such sale shall not thereafter be inquired into judicially in equity or by civil proceedings by the person or persons in whose name such property was sold his her or their heirs or his her or their grantees or assigns subsequent to the date of assessment of the taxes for which such sale was made and such sale after the period of redemption shall be terminated shall be deemed to pass a good and valid title to the purchaser as against the person or persons in whose name such property was sold provided the purchaser has filed the bond for surplus moneys as hereinafter provided

Section [2584] 2550 Filing of Surplus Bond After any sale of property or lands for delinquent taxes has been confirmed by the court as aforesaid the purchaser or purchasers where the bid exceeds the taxes and costs as aforesaid shall make and execute to the said treasurer for the use of the persons entitled a bond for the surplus money that may remain after satisfying and paying all the taxes and costs as aforesaid with warrant of attorney to confess judgment annexed thereto The treasurer shall forthwith file said bond in the office of the prothonotary of the proper county at the number and term where said report and return is filed The surplus bond filed as aforesaid from the time of the date of the deed for property thus sold shall bind as effectually and in like manner as judgments the land by said treasurer sold into whose hands or possession they may come The owners of said lands at the time of sale their heirs or assigns or other legal representatives may at any time within five years after such sale cause judgment to be entered in said court upon said bond in the name of said treasurer for the

use of said owners their heirs assigns or legal representatives as the case may be. In case the moneys mentioned in said bonds with legal interest thereon from the time it is demanded be not paid within three months after such entry execution may forthwith issue for the recovery thereof.

Section [2585] 2551 Acknowledgment and Delivery of Deeds When the purchaser has paid the amount of his bid or such portion thereof as he is required to pay under this subdivision and has given the surplus bond as above required the city treasurer shall make the said purchasers his or their heirs or assigns a deed in fee simple for the lands sold as aforesaid and the said deed or deeds [to] duly acknowledge in the court of common pleas. Such acknowledgment shall be duly entered and recorded by the prothonotary of said court in the treasurer's deed book. For such service and the entry of the report of the city treasurer and filing surplus bond the prothonotary shall receive the sum of one dollar and fifty cents for each property sold.

Section [2586] 2552 Acknowledgment of Receipt of Redemption Money Where the owner or other person interested in the land thus sold shall redeem the same and pay the satisfaction fee the city treasurer shall acknowledge the receipt of the redemption moneys upon the margin of the acknowledgment of the treasurer's deed as the same is entered and recorded in the prothonotary's office. Thereafter said deed shall be void and of no effect. Thereupon such owner or persons interested shall be entitled to have the treasurer's deed delivered up to him her or them by the purchaser for cancellation. The city treasurer shall pay to said purchasers all the moneys he had paid at the time of sale together with the twenty-five per centum penalty thereon and shall enter upon the book of sales kept by him as hereinbefore provided an acknowledgment or receipt showing that the owner or party interested redeemed the same giving date of redemption and amount of money received.

Section 25.3 Article XXV of said act is hereby further revised and amended by adding thereto a new subdivision subdivision (d) containing three new sections numbered 2560 to 2562 inclusive as follows:

(d) City Sales of Real Estate Purchased
From Tax Claim Bureau

Section 2560 Real Estate Purchased from Tax Claim Bureau Any city may by ordinance sell in the manner hereinafter provided any real estate owned by the city which has been acquired by the city by purchase from a tax claim bureau at public sales held by said bureau pursuant to the provisions of the Real Estate Tax Sale Law its amendments and supplements upon which real estate the city held at the time of such sale a lien or liens for municipal improvements.

Section 2561 Sale Procedure After an ordinance has been passed authorizing and directing the sale of real estate as provided for in section two thousand five hundred sixty the city treasurer shall advertise such proposed sale once a week for three successive weeks in at least one newspaper of general circulation in the city. The advertisement shall give a brief description of the property to be sold sufficient to identify it as to location and character and the terms and conditions of sale shall ask for sealed bids for the purchase thereof. Direct all bids to be sent to the city clerk on or before a certain date and give any other information relating to such bids as may be necessary shall announce that the bids shall be opened and read at a public meeting of council to be held at a time fixed and that council shall have the right to reject any and all bids.

Section 2562 Delivery of Deed If council accepts the highest responsible bid for such property the city treasurer shall within twenty days after such acceptance and upon the receipt of the purchase money deliver to the successful bidder his heirs or assigns a deed in fee simple for the property sold as aforesaid which shall be acknowledged by the mayor and attested by the city clerk.

Section 26 Section 2601 to 2603 inclusive subdivisions

(a) and (b) of Article XXVI of said act are hereby reenacted revised and amended as follows:

Article XXVI

Licenses and License Fees

(a) General Powers to License

Section 2601 License Taxes for Revenue Purposes Council may by ordinance levy and collect a license tax for general revenue purposes not exceeding one hundred dollars annually on all photographers auctioneers contractors druggists hawkers peddlers produce or merchandise vendors bankers brokers other than real estate brokers undertakers pawnbrokers trading stamp or premium companies or dealers warehouses or storage houses or places parking lot operators merchants of all kinds persons selling or leasing goods upon installments grocers confectioners butchers wholesale meat dealers restaurants billiard parlors bowling alleys billiard tables pool tables and other gaming tables [drays hacks carriages omnibuses automobiles cart wagons and street railway cars including all other vehicles used in the city for hire or pay] and devices all motor buses and motor omnibuses trackless trolley omnibuses and street railway cars transporting passengers for pay or hire within the limit of the city or from such city only to points within a radius of ten miles of the city's boundaries all skating rinks operas theatres shows circuses menageries and all kinds of public exhibitions for pay except those for religious education or charitable purposes all lumber dealers commission men and all persons who make a business of buying lumber for sale at wholesale or retail all furniture dealers saddle or harness dealers stationers jewelers livery or automobile or boarding-stable keepers all market-house companies and owners of market-houses garage companies and owners of other than private garages express companies or agencies and all persons operating vehicles upon the streets of the city as carriers for hire or compensation which persons regularly pick up or deliver or otherwise transport wholly within or to or from the city property at an annual rate not in excess of ten dollars per vehicle so used but not to exceed one hundred dollars per annum from any person so operating. Provided however That in lieu thereof the city may levy an annual license tax not in excess of one hundred dollars upon any such person having a place of business located within the city and where no other license tax is imposed on telegraph telephone steam-heating gas natural gas water electric light or power companies or agencies or individuals furnishing communication light heat or power by any of the means enumerated and to regulate the collection of the same. If any person firm or corporation conducts a business at more than one location in the city the business conducted at each location shall be considered and assessed as a separate and independent business and shall be subject to a license tax. Provided That the word "business" as used in this [clause] sentence shall not be construed to mean or include any place of business at which the principal business conducted is that of selling storing or distributing products manufactured by the firm person or corporation operating the business. The taxes assessed under this section shall be in addition to all other taxes levied and collected by the city county or Commonwealth.

Section 2602 [Licensing] Regulation of Motor Vehicles Each city may regulate the transportation by motor vehicles [(not operated on tracks)] not operated on tracks of passengers or property for pay within the limits of the city or from points in the city to points beyond the limits of the city. In such regulation the city may impose reasonable license fees make regulations for the operation of vehicles and may designate certain streets upon which such vehicles may only be operated.

Section 2603 Licensing of Plumbers Council may license and provide for the collection of a license fee from all persons copartnerships associations or corporations engaged or engaging in the business or work of plumbing [and/or] or house drainage who shall have been certified as being

qualified to engage in such business in such manner as may be provided by ordinance or the laws of the Commonwealth

(b) Restrictions

Section 2610 Farmers No city shall levy or collect any license fee from any farmer [who sells] upon his sales of his own produce in or about the streets of the city but this provision shall not be deemed to restrict in any other way a city's power to regulate the conduct of such business

Section 261 Section 2611 of said article and act is hereby repealed

Section 262 Section 2612 and 2613 subdivision (b) are hereby renumbered sections 2611 and 2612 respectively and as such and together with sections 2620 and 2622 inclusive subdivisions (c) and sections 2630 to 2640 inclusive subdivision (d) all of said article and act are reenacted revised and amended as follows

Section [2612] 2611 Insurance Business No city shall levy or collect any license fee upon insurance companies or their agents or insurance brokers authorized to transact business under the laws of the Commonwealth

Section [2613] 2612 Persons Taking Orders by Samples No city shall levy or collect any license fee or mercantile tax upon persons taking orders for merchandise by sample from dealers or merchants for individuals or companies who pay a license or mercantile tax at their chief places of business Nothing in this section shall authorize any person to sell by retail to others than dealers or merchants

(c) Transient Retail Merchants

Section 2620 Power to Regulate and License Every city shall have power by ordinance to regulate and license each and every transient wholesale and retail business within such city for the sale of goods wares or merchandise and to prohibit the commencement or doing of any such business until or unless the license required by such ordinance has been procured from the proper authorities by the person firm or corporation desiring to commence such transient wholesale and retail business and to enforce such ordinances by penalties not exceeding three hundred dollars and by other appropriate means The amount of such license shall not exceed two hundred dollars for each month or fractional part thereof during which any such sale is continued

Section 2621 Exceptions Nothing contained in this subdivision (c) shall be construed to apply (1) to farmers selling their own produce (2) to the sale of goods wares and merchandise donated by the owners thereof the proceeds whereof are to be applied to any charitable or philanthropic purpose or (3) to any manufacturer or producer in the sale of bread and bakery products meat and meat products or milk and milk products

Section 2622 Commonwealth License Saved Nothing contained in this subdivision (c) shall be construed to relieve any person partnership or corporation from the duty of taking out a license or from the payment of any license tax imposed or authorized by any other statute of this Commonwealth

(d) Public Dances and Dance Halls

Section 2630 Definitions The term "public dance" or "public ball" as used in this subdivision (d) shall be taken to include any dance or ball conducted in connection with instruction in dancing for hire and any dance or ball to which admission may be had by the payment of a fee or by the purchase possession or presentation of a ticket or token or in connection with which a charge is made for caring for clothing or other property and any dance or ball to which the public generally may gain admission with or without the payment of a fee

The term "dance hall" or "ball room" as used in this subdivision shall be taken to include any room place or space in which a public dance or public ball is herein defined shall be held and any room hall or academy in which classes in dancing are held and instruction in dancing is given for hire

Section 2631 Permits for Dances Fees No person persons society club or corporation shall hold a public dance or public ball within the limits of any city without having first obtained a permit therefor from the mayor thereof except for dances held and conducted by regularly established instructors in dancing in connection with such instruction

The fee for such permit which shall be paid at the time of the issuing thereof shall be one dollar for each public dance or ball

Section 2632 Dance Halls Ball Rooms and Academies to be Licensed Fees It shall be unlawful to hold or conduct any public dance or public ball or to hold or conduct classes in dancing or to give instructions in dancing for hire in any hall ball room or academy within the limits of any city unless the dance hall or ball room or academy in which the same may be held shall have been duly licensed for such purposes

Application for such license shall be made by the proprietor of such dance hall or ball room or academy to the mayor who is hereby authorized to issue the same

The fee payable for each such license granted hereunder shall be as follows

In the case of dance halls maintained and conducted in connection with regularly established instruction in dancing and exclusively used in such connection the annual license fee shall be ten dollars

In the case of all other dance halls and ball rooms the annual license fee shall be fifteen dollars

Each license granted hereunder shall expire on the first day of June of each year

The fee payable for each license granted hereunder shall be for the whole or any portion of a calendar year and all moneys received by way of license fees hereunder shall be paid into the general fund of the city

Every licensed public dance hall or ball room or academy shall post its license in a conspicuous place within the hall where the dance is held

Section 2633 Mayor to Investigate Applications It shall be the duty of the mayor to cause an investigation of all applications for public dance hall or ball room licenses to determine whether or not the dance hall ball room or academy sought to be licensed complies with the rules regulations ordinances and laws applicable thereto and in making such investigation he shall when desired have the assistance of any department of the government of the city

Section 2634 Safe and Proper Places only to Be Licensed No license for a public dance hall or ball room or academy shall be issued until it shall be ascertained that the place for which it is issued complies with and conforms to all laws ordinances health and fire regulations applicable thereto and is a safe and proper place for the purpose for which it shall be used properly ventilated and supplied with sufficient toilet conveniences

Section 2635 Revocation of Licenses The license of any public dance hall or ball room or academy may be forfeited or revoked by the mayor for disorderly or immoral conduct on the premises or upon proof that the dance hall ball room or academy was frequented by disorderly or immoral persons or for the violation of any of the rules regulations ordinances and laws governing or applying to public dance halls ball rooms or academies or public dances If at any time the license of a public dance hall ball room or academy shall be forfeited or revoked at least three months shall elapse before another license or permit shall be granted for dancing on the same premises

Section 2636 Licensed Places to Be Kept Clean All public dance halls or ball rooms or academies shall be kept at all times in a clean healthful and sanitary condition and all stairways and other passages and all rooms connected with public dance hall ball room or academy shall be kept open and well lighted

Section 2637 Inspection of Licensed Places Power of Police to Vacate All public dance halls ball rooms and academies shall be subject to inspection by the police department of the city at all reasonable times and whenever they are open for dancing instruction in dancing or for any other purpose

Any police officer shall have the power to cause the place hall or room where any public dance or ball is given to be vacated whenever any provision of any law or ordinance with regard to public dances and public balls is being violated or when ever any indecent act shall be committed or when any disorder of a gross violent or vulgar character shall take place therein

Section 2638 Persons Under Sixteen to be Excluded after Nine O'Clock Post Meridian It shall be unlawful after nine o'clock post meridian to permit any person to attend or take part in any public dance who has not reached the age of sixteen years

Section 2639 Halls to be Closed at One O'clock Ante Meridian All public dances shall be discontinued and all public dance halls shall be closed on or before the hour of one o'clock ante meridian Provided however That upon the application of a bona fide organization or society and upon an investigation by the proper authority the mayor may grant such organization or society a permit to continue a dance until two o'clock ante meridian

Section 2640 Penalties Any person persons society club or corporation who shall violate any of the provisions of this subdivision (d) shall be subject to a penalty of twenty-five [(\$25.00)] dollars to be recovered with costs in a summary proceeding

Section 26.3 Said act is hereby amended by adding to Article XXVI thereof a new subdivision (e) and therein a new Section 2650 as follows

(e) Parking Lots for Profit

Section 2650 Regulation Revenue Bonding Operators For the purposes of protecting the public and of raising revenue each city may enact suitable ordinances regulating the business of operating for profit parking lots within the city License or permit fees may be charged and collected from the operators of such parking lots Any city adopting such a regulatory plan shall require from each operator a bond to be approved by council for the protection of the public from loss of or damage to the vehicles parked stored or placed under the jurisdiction of such parking lot operator

Section 27 Section 1709 and 2710 of Article XXVII of said act are hereby renumbered section 2702 and 2703 respectively and they and section 2701 of said article and act are reenacted revised and amended as follows

Article XXVII

Indebtedness

Section 2701 No Unauthorized Debt to Be Created No city and no municipal department thereof shall create any debt except in pursuance of previous authority of law or ordinance

Section [2709] 2702 Sinking Fund Commissioners Duties The mayor treasurer and director of accounts and finance of each city shall constitute a board of commissioners of the sinking fund of the city The mayor shall be chairman and the director of accounts and finance secretary The board shall keep the accounts of the sinking fund see to their proper application and superintend the investment of the same in accordance with law and the directions of the city council The council shall not direct the investment of any moneys to the credit of the sinking fund except in the loans of the city the loans of the United States or the loans of the [State] Commonwealth of Pennsylvania The income derived from any investments shall be credited and applied to the sinking fund or funds respectively The commissioners shall meet as often as may be necessary keep a record of the proceedings and shall annually in the month of January make a report to council of the condition and application of the fund together with such recommendations in relation thereto as they shall deem expedient

Section [2710] 2703 Liability in Bond Transfers All certificates of loans issued by a city shall be transferable by the legal owner thereof without any liability on the part of the transfer agents of the city to recognize or see to the execution of any trust whether expressed or implied or constructive to which such loans may be subject unless

such transfer agents of the city shall have previously received notice in writing signed by or on behalf of the person for whom such loans appear by the certificate thereof to be held in trust that the proposed transfer would be a violation of such trust

Section 28 Sections 2801 to 2807 inclusive of said act are hereby reenacted revised and amended to read as follows

Article XXVIII

Procedure For the Exercise of Eminent Domain and the Assessment of Damages and Benefits By Viewers

Section 2801 Exercise of Eminent Domain In the laying out opening widening extending vacating grading or changing the grades or lines of streets [lanes or alleys] the construction of bridges and the piers abutments and approaches therefor the construction of slopes embankments and sewers including storm water drains the erection and extension of waterworks wharves and docks public building public works filtration plants sewage systems sewage treatment works garbage disposal plants lands and places for the disposal of ashes and other refuse materials gas plants electric power and light plants houses of detention workhouses poor farms poor houses fire engine houses hospitals public auditoriums memorial buildings [gymnasiums public baths swimming pools indoor recreation centers] comfort stations waiting stations drinking fountains and libraries the establishing of [parks and playgrounds] recreation places and changing of water courses the acquisition of lands for use of National Guard and for all other purposes authorized by this act and the laws of the Commonwealth a city may enter upon appropriate take use occupy injure or destroy private lands property toll bridges or material All such action by the city shall be provided for by ordinance A copy of each such ordinance shall be recorded within thirty days after its enactment in the office of the recorder of deeds in and for the county or counties wherein such property is situate and shall be indexed in the name of the property owner affected thereby A Copy of the ordinance shall be sent by registered mail to each such property owner at his last known address

Section 2802 Restrictions as to Certain Property In addition to the restrictions made by other provisions of this act in particular cases no city shall exercise the right of eminent domain as against land now occupied by any building which was used during the Colonial or Revolutionary period as a place of Assembly by the Council of the Colony of Pennsylvania the Supreme Executive Council of the Commonwealth of Pennsylvania or the Congress of the United States or as against the land occupied by any fort redoubt or blockhouse erected during the Colonial or Revolutionary period or any building used as headquarters by the Commander-in-Chief of the Continental Army or as against the site of any building fort redoubt blockhouse or headquarters which are preserved for their historic associations and not for private profit The Colonial and Revolutionary period shall be taken as ended on the third day of September one thousand seven hundred and eighty-three

Section 2803 Right to Damage for Injury to Property The right to damages against [cities] a city is given to all owners or tenants of lands property or material abutting on or through which pass [roads] streets [lanes or alleys] injured by the laying out opening widening vacating extending or grading of such [roads] streets [lanes or alleys] or the changing of the grades or lines thereof the construction and the vacation of bridges and piers abutments and approaches therefor and the construction of sewers over upon or through such lands or property and in all other cases where the power of eminent domain is exercised by a city and property is taken injured or destroyed

Section 2804 Damages for Vacations Whenever viewers are appointed to vacate any [road streets or highway] street and the vacation of the same takes no land from the owner abutting [thereof] thereon if in the opinion of the viewers such vacation [damages] injures the property of the abutting owner they may award damages

to such owner as though land has been actually taken and such damages shall be ascertained as provided in this article

Section 2805 Damages Due to Grade Plan to Show Change of Grade In all cases of assessment of damages for the opening or widening of any street [or highway] the award of damages if any shall include all damages due to the grade at which said street [or highway] is to be opened or widened and the plan attached to the report of the viewers awarding the damages shall have therein a profile plan showing the existing grade as well as the grade to which said street is to be opened and widened

Section 2806 Pledge of Credit of City in Lieu of Bond Whenever any city shall exercise the power of eminent domain for any of the purposes authorized by law it shall not be necessary for such city to give or tender security for the taking injury or destruction of [private] land or property but the funds raised or proper and lawful to be raised by the power of taxation in such city shall be pledged and are hereby made security to the owner or owners of [private] land or property so taken injured or destroyed for all damages which they may sustain on account of such taking injury or destruction and such cities shall not be required to give or tend any further security or to give or tend any bond or bonds whatsoever unless by proper petition it shall appear to the [proper] court that the power of taxation of such city is not sufficient security in a particular proceeding in which case [said] the court may require such city to give or tender such bond [therein] for the benefit of the petitioners with surety as the court shall deem sufficient additional security therein

Section 2807 [Possession of Property upon Tender of Bond Whenever in any condemnation proceedings any city has upon order of the court tendered a bond to secure the payment of damages and the same has been accepted or if the acceptance has been refused and the bond has been filed in and approved by the court the city shall have the right to immediate possession of the property] Right To Immediate Possession Any city shall have the right to immediate possession use or control of land or property condemned by it unless upon petition the court has ordered bond with surety to be given whereupon the city's right to immediate possession shall be postponed until compliance with the order of the court

Section 28.1 Section 2808 and 2809 of said article and act are hereby repealed

Section 28.2 Sections 2810 to 2817 inclusive are hereby respectively renumbered 2808 to 2815 inclusive and as such are reenacted revised and amended as follows

Section [2810] 2808 Notice to Quit Possession Procedure If the owner lessee or occupier shall refuse to remove his personal property or give up possession of any property taken by the city in the exercise of its power of eminent domain the city may serve written notice upon such owner lessee or his agent or the occupier to remove his personal property and give up possession of such property within sixty days from the date of the service of such notice

If the owner lessee or occupier shall refuse to remove his personal property and give up possession upon proof of the service of the notice a writ of habere facias possessionem shall forthwith issue directing the sheriff to give to the city possession

Section [2811] 2809 Value of Land or Property Not to Be Assessed as Benefits Exception In all cases of the appropriation of land or property for public use other than for [roads or] streets it shall not be lawful to assess any portion of the damage done to or value of the land or property so appropriated against the other property adjoining or in the vicinity of the land or property so appropriated

Section [2812] 2810 Plans of Lands and Properties Condemned to Be Furnished to Viewers In all proceedings to assess damage for the taking injury or destruction of private land or property for public use the city taking injuring or destroying such land or property for said purpose shall furnish the [board] jury of [viewers] view

with a correct plan of all lands and properties affected showing all buildings or other structures thereon their [width] length [elevation and cubical contents] width and height their interior cubic capacity and square feet of floor space names of all owners tenants or occupiers thereof the topography of the land and the grades and widths of all [highways] streets running through or abutting on said lands or properties and all other data necessary for a proper determination of the amount of damages caused by the taking injury or destruction of [said] the private land or property

[Said] The plans shall be prepared and ready for the use of the viewers at their first meeting and copies thereof shall be furnished to all owners tenants and occupiers of the land and property and all other parties affected thereby without charge

Section [2813] 2811 Condemnation Petition to Specify Liens Exception In all proceedings instituted for the condemnation and appropriation of property by the exercise of the right of eminent domain excepting proceedings to ascertain damages and benefits by reason of street or sewer improvements the petition for the appointment of viewers therein shall contain allegations specifying any judgments mortgages or other claims (hereinafter designated "liens") which are liens upon the land and property sought to be appropriated or condemned as aforesaid

Section [2814] 2812 Findings of Facts as to Liens Testimony shall be taken in said proceedings to ascertain the amounts of said liens and the dates of the entry of the same and the amounts of said liens and the dates of entry thereof shall be found as facts by the viewers in said proceedings Certified lists of liens [filed in the office of the prothonotary] from the Department of Revenue the courts of the Commonwealth and the United States shall be prima facie evidence of the existence dates amounts dates of entry and places of record of said liens and unless modified or overcome by competent oral or documentary evidence shall be conclusive upon the parties thereto as to items just specified

Section [2815] 2813 Reports of Viewers as to Liens Appeals Distribution to Lien Creditors Discharge of Liens Where it appears that liens exist as aforesaid which are liens upon land or property sought to be condemned and appropriated as aforesaid a report of the facts found as aforesaid shall be made to the court having jurisdiction of the proceeding which report shall be subject to exceptions in manner to be regulated by the Supreme Court by general rules prescribed amended and published from time to time and upon the findings in relation to said liens being finally found by said court having jurisdiction of said proceedings said court shall make an order directing the payment and distribution of the amount found to be payable as compensation to the parties entitled thereto first to the owners of said liens in the order of their priority then to the owners of the land or property appropriated as aforesaid [Provided however That] Any of the parties interested shall have the right of appeal from said order of distribution to the Superior and Supreme Courts of the Commonwealth as shall be determined by the amount distributed to said parties respectively in manner now provided by law Payment in accordance with said order of distribution shall absolutely discharge the party making said payment from all claims of whatsoever nature by any [person firm corporation or] claimant as against said land or property when the payment thereof shall be evidenced by a receipt of record in said proceedings and in said receipt and on the record thereof any claimant may reserve the right to pursue the owner of said land or property for any balance due upon his lien against any other land or property or assets of the said owner

Section [2816] 2814 Vesting Title Upon payment of the compensation for land or property appropriated as aforesaid in accordance with said order of distribution title to the land or property appropriated shall vest in the [taker thereof] city in accordance with provisions of the law under which such appropriation is made and all claims

for compensation shall be deemed paid and satisfied as herein provided

Section [2817] 2815 Competency of Evidence as to Market Value of Land or Property In all proceedings arising from the exercise of the right of eminent domain it shall be competent for all witnesses called when duly qualified to state their opinion as to the market value of the land or property before the exercise of the right of eminent domain and as unaffected by it and its market value immediately after the exercise of the right of eminent domain and as affected thereby

(a) To state in detail and [costs] amounts all the elements of benefit or damage which they have taken into consideration in arriving at their opinion

(b) In arriving at their opinion as the market value immediately after the exercise of the right of eminent domain to add to their opinion of the market value before such exercise the cost or value of all the elements of benefit or advantage and to deduct therefrom all disadvantage or damage in order to arrive at the market value after such exercise of the right of eminent domain and as affected thereby

(c) In all proceedings to assess damages or benefits for the opening of any street [alley or other highway] to take into consideration as one of the elements of advantage or disadvantage the cost of street improvements

In all claims for damages against a city arising from the exercise of the right of eminent domain it shall be competent for the party or parties claiming damages to offer in evidence as a declaration against interest the value of the land or property affected as assessed for the purpose of taxation

Section 28.3 Said act is hereby amended by adding to Article XXVIII two new sections numbered 2816 and 2817 as follows

Section 2816 Exceptions and Appeals In all cases of the exercise of the power of eminent domain by a city any interested party may file exceptions in the court of common pleas raising questions of law as to damages assessed or of benefits assessed whether by the report of viewers or otherwise within thirty days or such other period as the court shall allow from the determination or confirmation nisi of such damages or benefits From findings of fact as to any matters involved in any such assessment any interest party may appeal to the court of common pleas as provided herein for exceptions

Section 2817 Payment Into Court Satisfaction Whenever any interested party shall not have appealed from the assessment of damages or benefits to the court of common pleas and when no exceptions are pending therein which might affect him the city may if the party refuses to accept payment of the award or judgment petition the court to pay the amount thereof and costs into court The court shall order proper notice to be given the person so refusing to accept payment and thereafter if the court shall find no good cause for such refusal shall order payment of the award and costs into court and the satisfaction of the award or judgment thereon

Section 28.4 Sections 2818 to 2848 inclusive of said article and act are hereby reenacted revised and amended as follows

Section 2818 Proceedings Where Assessments by Viewers Waived In any proceeding to ascertain the damage caused to any owner of [property] lands or properties by reason of the appropriation of property for public use where the owner and city cannot agree upon the amount of damage done the parties may by agreement waive the right to have such damages assessed by viewers and the owner may file his claim in the court of common pleas of the county and rule the [defendant] city to plead thereto within fifteen days from the service of such rule upon [the city] it and the suit shall be proceeded with as if an award of viewers has been filed and an appeal had been taken therefrom

Either party to such an action may on motion have the jury visit and view the property affected

Section 2819 Petition for Viewers Time of Meeting Except as is [in this act] otherwise provided in this act in case the compensation for damages or benefits accru-

ing from the exercise of the right of eminent domain [land/] or from the erection and construction of public improvements [have] has not been agreed upon [any] the court of common pleas or any law judge thereon in vacation on application thereto by petition by the city or any person [affected] interested shall appoint three viewers from the board of viewers of the county [to view and ascertain the damages done and/or the benefits which have accrued by reason of the said taking use occupancy or injury or the erection and construction of public improvements] and appoint a time not less than twenty nor more than thirty days thereafter when the viewers shall meet at [or upon] the place of the improvement and view the same and the premises affected thereby

Section 2820 When Viewers May Be Appointed The viewers provided for in the preceding section may be appointed before or at any time within six years after the entry taking appropriation or injury or the passing of an ordinance providing for the same or the completion of any public improvement

Section 2821 Notice of Meeting of Viewers Except [when] as otherwise [in this act] provided in this act the viewers shall give at least ten days' notice of the time of their first meeting by publication in one or more newspapers of [the county] general circulation in the city and by hand-bills posted upon the premises or otherwise as the court shall direct

Section 2822 Swearing Viewers Hearing [Report] Schedules of Damages and Benefits The [said] viewers [or any two of them] having been [duly] sworn or affirmed faithfully justly and impartially to decide and [to make] a true report to make concerning all matters [and things] to be submitted to them and in relation to which they are authorized to inquire [in pursuance of the provisions of this act] and having viewed the premises [or] and examined the land or property [or materials] shall [estimate] hear all parties interested and their witnesses and shall determine the [quantity quality and value of said land so taken occupied or injured or to be taken occupied or injured or the property and materials so used or taken away if any as the case may be and having a due regard to and making just allowance for the advantages which may have resulted or which may seem likely to result to the owners of said land property or material in consequence of the making of the improvements aforesaid for which the property or materials if any are to be taken and having made a fair and just comparison of said advantages and disadvantages they shall estimate and determine their value and whether any and if any what amount of] damages [has been or may be sustained] for land or property taken injured or destroyed if any and to whom the same are payable and [after] having determined the damages [sustained to all the properties affected by said improvement] together with the benefits they shall prepare a schedule thereof [and make report thereof to the said court]

Section 2823 Assessment of Damages and Benefits [Council may provide by ordinance for the payment of] The damages [sustained by making public improvements or by the vacation of any public highway either by the city or in the case of the taking or injury of property for roads and streets by assessment upon property benefited by such improvement and in] may be paid in whole or in part by the city or may be assessed in whole or in part upon the land or property benefited In the latter case the viewers [appointed to assess] having first determined the damages apart from the benefits shall [also] assess the total cost of the improvement or so much thereof as may be just and reasonable upon [any property] the lands or properties peculiarly benefited [by such improvements such amount for the special advantages which may accrue to the said several properties from such improvements as they may deem proper] including in the assessment all parties for which damages have been allowed and shall report the same to the [said] court The total assessments for benefits shall not exceed the total damages awarded or agreed upon

Section 2824 Assessment Awards In proceedings to assess damages and benefits if the land or property is both

benefited and damaged by such improvements the excess of damages over benefits or the excess of benefits over damages or nothing in case the benefits and damages are equal shall be awarded to or assessed against the [several owners] owner of land and property affected thereby

Section 2825 Separate Reports of Damages and Benefits The [preceding section shall not prevent the] viewers [from making] shall make a separate report of the damages and benefits respectively [In such event if] If the damages to the land or property of any person be greater than the benefits or if the benefits be greater than the damages or if the damages and benefits be equal [in either case] the viewers shall strike a balance and carry the difference forward to another column so that the assessment shall show what amount is to be received or paid by the land or property owner and the difference only shall be collectible of or paid to such land or property owner Appeals taken from the report of the board of viewers shall be from such net amount only

Section 2826 Notice When Schedules Will be Exhibited The viewers shall give notice to all parties to whom damages are allowed or upon whom assessments for benefits are made of a time not less than ten days thereafter and of a place where the viewers will meet and exhibit their schedule and hear all exceptions thereto

Section 2827 Service of Notice [Such] The notice required by the preceding section shall be given in the manner provided by law for the service of a summons in a personal action, if the parties can be found in the [city] county in which the city is located or upon an adult person residing upon the land or property affected by the assessment in case the owner or reputed owner cannot be found in said county and to all others by publication once in the newspaper or newspapers in which the first notices of the view were published and by posting conspicuously on the premises Council may by ordinance provide by whom the notice shall be served and posted and fix the compensation for such service

Section 2828 Report of Viewers Plan of Improvements After making whatever changes are necessary the viewers or a majority thereof shall report to the court [within three months from the date of their appointment unless the time for so doing shall be extended by the court] showing the damages and benefits allowed and assessed in each case and file therewith a plan to be secured or prepared by the viewers showing the improvement the lands or properties taken injured or destroyed and lands or properties benefited

Section 2829 Notice of Filing of Report When the report is filed notice thereof shall immediately be given by publication once in the newspaper or newspapers publishing the notice [of the meeting of viewers] provided for in this article Such notice shall state the date of filing of the report contain a schedule of the damages allowed and benefits assessed and shall state that unless exceptions [be] are filed thereto or an appeal to the court of common pleas is taken therefrom within thirty days from the date of filing the report will be confirmed absolutely

Section 2830 City to Pay [Court] Costs of Proceedings The cost of the proceedings including court costs except the compensation of the viewers shall be paid by the city

Section 2831 Judgment for Amount of Award Execution Collection of Assessments Payment of Damages Into Court in Certain Cases If any damages be awarded and the report be confirmed [by the said court judgment shall be entered thereon and if] absolutely the amount thereof shall be [not] paid within thirty days after the entry of such judgment and if not so paid execution may then issue thereon [as in other cases of debt] for the sum so awarded but assessments for benefits shall be collected as provided by law

When no appeal is taken from the report as hereinafter provided and judgment of absolute confirmation is entered and the parties to whom damages have been awarded refuse to accept payment of such award or judgment then it shall be lawful for such city upon petition to the court after notice as ordered by court to pay the amount of the award and costs into the court The court upon such payment shall order the satisfaction of the award or judgment

Section 2832 Exceptions to Report of Viewers Within thirty days after the filing of any report any party [affected] interested may file exceptions to the same and the court shall conform modify or change the same or change the assessments made therein or refer it back to the same or new viewers

Section 2833 Confirmation of Report of Viewers When the report is filed the prothonotary shall mark it confirmed nisi In case no exceptions are filed thereto or no appeal taken therefrom he shall [at the expiration of thirty days] enter a decree that the report is confirmed absolutely

Section 2834 Effect of Exceptions on Confirmation of Report When exceptions are filed which affect the entire report the same shall not be confirmed absolutely as to any part thereof until the exceptions have been finally disposed of When the exceptions do not affect the entire report the court shall confirm the assessments to which exceptions have not been taken

Section 2835 Appeals from Confirmation After Exceptions Within three months after the confirmation of any report following the filing of exceptions thereto any party [affected] interested may appeal from the decree of the court below to the Superior or Supreme Court as the case may be

Section 2836 Effect of Appeals When any appeal is taken from the action of the court of common pleas confirming any viewers' report or part thereof if the [appeal affects the entire report it shall have the effect of suspending the absolute confirmation thereof until the appeal is finally disposed of but where the appeal is to matters which do not affect the entire report or any other assessment such appeal shall affect only the particular assessment for which the appeal is taken

Section 2837 Filing Assignment of Error Et Cetera In order to determine whether any appeal affects the entire report or any particular assessment the appellant shall file in the court below before or at the time of filing his writ of certiorari a copy of his [specifications or] assignments of error or statement of the grounds of appeal Upon failure so to do the city or any party affected may by notice or rule upon the appellant cause such [specifications] assignments of error or statement of the grounds of appeal to be filed

Section 2838 Certificate of Judge of the Court Below Upon the request of the city or any party affected the court below or any judge thereof in vacation shall certify whether the appeal affects the entire report and said certificate shall be conclusive Where the court or judge certifies that the appeal will affect the entire report no further proceedings shall be taken in the court below until after the final action of the appellate court but where the court or judge certifies that the appeal will affect only a particular assessment then the confirmation of all other assessments shall be final

Section 2839 Effect of Affirmation of Decree of Court Below If on any appeal the action of the court below is affirmed the date of the decree or judgment of the appellate court shall be taken as the day on which the report was finally confirmed

Section 2840 Consolidation of Appeals Where any appeal is taken to the Supreme Court and an appeal is also taken to the Superior Court and the appeals in both cases are substantially the same the Superior Court may certify such appeal to the Supreme Court to be heard with the other appeals from the same report

The Supreme Court shall consolidate all such appeals and hear them as one case Where several appeals are taken from the confirmation of the same report either to the Superior or Supreme Court and the grounds of appeal are similar the appellate court may consolidate the appeals

Section 2841 Appellants May Unite in Appeals Effect Thereof Several parties may unite in a single appeal either to the Superior or Supreme Court where the grounds of appeal are similar but the uniting of the appellants shall not unite the amounts or change the jurisdiction When the appeal is taken by each appellant singly would be to the Superior Court then the appeal shall be to that court

but if the appeal of any one appellant would be to the Supreme Court then the joint appeal shall be to that court. If an appeal has been taken to the Supreme Court any other party without regard to the amount involved if the grounds of appeal are similar may appeal to the same court and join in such appeal.

Section 2842 Appeals from Reports of Viewers for Jury Trial Within thirty days after any report of viewers is filed in the court of common pleas any party whose land or property is taken injured or destroyed or [who is assessed benefits] against whom benefits are assessed or the city may appeal to the court of common pleas and demand a trial by jury. Several parties may unite in a single appeal and where the grounds of appeal are similar the court may hear such appeals as one proceeding but each party shall in any event be entitled to demand a separate trial by jury. Where an appeal is so taken as to a portion of the report the portion not appealed from shall be confirmed absolutely at the expiration of thirty days after the report is filed in court. The appeal shall state the grounds upon which it is taken and shall be signed by the appellant or by his agent or attorney and shall be accompanied by an affidavit that it is not taken for the purpose of delay but because the appellant believes that injustice has been done.

Section 2843 Costs Upon the trial of any such appeal in case the party appellant does not obtain a verdict more favorable than was the report of the viewers [as finally confirmed] the appellant shall not recover any costs.

Section 2844 Notices Appeals from the Court Below The court of common pleas shall order what notices shall be given in connection with such proceedings and may by rule or otherwise prescribe the form of pleadings. After verdict and final judgment either party may within three months appeal to the Superior or Supreme Court.

Section 2845 Appeals to the Wrong Court Should any appeal [under this article] to the Supreme or Superior Court be made to the wrong court such court shall certify the appeal to the court to which it should have been taken.

Section 2846 Appeals Not to Prevent Filing Liens No appeal [taken under this article] to any court shall prevent the filing of liens by any city for any assessment [of benefits] made by any such report but upon the final termination of the issue the court shall make such order as to the lien filed as shall appear right and proper.

Section 2847 Discontinuance of Proceedings If any city shall repeal any ordinance or discontinue any proceeding providing for any of the improvements mentioned in this article prior to the entry upon taking or injury to any land or property or appropriation of materials [and within thirty days after the filing of the report of the viewers assessing damages and benefits] the city shall not be liable to pay any damages which have or might have been assessed but all costs upon any such proceedings shall be paid by the city [including attorney's fees such to be fixed by the court on behalf of the owner or owners] together with any actual damage sustained by reason of such proceeding.

Section 2848 Assessments to Bear Interest All assessments for benefits costs and expenses [and all damages allowed] shall bear interest at six per centum per annum from the expiration of thirty days after they shall have been finally ascertained and shall be payable to the city treasurer.

Section 28.5 Said act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) is hereby amended by adding to Article XXVIII thereof three new sections numbered 2849 2850 and 2851 to read as follows:

Section 2849 Damages to Bear Interest The amount of damages allowed in a report of viewers or otherwise for the taking injury or destruction of land or property by the city's exercise of the right of eminent domain shall as finally confirmed bear interest at the rate of three per centum per annum from the date of the confirmation nisi of the report.

Section 2850 Title Acquired In all cases where land or property is acquired by the city in eminent domain proceedings other than for street purposes or is acquired

by gift purchase or otherwise the title obtained by the city shall be in fee simple or like absolute ownership. Provided That in particular instances a different title may by agreement or consent be acquired.

Section 2851 Land Transferable If the project or purpose for which any land or property has been taken received or acquired shall be abandoned for any reason the land or property thus obtained may be used for other city purposes or sold leased or otherwise disposed of.

Section 29 Section 2901 to 2906 inclusive subdivision (a) sections 2915 to 2922 inclusive subdivision (b) and sections 2930 to 2936 inclusive subdivision (c) all of Article XXIX of said act are hereby reenacted revised and amended to read as follows:

Article XXIX

Streets [and Highways]

(a) Plans and Location

Section 2901 General Plan of [Highways] Streets Every city shall have a general plan or topographical survey of its [highways] streets [and alleys] including those which have been laid out but not opened. It shall be made by the city engineer or by such other professional engineer in civil engineering and assistants as council may engage.

Section 2902 Filing Plans Subdivisions The plan shall be filed in the office of the city engineer or other proper office of the city and all subdivisions of property thereafter made shall conform thereto.

Section 2903 Alterations Maps and Plots to Be Approved The location of [highways] streets [or alleys] laid out by council shall not afterwards be altered without the consent of council. No [map] plan or plot of [highways] streets [or alleys] shall be entered in any public office of the county until approved by council.

Section 2904 Location of [Highways] Streets Cities may by ordinance locate [highways] streets [and alleys] and include therein [highways] streets [and alleys] theretofore opened or used for [highway purposes] public travel and may locate [highways] streets [or alleys] theretofore opened or used for [highway purposes] public travel of a greater width and may revise the lines of such [highways] streets [or alleys] in accordance therewith and place the same on the general plan of such city. All subdivisions of property thereafter made shall conform thereto.

Section 2905 Locations Not to Authorize Entry No such location shall authorize the entry upon or appropriation of any property within such located [highway] street [or alley] not theretofore opened or used for [highway purposes] public travel nor shall the same interfere in any way with the rights of the owners to the full use of such property except as hereinafter provided.

Section 2906 No Damages Allowed for Erections Upon Located [Highways] Streets No person shall recover any damages for the taking for public use of any buildings or improvements constructed within the lines of any located [highway] street [or alley] after the same shall have been so located and any such building or improvement shall be removed at the expense of the owner.

(b) Opening Widening Extending Straightening and Vacating

Section 2915 Power to Open Etc Cities with or without any petition of property owners may open widen straighten alter extend and improve and may establish or re-establish the grades of and keep in order and repair and in safe passable condition any [highway] street [avenue alley or lane] or any part thereof within the city limits or may vacate and discontinue the same whenever deemed expedient for the public good [(including the right to vacate highways laid out by the Commonwealth which have remained unopened for thirty years)] and provide for the payment of the cost thereof either in whole or in part from the general revenues of the city. Cities may vacate highways laid out by the Commonwealth within their limits which highways have remained unopened for thirty years.

Section 2916 Ordinances When No Petition Is Pre-

sented Any ordinance for the opening widening straightening extending or vacating of any [highway] street [avenue alley or lane] without petition of property owners shall be adopted by the affirmative vote of at least four members of council No such ordinance shall be finally adopted until the expiration of twenty-eight days from the date of its introduction and in the meantime copies thereof shall be published in one or more of the newspapers of the city once a week for three consecutive weeks immediately following the introduction thereof and in case no newspaper is published in the city then in the same manner in one newspaper published in the county

Section 2917 Erection of Improvements Restricted Any ordinance widening or straightening any [highway] street [avenue alley lane] or part thereof shall fix the new line or lines and may require that thereafter no owner or builder shall erect any new building or rebuild or alter the front of any building already erected without making it conform to the new lines In which case the land owner's right of action shall accrue only when the city actually enters on and occupies the land within the said lines or the said building is located or relocated to conform to said lines

Section 2918 [Petitions] Petition for Opening Etc [Petitions] A petition [councils] council for the opening widening straightening altering extending vacating or for the establishing or re-establishing of the grade of any [highway] street [avenue alley or lane] shall be signed by a majority in number and interest of the owners of property abutting on the line of the proposed improvement or vacation as fixed at the time of [its] presentation of the petition and shall be verified by the affidavit of one or more of the petitioners The majority in interest of owners of undivided interests in any piece of property shall be deemed as one person for the purposes of the petition

Section 2919 Notice of Ordinance and Petition Appeal Upon the approval of any ordinance passed pursuant to said petition notice shall be given once a week in one newspaper as required by section one hundred and nine of this act and by handbills posted in conspicuous places along the line of the proposed improvement The notice shall state the fact of the passage of the ordinance and the date thereof that the petition for the improvement was signed by a majority in interest and number of the owners of property abutting the line of the proposed improvement and that any person interested [denying the fact such petition was so signed] may appeal to the court of common pleas of the county within thirty days after the passage [thereof] of the said ordinance

Section 2920 Appeal from Ordinance Any person interested may within thirty days from the passage of the ordinance [present a petition] appeal from the validity of the ordinance to the court of common pleas [of the county whereupon the court shall determine whether such improvement was petitioned for by the requisite majority] questioning the legality of the petition for improvement or of the said ordinance or of both If said court shall find [that it was not so petitioned for] the petition or ordinance materially defective under the law it shall declare the ordinance void otherwise it shall approve the same

Section 2921 Effect of Failure to Appeal [If no appeal is taken or if the court on appeal approves the ordinance the city may proceed with the improvement Thereafter all parties interested shall be estopped from denying the fact that the petition was signed by the requisite majority of the property owners] The parties interested shall not question the legality of the petition and ordinance in any manner or matter or at any time whatever except as provided in section two thousand nine hundred and twenty of this act except that they may appeal from the court of common pleas to the Supreme or Superior Courts according to law

Section 2922 Assessment of Damages and Benefits In any proceedings under this subdivision of this article viewers shall be appointed damages awarded and benefits assessed as provided in this act for such proceedings

(e) Grading Paving Macadamizing Et Cetera

Section 2930 Power to Grade Pave Macadamize Et Cetera Every city may grade pave macadamize or otherwise improve any [public highway] street [avenue lane or alley] or part thereof and the sidewalks thereof when included as a part of the improvement have the same set with curbstone and provide for the drainage thereof Every city may also provide for the improvement of any highway or street [avenue lane or alley] or any sections or parts thereof in length in the space between the curb gutter or actual carriage-way line and the property line either by an original work or improvement thereon or by a change repair renewal or alteration in the said [highway] street or curb or in parking spaces or shade trees or by changing altering renewing replanting pruning or otherwise improving the same in any or all of said particulars

Section 2931 Payment of Cost of Improvement The costs and expenses [thereof] of things done under section two thousand nine hundred and thirty of this act shall be paid in whole or in part by the city or by the owners of real estate bounding and abutting thereon which cost and expenses upon the abutting real estate shall be assessed according to the foot-front rule or according to the benefits as council shall by ordinance determine except that in case of grading only the said costs and expense shall be assessed according to benefits

Section 2932 Assessment of Cost by Foot-front Rule When the costs and expenses or any part thereof are to be paid for by the foot-front rule the [city] council shall assess or cause to be assessed the said cost and expenses upon the real estate bounding or abutting on the line of the improvement by an equal assessment on said property in proportion to the number of feet the same fronts on the respective street [lane or alley] or part thereof to be improved The council may provide for an equitable reduction from the frontage of lots at all street [alley] railroad or like intersections or where from the peculiar or pointed shape of the lots an assessment for the full frontage would be inequitable.

Section 2933 Assessment of Costs According to Benefits When the cost and expenses or any part thereof of any grading paving macadamizing or other improvement of any [highway] street [avenue lane or alley] or part thereof is to be paid for by the owners of real estate abutting or bounding thereon as aforesaid according to benefits the same shall be assessed by viewers appointed by the court of common pleas as provided in this act for the assessment of benefits by viewers

Section 2934 Ordinance for Improvement at Expense of Property Owners Upon Petition Council may by ordinance provide for the paving macadamizing grading or other improvement of any [highway] street [avenue lane or alley] or part thereof at the cost and expense of the abutting property owners in whole or in part upon the petition therefor of a majority in number or interest of the owners of property abutting or bounding on the line of the proposed improvement to be verified by the affidavit of one or more of the petitioners A majority in interest of owners of undivided interests in any piece of property [to] shall be deemed and treated as one person for the purpose of said petition

Section 2935 Ordinance for Improvement at Expense of Property Owners Without Petition Council may by ordinance provide for the paving macadamizing grading or other improvement of any [highway] street [avenue lane or alley] or part thereof at the cost and expense of the abutting property owners in whole or in part without petition therefor of abutting property owners if the ordinance for such improvement has been passed by the affirmative vote of four members of council Such ordinance shall not be passed in a less period than twenty-eight days from the date of its introduction and in the meantime copies of such ordinance shall be published in one or more newspapers once a week for three weeks in the manner required by section one hundred and nine of this act The requirements for such publication shall not however preclude the amendment of any paving ordinance as to the kind of pavement with which any [highway]

street [avenue lane or alley] or part thereof or sidewalk is proposed to be paved

Section 2936 [Passage of Ordinance and Publication of Names of Petitioners Conclusive of Number of Petitioners The passage of the ordinance providing for any of such improvements upon petition therefor and the publication of the names of the petitioners in one newspaper or newspapers published in said city and in case no paper is published in said city then in one newspaper published in the county in which said city is located by one insertion at least five days before the passage of said ordinance shall be conclusive that a majority in number or interest (as the case may be) have petitioned therefor] Appeal from Ordinance Any person affected may appeal from said ordinance in the manner and time and with the effect provided for in sections two thousand nine hundred twenty and twenty-one of this act

Section 29.1 Section 2937 and 2938 of said article and act are hereby repealed

Section 29.2 The subsequent section of subdivision (c) of said article and act is hereby renumbered 2937 and so renumbered is reenacted revised and amended as follows

Section [2939] 2937 Assessment of Damages and Benefits In any proceedings under this subdivision of this article where the cost and expense of the improvement is not assessed by the foot-front rule viewers shall be appointed damages awarded and benefits assessed as provided in this act for such proceedings

Section 29.3 Section 2940 of said article and act is hereby repealed

Section 29.4 The subsequent section of subdivision (c) of said article and act is hereby renumbered 2938 and so renumbered is reenacted revised and amended to read as follows

Section [2941] 2938 Preparation of Streets for Paving or Repairing Council may provide by ordinance for the laying renewing and repairing of all gas water steam or other pipes or conduits in any street [or highway] before the paving repaving or repairing of the same and for making the necessary house connections with said pipes and also for the necessary house connections and branches with and leading into main or lateral sewers Provided That in no case except as a sanitary measure of which council shall be the judge shall council require such house connections to be extended further from such sewers or from such gas water steam or other pipes or conduits than to the inner line of the curbstone of such street [or highway] Council may after notice to all companies corporations persons and owners affected and in default of compliance therewith cause said pipes to be laid renewed or repaired and said connections made and collected the cost of paving and repairing all pipes and pipe connections from the companies corporations or persons owning or operating the said gas water steam and other pipes or conduits with interest and the cost of the sewer connections shall be a first lien against the land for whose benefit such connections are made A separate lien may be filed therefor or such sewer connection cost may be included in any lien filed for the cost of such street improvement and the lien and the proceedings thereon shall be as in the case of other municipal liens

Section 29.5 Said act is hereby further revised and amended by adding to Article XXIX subdivision (c) thereof a new section numbered 2939 as follows

Section 2939 Highways in Cities Wherever in this act a city is given powers rights and duties as to its streets or sections thereof the same shall extend as well to highways or sections thereof which are also streets of the city to the extent that the city is legally responsible for them under this act or the State Highway Law The use of the word "street" in this act shall to that extent include highways

Section 29.6 Sections 2950 and 2951 subdivision (d) section 2955 subdivision (e) section 2960 subdivision (f) 2963 subdivision (g) section 2965 subdivision (h) section 2970 subdivision (i) sections 2975 to 2979 inclusive subdivision (j) sections 2985 to 2990 inclusive subdivision (k) all of said article and act are hereby reenacted revised and amended to read as follows

(d) Grade Crossings

Section 2950 Consent of Public [Service] Utility Commission Every city constructing a [highway] street across a railroad shall construct the same above or below the grade thereof unless permitted by the Public [Service] Utility Commission to construct the same at grade

Section 2951 Public [Service] Utility Commission Jurisdiction Damages Any such crossings of a railroad by a [highway] street or any vacation of any [highway] street crossing a railroad shall be constructed or vacated only in the manner prescribed by and under the jurisdiction of the Public [Service] Utility Commission The compensation for damages to the owners of adjacent property taken injured or destroyed shall be ascertained fixed and paid in the manner prescribed in the Public [Service Company] Utility Law

(e) Acquisition of Unobstructed View Across Lands

Section 2955 Acquisition of Unobstructed Views Any city may acquire by purchase or by the right of eminent domain a free and unobstructed view down and across lands located at or near [the inter. section of any two highways or a highway and a railroad or railway or at any curve in any highway] intersections of streets railroads or railways or curves of any of them as may be necessary to assure a free and unobstructed view in all directions at such [crossings] places and to [so] prevent the use of such lands for any purpose or in any manner which may interfere with or obstruct the vision of any person or persons traveling upon any such [highway] street within the city Upon any such condemnation the city having instituted the condemnation proceedings shall file with the recorder of deeds [of the proper county] a plan showing the property condemned and such other detailed information [which] as may be deemed necessary [said plan to be recorded at the expense of the county] and after the same is [recorded] filed said city may from time to time abate or remove or cause to be abated or removed any obstruction to such view over and across such lands

The proceedings for the condemnation of such view over and across such lands and for the assessment of damages for property taken injured or destroyed shall be in the manner provided in this act for property taken injured or destroyed

Upon the condemnation of a view over and across any lands for the purposes aforesaid the owner of such lands may make every such use thereof as will not interfere with a free and unobstructed view at such [dangerous crossing] intersection or curve Unless specially provided for in such condemnation proceedings such condemnation shall not be construed to prevent the owner thereof from using such land for pasture or the growing of grass oats wheat or other crops which will not obstruct the vision more than wheat

(f) Use of Abutting Lands

Section 2960 Use of Abutting Lands for Embankments Slopes Fills and Culverts In the grading of any street [lane or alley] or any part thereof cities are hereby authorized and empowered to use so much of the lots and lands abutting on the same for the construction of embankments slopes fills and culverts as may be necessary and proper for the completion of the improvement The assessment of damages costs and expenses resulting thereby shall be regarded as other assessments of damages costs and expenses caused by the grading of streets [lanes and alleys in said city] in cities and shall be assessed and paid as is provided by this act in such cases

(g) Abandoned Turnpikes

Section 2963 Maintenance and Improvement of Condemned and Abandoned Turnpikes When any turnpike or part thereof situate in the same or more than one county shall be condemned for public use free of tolls and the assessment of damages therefor shall have been paid by the county or when any turnpike company or association has abandoned its turnpike or any part thereof or when any turnpike company or association has been dissolved such turnpike or part thereof located within

the limits of any city shall be maintained and improved in the same manner as other streets of the city

(h) Unlawful Assessments

Section 2965 Repayment of Assessments Paid to City by Owners of Property Unlawfully Assessed [Whenever any city shall have under existing laws paved curbed and guttered or otherwise improved its highways or any of them or has opened or graded or acquired or condemned property in or along its highways or any of them at the expense in whole or in part of the owners of property bounding and abutting thereon and such owners or any number of them shall have paid the assessments levied against them by such city or by viewers for such improvement into the city treasury the said city is hereby authorized and empowered to refund to the said owners or to their heirs or assigns the amount of the assessment thus paid by them if it shall have been determined by any proceeding at law or in equity by a court of competent jurisdiction that the owners of property bounding or abutting on said highway or highways were not liable for the payment of such improvement at the time such improvement was ordered by the council of said cities to be made] Any city receiving money in payment of an assessment levied under any provision of this article shall repay the same or so much thereof as shall be ordered to any parties bringing the action within two years of such payment or payments upon the final determination of a proper court in a proper issue that the assessment levied was not such as the owner of the property so assessed was liable to pay at the time council ordered the work to be done for which the assessment was made or within the said period of two years the city may repay such money voluntarily upon a showing that the same was paid inadvertently or such assessment or part thereof was made erroneously

(i) [Highways] Streets or Roads Connecting City with [Improved Roads] Highways

Section 2970 Appropriation for Connections with [State] Highways Cities may singly or jointly with [counties and/or boroughs] other political subdivisions appropriate and expend moneys for the improvement of [highways] streets or roads [outside of] beyond the limits of such cities for the purpose of connecting improved streets in such cities with a [State] highway [or State-aid highway] whenever that part of the connecting [highway] street or road to be improved outside the city limits shall be less than one mile in length

(j) Detours

Section 2975 [Highways] Streets Not to Be Closed to Vehicular Traffic Exceptions No [highway] street [or road] shall be closed to vehicular traffic except upon order of the Department of Streets and Public Improvements or by order of the mayor the police or the fire marshal in cases of emergency wherein the safety of the public would be endangered nor shall any such [highway] street [or road] be [so] closed for a longer period than is necessary for the purpose for which such order is issued

Section 2976 Closing of [Highways] Streets Designated as Detours by State No [highway] street [or road] shall be closed to vehicular traffic when the same has been designated as a detour by the [State] Department of Highways of the Commonwealth unless the written consent of the [Department] Secretary of Highways has first been obtained or unless council shall by resolution duly recorded on its minutes declare such closing necessary for the safety of the public

Section 2977 Notice of Detour on Streets Forming Part of [State] Highway When any [highway] street [or road] which forms a part or section of a [State] highway is closed to vehicular traffic the city shall at once notify the [State] Department of Highways of the Commonwealth of the creation of a detour as hereinafter provided When such detour is removed the Department of Highways shall also be notified at once of the removal

Section 2978 Detours to Be Provided When [Highways]

Streets Closed When any [highway] street [or road] shall be closed as hereinbefore provided it shall be the duty of the city authorities authorizing the closing to immediately designate or lay out a detour on which they shall erect or cause to be erected and maintained while such detour is in use legible signs at each [public highway] intersection throughout its entire length indicating the proper direction [to the main highway] During the period when such detour is in use it shall be the duty of [the] such authorities closing the [main highway] street to maintain such detour in safe and passable condition It shall also be the duty of the authorities closing the [main highway] street and maintaining the detour to immediately remove all detour signs when the [highway] street originally closed is opened for traffic [Said authorities shall as soon as possible repair the road designated as a detour and place same in a condition at least equal to its condition when designated as a detour] Whenever necessary in the creation of a detour as aforesaid the city authorities responsible for laying out the detour may enter into agreement with the owners of private lands covering the acquisition of right of way privileges over private property for the period when the [main highway] street shall be closed to traffic In case no agreement satisfactory to the parties can be reached the authorities responsible for the laying out of the detour may proceed with the construction of the same and either such authorities or the owner of the property occupied may petition the court for the appointment of viewers to ascertain the damages if any in the same manner as damages are now ascertained for the opening of [public roads] streets in such city In the exercise of the rights conferred by this section [the authorities responsible are] council is hereby empowered to pay for the necessary maintenance subsequent repair and land rental out of such funds as are available for the construction and [or] maintenance of the [highways] streets [and roads] in their charge

Section 2979 Penalties Any person who shall wilfully remove deface destroy or disregard any barricade light danger sign detour sign or signal or warning of any other character whatsoever so erected or placed or who shall drive on over or across any [highway] street which has been closed by proper authority shall upon conviction thereof in a summary proceeding before a magistrate alderman or justice of the peace be sentenced to pay a fine of not less than twenty-five dollars nor more than one hundred dollars and the costs of prosecution and in default of the payment thereof shall be imprisoned one day for each dollar up to ninety of fine and costs unpaid Provided however That persons who have no outlet due to the closing of a [highway] street may drive on over or across such [highway] street with the consent in writing of and subject to such conditions as may be prescribed by the authorities responsible for the closing or their agents or contractors without being subject to the penalties imposed by this section

In addition to the penalties herein provided the authorities responsible for the maintenance of a [highway] street which has been closed to vehicular traffic or their agents or contractors may in an action at law recover damages from any person or persons who have damaged a [highway] by driving on over or across the same] street when it is closed to vehicular traffic All fines collected under the provisions of this section shall be paid by the officer receiving the same to the treasurer of the city

(k) Boundary Streets [and Highways]

Section 2985 Maintenance of [Highways] Streets Forming Boundaries Whenever any [highway or] street is on the boundary line between any city and a township such [highway or] street shall be maintained jointly by the city and the township For the purpose of maintaining any such [highway or] street the authorities of any [such] city are hereby directed to enter into agreements with the authorities of [such] any township providing the manner in which the same shall be maintained and providing for the division of the cost of maintenance between the city and township If any such city or town-

ship shall fail or refuse to enter into any such contract [or if the city and township cannot agree] any taxpayer thereof or the corporate authorities of the city or township may present a petition to the court of quarter sessions of the county setting forth the facts. The court after hearing of which such notice shall be given to all parties interested as the court may direct shall make an order directing the manner of such maintenance and the division of the cost of maintenance between the city and the township [The action of the court shall be final]

Section 2986 [Highways] Streets the Center Line of Which Is the Boundary Between Municipalities in the Same County Whenever the center line of any [highway] street constitutes the dividing line between any city and a township located in the same county the city may enter into a contract with the commissioners of the county and the commissioners or road supervisors of the township as the case may be providing for the grading curbing and macadamizing or paving of the [roadway of said highway] street the cost of such improvement to be borne one-half by the city and one-half by the county and township in equal portions

The alteration or improvement shall be [construed] constructed and subsequent repairs shall be made under the supervision of the proper authorities of the city in compliance with existing laws governing the construction of such alterations or improvements in said city and in further compliance with plans and specifications to be agreed upon in writing between said city and the commissioners of the county and commissioners or road supervisors of the said township. The cost of repairs shall be borne one-half by the city and one-half by the township or by the county and township in equal portions or such other proportions as may be agreed upon by the county and township

Section 2987 [Highways] Street the Center Line of Which Is the Boundary Between Municipalities in Different Counties Whenever the center line of any [highway] street constitutes a dividing line between a city and a township located in an adjacent county the city may enter into a contract with the commissioners of the county and the commissioners or township supervisors of such township as the case may be providing for the grading curbing macadamizing or paving of the [roadway of said highway] street the cost thereof to be borne one-half by the city and one-half by the township and the county in which such township shall be situated in equal portions

Such alteration or improvement shall be constructed and subsequent repairs shall be made under the supervision of the proper authorities of the city in compliance with the provisions of this act governing such construction or improvement by the city and in further compliance with plans and specifications to be agreed upon in writing between such city and the commissioners of the county and the commissioners or township supervisors of the township. The cost of repairs shall be borne one-half by the city and one-half by the township or by the county and township in equal portions or such other proportion as may be agreed upon by the county and township

In all cases in which it shall be found impossible to enter into such contract or agreement [or where either the city or the township or the county in which such township is situated shall refuse to enter into such contract or agreement] either the city or the county or township or any taxpayer thereof may present [its] a petition to the court of common pleas of either county setting forth the facts and circumstances including the condition of the [highway] street from which the necessity or desirability for the grading curbing macadamizing or paving [of the roadway] appears and the estimated cost thereof and that the said city or county or the township have failed to agree upon terms of the said contract [cannot be agreed upon by the said city and the county or township or either or any of them or that either such city or the county or township or any or either of them refuses to enter into such contract] Such [petition may

pray that such] court may after hearing all the parties concerned make its order or decree defining the nature and character of the improvement reasonable necessary or desirable to be made to the [roadway] street and requiring the parties hereinabove specified to enter into a contract or contracts for the making and constructing of the same as herein provided for

A copy of the said petition duly certified shall be served upon the city [or] the county and the township concerned other than the petitioner with notice of such day as may be fixed by the court for the hearing Thereupon [either] any or [both] all of the parties served with such notice shall be entitled on or before such date to file in the said court its answers to the said petition setting forth its version of the facts or such other matters in relation thereto as may be deemed necessary or proper by it. The court upon the date so fixed or at such other time as it may appoint shall hear the evidence of the parties or it may refer the matter to a master who shall hear the testimony of the parties and report his findings in the same manner and under the same procedure as provided by the rules in equity in similar cases

The court may reject confirm or modify the report of the master and may make its decree or order directing the making of such alterations or improvements to the [roadway] street as may be deemed reasonably necessary or desirable and providing for the sharing of the cost of such improvements one-half by the city and one-half by the county and township in equal portions. The said order or decree may further provide that the repairs to such alterations and improvements subsequently required shall be borne one-half by the city and one-half by the county or township in equal portions or such other proportions as between the county and the townships as such court may find to be legal and proper. Thereupon the said grading curbing macadamizing or paving of the [roadway of such highway] street shall proceed in accordance with the decree or order of the said court in the same manner as if the contract or agreement provided for in this section has been entered into and duly executed

Section 2988 [Highways] Streets More Than Half of Whose Width Is Within City Whenever any [highway] street [or alley] more than one-half the width of which is within the limits of any city shall divide the said city from any other municipality or township located within the same county such [highway] street [or alley] may be improved by the city in the same manner as if the said [highway] street [or alley] were entirely located within the limits of said city

The property abutting on the side of said [highway] street [or alley] which is located outside the limits of the city making such improvements shall for a depth of one hundred and fifty feet plus one-half the width of said [highway] street [or alley] the total measured from its center line assessed for any and all municipal improvements to or on the said [highway] street [or alley] in the same manner as such property would be assessed under the provisions of this act if it were entirely located within the limits of such city

Section 2989 Assessment on Property Outside Limits Where [Highway] Street Entirely Within City Whenever any [highway] street [or alley] entirely within the limits of any city shall divide the said city from any other municipality or township located in the same county the property on the side of said [highway] street [or alley] opposite the present line of said city shall for a depth of one hundred and fifty feet from said line be assessed for any and all municipal improvements to or on the [highways] streets [or alleys] on which the said property shall abut in the manner provided by this act for such proceedings as if the said property were entirely located within the limits of said city

Section 2990 [Highway] Street the Center Line of Which Is the Dividing Line Between a City and Borough or Township of the First Class [Paving of] Assessments Whenever the center line of any [highway] street constitutes the dividing line between a city and a borough

or a city and a township of the first class located in the same county the council of such city may where such improvement is through built up property or properties duly plotted and laid out in lots for building purposes and where two-thirds of the combined frontage of the two sides petition for the improvement enter into a contract with the borough or township providing for the grading curbing draining paving and macadamizing of such [highway] street Such alterations and improvements shall be made under the supervision of the proper authorities of such city borough or township or by contract let by such city borough or township as may be provided for in the contract between the city and borough or township

No ordinance or ordinances authorizing any such improvement where the whole or any part of the cost of the improvement is to be assessed against abutting property shall be finally adopted until the expiration of thirty days from the date of its introduction and in the meantime copies thereof shall be published once a week for two weeks in one newspaper circulating in such city borough and township immediately following the introduction thereof and at least five copies thereof shall be posted along the line of the proposed improvement

The whole cost of such alterations and improvements or any part thereof as may be agreed upon in the contract between the city borough and township may be collected from the owners of property within the city borough and within the township abutting along the line of the improvement by an equal assessment on the foot front Any portion of such cost not assessed against abutting property shall be paid one-half by each of the municipal divisions joining in the improvement

Thirty days' notice of assessments of the whole cost or part of the cost of any such improvement shall be given to each party assessed either by service on the owner or his agent or posted on the premises by the clerk or secretary of the city borough or township making the improvement If any assessment made by the city shall remain unpaid at the expiration of the notice it shall be the duty of the city solicitor to collect the same with interest from the time of the completion of the improvement by action of assumpsit or by a lien to be filed and collected in the same manner as municipal claims When an owner has two or more lots against which there is an assessment for the same improvement all of such lots shall be embraced in one claim

Section 30 Sections 3001 to 3004 inclusive of Article XXX of said act are hereby reenacted revised and amended as follows

Article XXX

Sidewalks

Section 3001 Power to Lay Out and Grade Sidewalks Compel Construction of Sidewalks [Cities] Any city may lay out ordain and establish sidewalks curbs gutters and drains along any street and may with or without petition require owners of property abutting on any [public highway] street [lane or alley] to construct pave curb repave and recurb the sidewalks and keep the same in good repair along such property [with such materials] at such grades and under such regulations and specifications as [may be prescribed by ordinance] council may provide

Section 3002 Construction by Cities Upon Failure of Owner So to do Collection of Cost Upon failure of [such owners] any owner to construct pave curb repave [or] recurb [such] or maintain any sidewalk after notice so to do the same may be done or caused to be done by the city and the [expense] cost thereof be levied and collected from such [owners with costs] owner together with a penalty of ten per centum of such costs and all charges and expenses which amount shall be a lien upon such premises from the time of the completion of the work which date shall be fixed by [certificates] certificate of the city engineer filed with the clerk and may be collected by action [at law] is assumpsit or such lien may

be filed and proceeded in as provided by law in the case of municipal liens or the cost may be borne by the city in whole or in part if in part the rest to be collected from the [owners in manner] owner as [above] provided herein The notice required herein shall be served upon the owner if that can be done within the county when it cannot be done so then the notice may be served upon the owner's agent or the party in possession and if this cannot be done then the notice may be served by posting conspicuously upon the premises Council may by ordinance establish the period of such notice after service after which the owner shall be deemed to have failed to comply therewith Such period shall not be less than ten days

Section 3003 Emergency Repairs Notice [Cities] Any city may make emergency repairs to sidewalks within corporate limits when in the opinion of the officer or head of the department lawfully having charge of sidewalk repairs a dangerous condition exists that can be repaired by an expenditure of not more than [twenty-five] fifty dollars upon failure of the owner of the property to make such repair within forty-eight hours after the service of notice upon such owner so to do [If the owner cannot be served within the county notice may be served upon the agent of the owner or the party in possession if any there be or if there be no agent or party in possession the notice may be served by posting upon the most public part of the said premises] The notice shall be served as provided in this article for constructing and maintaining sidewalks and curbs It shall expressly state that emergency repairs are required

This section is intended to provide an additional remedy for cities in connection with emergency repairs where the actual cost of doing the work does not exceed [twenty-five] fifty dollars The certificate of the officer or head of the department in charge of repairs to sidewalks shall be conclusive evidence of the existence of the emergency justifying such repair

Section 3004 Cost of Emergency Repairs to Be a Lien Upon the completion of any emergency repairs the cost thereof shall be a charge against the owner of the property and shall be a lien until paid upon the abutting property provided a claim is filed therefor in accordance with the law providing for the filing and collection of municipal claims Any such charge may also be collected from the owner by an action in assumpsit

Section 31 Section 3101 to 3103 inclusive subdivision (a) of Article XXXI of said act are hereby reenacted revised and amended to read as follows

Article XXXI

Bridges and Viaducts

(a) Construction and Maintenance

Section 3101 Construction and Maintenance of Bridges and Viaducts Cities may locate build and maintain bridges or viaducts and the piers [and] abutments and approaches therefor to be used as public [highways] streets over rivers creeks streams railroads and private property or over and across any of them whether the said viaducts or bridges be wholly within or partly without and partly within the city limits [for the purpose of uniting two or more different streets or highways or separate parts of the same highway or extension thereof]

Section 3102 Ordinance for Location of Bridges Procedure Cities may enact ordinances fixing the location and providing for the laying out and opening of the routes or locations for said bridges and viaducts which shall be public [highways] streets and the proceedings for the [said] laying-out and [fixing the locations and for the] opening thereof shall be the same as is provided by this act for the laying-out and opening of streets [except that no petition of property owners shall be required therefor]

Section 3103 Right to Appropriate Property Assessment of Damages In case the city has not agreed with the owner or owners for the damages done or likely to be done by the erection of said bridge or viaduct the city may take and appropriate the lands and property

necessary over and across which to erect said bridge or viaduct and the damages and benefits caused by such taking and appropriation shall be assessed in the same manner and with like proceedings as provided by this act for property taken injured or destroyed

Section 31.1 Sections 3104 3105 3107 3106 3109 and 3110 in that order are hereby respectively renumbered 3110 to 3115 inclusive and are constituted a new subdivision of said article and act subdivision (b) and so renumbered are reenacted revised and amended as follows

(b) Joint Construction and Maintenance

Section [3104] 3110 [Unite with County or Other Corporation in] Contract for Joint Construction and Maintenance The city may [enter into and unite in a] contract [or in contracts with the county commissioners of the proper county where said bridge or viaduct will cross a] [river creek or stream or other place over which the county is authorized by law to build bridges and also with railroad street railway and other companies and parties interested] with any political subdivision or other public agency whatsoever or public utility or any other person interested and by law authorized thereto or with any or all of them for the [building constructing] laying out construction improvement and maintenance of [said] any bridge or viaduct or for certain parts [or portions] thereof and for the payment of any damages caused [by the location and the said erection] thereby

Section [3105] 3111 Stipulations of Joint Contract Maintenance The contracts provided for in the [next] preceding section may stipulate that the city shall pay a certain part [or portion] of the whole contract price or cost of the work including damages or may stipulate that the city shall construct or pay for the construction of a certain part [or portion] of the work and may otherwise provide for the payment of the damages When any railroad company street railway [or other company] or other [parties] persons interested agrees to pay a certain part [or portion] of the cost of the entire work [they] it shall pay such part [or portion] into the proper city treasury Upon said payment the city treasurer shall be liable therefor and he shall pay the same over to the contractor as may provided in the contract The said agreements may also provide for the maintenance of the said bridges and viaducts after their erection

Section [3107] 3112 Plans Bids Awarding of Contract After any [such] joint contract has been entered into the city in conjunction with the [county commissioners] other parties thereto may have prepared plans or specifications of the entire work and thereafter advertise for bids and award the contract to the lowest responsible bidder [The contract for the said work shall provide that the county shall pay for its certain part of said bridge or viaduct and the city shall contract for the other part of the said work but the said contract as to the city's part thereof shall be based upon the appropriation made by the city for the part of the work for which it had agreed to pay and the remaining part of the contract price shall be based upon the amounts the other parties have agreed to pay The contractor shall have a right of action against the city for the part thereof which the city agrees] [to pay and also for any moneys paid into the city treasury on account of such bridge or viaduct] The city shall be liable to the contractor for only such part of the contract price as it has agreed to pay by the joint contract but it shall in addition be liable to the contractor for any moneys actually paid into the city treasury by the other parties to the joint agreement

Section 31.2 Section 3108 of said article and act is hereby repealed

Section [3106] 3113 Subsequent Contract With Railroad Which Has Not Contributed Toward Cost No railroad which has not contributed to the payment of the cost of construction of said viaduct or bridge shall be permitted to run its line or lines of tracks under said bridge or viaduct unless it shall enter into a contract with the city to thereafter pay a reasonable amount part or portion toward the keeping-up and maintaining of the

said structure which amount shall be at the same rate on the same basis as is paid by the other railroad companies.

Section[3109] 3114 Recording of Contract Any of the contracts hereinabove provided for may be recorded in the [recorder's] office of the recorder of deeds in the proper county [in which the city is situate] Such record shall be notice to all persons who might be affected thereby

Section [3110] 3115 Power to Construct Boundary Bridges Whenever a creek over which a bridge may be necessary shall be on the division line of a city and municipality or township the city shall unite with such municipality or township in the construction and maintenance of a bridge and pay an equal share of the expenses incident thereto

Section 31.3 Subdivisions (b) and (c) of said article and act are hereby designated subdivisions (c) and (d) respectively and sections 3120 and 3121 and 3130 to 3134 inclusive of the said subdivisions are hereby reenacted

[(b)] (c) Acquisition of Existing Bridges

Section 3120 Power to Acquire Existing Bridge Any city which is divided or separated in any of its territorial sections or parts by intervening rivers or streams of water may purchase enter upon take use hold and appropriate such bridge or bridges together with the approaches and appurtenances thereto lying within its corporate limits as shall have been erected and are now in use over such rivers or streams of water so dividing and separating the sections or parts aforesaid

Sections 3121 Assessment of Damages In case the compensation to be paid for such bridge cannot be agreed upon the amount of damages due the owner or owners thereof for the taking use and appropriation thereof shall be assessed in the manner provided in this act in the case of property taken injured or destroyed

[(c)] (d) Acquisition of Toll-Bridges

Section 3130 Power to Acquire Toll-Bridges Any city may purchase condemn maintain and use any public toll-bridge crossing any river or stream within the limits of such municipality together with the approaches and appurtenances thereto and may enter into contracts as hereinafter provided with the county commissioners of the proper county whereby said county shall pay a portion of the cost thereof

Section 3131 Assessment of Damages for Taking In case the compensation to be paid for such bridge cannot be agreed upon the amount of damages due the owner or owners thereof for the taking use and appropriation thereof shall be assessed in the manner provided in this act in the case of property taken injured or destroyed

Section 3132 Damages and Costs in Case of Discontinuance of Proceedings In case any city shall discontinue any proceeding taken providing for the appropriation or condemnation of any bridge prior to the entry upon taking or appropriation thereof and before judgment therein the city shall not thereafter be liable to pay any damages which have been or might have been allowed but all costs upon any proceedings had thereon shall be paid by it together with any actual damage loss or injury sustained by reason of such proceedings and such damage loss or injury shall be determined and fixed by the court in which the proceedings are pending

Section 3133 Contract with County for Purchase The city may enter into and unite in a contract with the county commissioners of the county in which said bridge is located upon such terms and conditions as may be agreed upon for the purchase appropriation or condemnation and county shall pay a certain part or portion of the whole purchase price or damages allowed by condemnation proceedings The amounts to be paid by the county shall be paid into the city treasury and upon said payment the city treasurer shall be liable therefor and it shall be held and applied solely for the said purpose or purposes The said contracts may also provide for and in-

poses The said contracts may also provide for and include provisions for the maintenance repair and rebuilding of the said bridge after its purchase or condemnation by the said city

Section 3134 To Become a Public Bridge Rentals for Other Than Foot and Vehicle Travel Whenever any toll-bridge shall be so purchased or condemned the city shall control maintain and use the said bridge as a public bridge but may charge tolls or rentals for the use thereof from railway telephone and telegraph companies and other persons making a use thereof for other than ordinary public foot and vehicle travel Where contracts existed between such companies and persons and the owners of the bridge at the time of such purchase or condemnation such contracts shall be preserved for the benefit of the city and shall be assigned thereto

Section 32 Sections 3201 to 3214 inclusive subdivision (a) and sections 3220 to 3222 inclusive subdivision (b) and section 3230 and 3231 subdivision (c) and sections 3240 to 3245 inclusive subdivision (d) all of Article XXXII of said act are hereby reenacted revised and amended to read as follows

Article XXXII

Sewers

(a) Construction

Section 3201 Construction of Sewers Cost And city may [without petition therefor] construct and reconstruct or cause to be constructed sewers of all kinds including house connections to the curb in its [public highways] streets [lanes and alleys] and over and across public and private lands or property and pay the cost and expense thereof out of the general revenues or special funds raised for said purpose or assess the same in whole or in part upon abutting property as hereinafter provided

For such purposes the city shall have [power to exercise] the right of eminent domain. The damages for property taken injured or destroyed shall be ascertained and paid as provided in this act for such proceedings

Section 3202 Fee for Tapping Where Sewer Is Paid for by City Where the cost of constructing any sewer is paid for wholly or partially from city funds the city may charge a reasonable fee for tapping or connecting with said sewer

Section 3203 Assessment of Cost of Local Part of Main Sewers In the case of the construction of main sewers or of any sewer which can be used in part for main sewerage purposes and in [all cases where said sewer will also serve] part as a local sewer the city may provide for assessing the abutting property with the local sewerage part thereof according to the foot-front or the assessed valuation of the said property for city purposes or according to benefits

Section 3204 Costs of Main Sewers The cost of all main sewers or of any sewers used in part for main sewerage purposes over and above the amount thereof assessed for local sewerage [as above provided] shall be paid for from the city funds [as aforesaid]

Section 3205 Assessment of Cost of Local Sewers Council may also provide that the cost and expenses of local lateral branch including house connections to the curbs and other sewers may be assessed against the abutting property according to the foot-front or according to the assessed valuation thereof for city purposes or according to benefits

Section 3206 Construction of Sewerage System and Sewer Treatment Works Assessment of Cost Any city may construct or cause to be constructed a sewerage system of sewers in streets [lanes alleys and highways] with extensions thereof [and sewage treatment works] and with lateral and branch sewers therefrom to and in other [highways] streets [lanes and alleys] and in public or private lands at the same time as part of the same improvement and under the same contract and the cost and expense thereof may be assessed as [is herein] provided in this article Any city may construct or cause to be constructed sewage treatment works and the same

may likewise be a part of the same improvement and under the same contract

Sewage treatment works may be erected within or without the limits of the city [which] The city shall have authority to acquire by eminent domain or otherwise property within or without the limits of the city deemed necessary for such treatment works and the sewers leading thereto

Section 3207 Reductions in Assessments for Corner or Irregular Shaped Lots Where council determines to construct local lateral and other sewers and to assess the cost and expenses thereof according to the foot-front rule they shall provide for a reduction of [one-half or other] an equitable part [or portion] from the frontage of the longest side of all corner lots and at other places where from the peculiar or pointed shape of the lots an assessment for the full frontage would be inequitable If the owner of the abutting property is not satisfied with the allowance or reduction or refuses to accept the same he shall have the right to [have three viewers appointed by] appeal to the court of common pleas and the proceedings shall be as provided in this act for the assessment of damages and benefits by viewers or by such other lawful procedure as the court may determine

Section 3208 Assessment of Cost by Viewers Appointed by Council Where the council determines to construct main local lateral or branch sewers and to assess the cost and expense thereof according to benefits in addition to the remedies which now or may hereafter exist for the assessment of the said cost and expense by viewers appointed by court [the said] council may appoint three disinterested freeholders as viewers who or a majority of whom shall assess the cost and expenses of said sewers upon the lands bounding or abutting thereon in proportion as nearly as may be to the benefits which may result to each lot or parcel of land Said viewers or a majority thereof shall report their assessment to the council in the manner hereinafter set forth and [said] council shall act thereon as hereinafter provided

Section 3209 Report of Council's Viewers Notice Objections Hearing Said viewers or a majority of them shall make report in writing specifying the amount assessed by them upon each lot or parcel of land for main or local sewerage separately and file the same with the city clerk within such time as the council shall direct After the report is filed council shall cause not less than ten days' public notice to be given by publication once in two newspapers of the city as required by section one hundred and nine of this act of the object of such assessments and that the same will come for confirmation at a time to be specified in said notice Objections to the assessment shall be in writing and be filed with the city clerk and may be heard before the city council at the time specified in the notice Council may after hearing objections modify set aside or confirm said assessments If council sets aside the first or any other assessment they may appoint other viewers of the same qualifications as hereinbefore provided and cause new assessments to be made and the proceedings shall be the same as [herein directed in case of] provided for the first assessment

Section 3210 Certification of Assessments for Collection Liens After making assessments for sewers council may direct that they be certified to the city treasurer or to such party as said assessments may be assigned to for collection If such assessments are not paid within such time as council may by ordinance prescribe it shall be lawful to file liens therefor in the prothonotary's office of the proper county as provided by law Said liens shall bear interest from the time the assessments were payable at the rate of six per centum per annum until paid

Section 3211 Rental Charge for Use of Sewers [Whenever any city has constructed any sewer or sewer system or sewage treatment works either wholly or partially at public expense or has acquired the same at public expense

such city] Cities may provide by ordinance for the imposition and the collection of an annual rental [or] rate or charge for the use of [such sewer sewer system] sewers sewer systems or sewage treatment works [from the owners of the property served by it] as authorized by law

Section 3212 Limitation of Amount of Sewer Rental Charge Such annual rental rate or charge shall not exceed the amount [expended annually by the city in the operation maintenance repair alteration inspection depreciation or other expenses in relation to such sewer sewer system or sewage treatment works and may include any interest on money expended by the city in the construction or acquisition of such sewer sewer system or sewage treatment works The said annual sum shall be apportioned equitably among the several properties served by the said sewer sewer system or sewage treatment works] authorized by law

Section 3213 Warrants for Collection of Sewer Rentals Council shall [execute a warrant or warrants authorizing] provide for the collection of such annual [sewer] rentals rates or charges [to the officer employed by council to collect the same]

Section 3214 Collection of Sewer Rentals Such annual sewer rentals or charges shall be a lien on the properties charged with the payment thereof from the date set in the ordinance and if not paid after thirty days' notice may be collected by an action in assumpsit in the name of the city against the owner of the property charged or by distress of personal property on the premises or by a lien filed in the nature of a municipal lien

(b) Acquisition of Existing Sewers

Section 3220 Purchase of Existing Sewers Any city in which any corporation created and existing under and by virtue of the laws of this Commonwealth or any person or persons or unincorporated associations have constructed and are maintaining or may hereafter construct and maintain sewers culverts conduits and pipes with the necessary inlets and appliances for surface under-surface and sewage drainage may become the [owners] owner of such sewers culverts conduits and pipes with the necessary inlets and appliances for surface under surface and sewage drainage and the property of such company person or persons or unincorporated associations by paying therefor the actual value of the same at the time of taking by the city

Section 3221 Ascertainment of Price in Case of Disagreement In case of disagreement as to the amount to be paid the same shall be ascertained in the manner provided by this act in case of property taken injured or destroyed

Section 3222 Appointment of Viewers Whenever the amount to be paid by any city to any corporation person or persons or unincorporated association for the acquisition of such sewers culverts conduits and pipes with the necessary inlets and appliances shall have been ascertained in the manner provided in the preceding section the court of common pleas of the proper county or any law judge thereof in vacation on application thereto by petition by said city or any person interested shall appoint viewers who shall assess the costs and expenses of the sewers culverts conduits and pipes with the necessary inlets and appliances acquired by said city upon the property benefited according to benefits if sufficient can be found but if not then the deficiency when finally ascertained shall be paid by the city and the proceedings of said viewers and the proceedings on their report shall be as provided in this act for the assessment of damages and benefits

(c) Construction of Sewers Outside Cartway and Curb Lines

Section 3230 Power to Construct Cities may require and permit sanitary sewers and sewer pipes to be laid and constructed outside the cartway and the curb lines thereof in any street or highway

The said sewers shall be for the service and use of the

property abutting thereon on the side of the street or highway in which they are laid

Section 3231 Collection of Costs and Expenses The costs and expenses of any sewer laid and constructed as aforesaid may be assessed against the abutting property in front of which the same is laid and such costs and expenses when so assessed shall be assessed and collected in the same way and manner as the costs and expenses of other sewers are assessed and collected in the respective city in which the same are laid

(d) Joint Sewers

Section 3240 Building Joint Sewers (a) Cities may jointly with other municipalities or townships or both build and construct sewers including trunk-line sewers or drains and sewage treatment works and may connect into such system existing sewers and may assess their respective portions of the cost thereof or so much thereof as may be legally assessable upon property benefited by the improvement either by viewers as is provided in the case of cities by section three thousand two hundred and eight three thousand two hundred and nine and three thousand two hundred and ten of this act or by the foot-front rule or assessed valuation [of] as provided in section three thousand two hundred and three of this act Any portion of the cost of such an improvement not assessed or not assessable shall be paid by the respective cities boroughs and townships joining as may be agreed upon

(b) The cities boroughs and townships joining or contemplating joining in any such improvement in order to facilitate [the building of the same and] the securing of preliminary surveys and estimates and the building of such improvement may by ordinance or resolution provide for the appointment of a joint sewer board composed of one representative from each of the cities boroughs and townships joining which shall act generally as the advisory and administrative agency in securing such surveys and estimates and in the construction of such improvement and its subsequent operation and maintenance The members of such board shall serve for terms of six years each from the dates of their respective appointments and until their successors are appointed The joint sewer board shall organize by the election of chairman vice-chairman secretary and treasurer The several cities boroughs and townships may in the ordinances and resolutions creating the joint sewer board authorize the board to appoint an engineer a solicitor and such other assistants as are deemed necessary and agree to the share of the compensation of such persons each city borough and township is to pay The members of the joint sewer board shall receive such compensation for attending meetings of the board as shall be fixed in the budget prepared by the board for submission to and adoption by the several cities boroughs and townships as hereinafter provided and the budget item providing for the compensation to members for attending meetings shall not exceed a total of two hundred and fifty dollars [(\$250)] per year and no member shall be paid unless he actually attends and the fee for each such attendance shall be stipulated and the members in addition thereto shall be entitled to actual expenses to be paid by the respective cities boroughs and townships which such members represent

(c) The joint sewer board shall have power to adopt rules and regulations to govern its proceedings and shall prepare and suggest any practical measures and plans by means of which the joint improvement may be carried to successful completion and the future development of the system so as to conform to a general plan assured and safeguarded It shall have power to prepare a joint agreement or agreements for submission to and adoption by the several cities boroughs and townships defining the advisory and administrative powers of the board setting forth the consents of the several cities boroughs and townships to the proposed improvement the manner in which preliminary and final plans specifications and estimates for the proposed improvement shall be prepared and adopted how proposals for bids shall be advertised and contracts let the manner in which the costs of the

improvement and other incidental and preliminary expenses in connection therewith and the future cost of operation and maintenance shall be equitably shared apportioned and paid and all such other matters including the preparation and submission of annual and other budgets as may be deemed necessary or required by law to carry the proposed improvement to completion and to assure future maintenance and operation thereof But nothing herein contained shall authorize the board to make any improvement or expend any public moneys which has not first been authorized by all of the cities boroughs and townships proceeding with the improvement

(d) In any case where it shall be necessary to acquire appropriate injury or destroy private property [lands property or material] of any kind to build any such joint sewer improvement and the same cannot be acquired by purchase or gift the right of eminent domain shall vest in the city borough or township where such property is located In any case where it shall be necessary to acquire injury or destroy property of any kind in any territory not within the limits of any of the cities boroughs or townships joining in the improvement then the right of eminent domain shall be vested in any city borough or township adjacent to such territory where such property is located Damages for any property taken injured or destroyed shall be assessed as provided by the general laws relating to the cities boroughs and townships exercising the right of eminent domain and shall be paid by the several cities boroughs and townships joining in the same proportion as other costs of the improvement

(e) Each of the cities joining in any such improvement shall have power to incur or increase its indebtedness not exceeding the constitutional limits for the purpose of paying its share or portion of the costs of such improvement in the manner [now] provided by law for the incurring of indebtedness

Section 3241 Approval of Sanitary Water Board No such sewer or plant shall be constructed until plans and specifications have been submitted to the Sanitary Water Board and approved in accordance with provisions of the act of assembly providing for such approval

Section 3242 Connections with Sewers of Adjacent Municipalities Any city may connect with an existing sewer owned by any adjacent municipality for sewage purposes in the manner prescribed in the following sections of this subdivision of this article

Section 3243 Applications to Court Whenever any city desires to connect with the existing sewer of any adjacent municipality and no agreement has been reached between such city and the adjacent municipality and application shall be made by council to the court of quarter sessions of the county setting forth that fact

Section 3244 Appointment of Viewers If the court shall be of the opinion that such connection can be made without impairing the usefulness of the existing sewer it shall appoint three viewers who shall view the premises and investigate the facts of the case and shall assess the proportionate part of the expense of building the original sewer upon such city and shall fix the proportion of the expense for repairs which each municipality shall thereafter bear and determine all other questions liable to arise in connection therewith

Section 3245 Report of Viewers Appeals to Court The viewers shall report to the court the result of their investigation which report shall be confirmed within thirty days unless exceptions thereto be filed After confirmation of such report or the disposal of any exceptions any party interested may appeal from the decision of the court of quarter sessions to the Supreme or Superior Court

Section 32.1 Subdivision (d-1) and section 3248 of said article and act are hereby designated subdivision (e) section 3250 of said article and act and as such are reenacted

[(d-1)] (e) Power to Furnish Sewerage Facilities
Outside of City

Section [3248] 3250 Sewers Extended Outside of City All cities wherein the title to the sewerage system therein located is or shall hereafter be in the name of the city

may extend such system and construct sewers beyond the bounds of the cities wherein they are located into the county and municipalities of the county in the vicinity of such cities and furnish sewer facilities to and permit the tapping and the connection therewith by any and all corporations institutions persons and municipalities in the counties in which said cities are located in accordance with law and the rules and regulations of the Public Utility Commission This section does not authorize a city to extend a sewerage system or construct sewers in territory outside the boundaries of such cities in which sewerage facilities are furnished by a private company or by a municipality authority

Section 32.2 Subsection e) and section 3250 of said article and act are hereby designated subdivision (f) section 3260 of said article and act and as such are reenacted

[(e)] (f) Non-debt Revenue Sewer Bonds

Section [3250] 3260 Sewer Bonds For the purpose of financing the cost or expense or its share of the cost or expense of constructing or acquiring a sewer sewer system or sewage treatment works either singly or jointly with other municipalities or townships or both any city may issue nondebt revenue bonds secured solely by a pledge in whole or in part of the annual rentals or charges for the use of such sewer sewer system or sewage treatment works Said bonds shall not pledge the credit nor create any debt nor be a charge against the general revenues nor be a lien against any property of the city but shall be a lien upon and payable solely from the annual rentals or charges for the use of said sewer sewer system or sewage treatment works

Whenever any city has enacted an ordinance or resolution imposing a sewer rental or charge upon properties to be served by such sewer system or sewage treatment works when the same is completed and has pledged sufficient of the revenues to be derived therefrom for the payment of the interest and sinking fund charges on such non-debt revenue bonds it shall have power to authorize the issue and sale of such non-debt revenue bonds from time to time as the work of construction proceeds and sufficient additional non-debt revenue bonds as may be necessary may be issued and sold to provide for the interest and sinking fund charges accruing thereon until said sewer system or sewage treatment works has been completed and has been in operation for not exceeding one year in order to provide sufficient revenues until such time as sewer rentals or charges may be collected from the owners of properties being served

Nothing in this section shall be construed to abridge or restrict or in any way impair the right of any city to create indebtedness in accordance with existing laws

Section 33 Sections 3301 and 3302 subdivision (a) and section 3310 subdivision (b) of Article XXXIII of said act are reenacted revised and amended to read as follows

Article XXXIII

Collection By Instalment of the Cost of [Highway]
Street and Sewer Improvements

(a) [Highway] Street and Sewer Improvements

Section 3301 Payment of Assessments in Instalments Whenever any ordinance is passed providing for the grading paving or [macadamizing or] other improvement of any [highway] street [lane or alley] or part thereof or for the construction of any sewer the expense whereof is to be defrayed by local assessments [as hereinbefore provided] it may be prescribed in such ordinance that the assessments may be paid in not more than ten equal instalments payable at such times as may be fixed by ordinance the last thereof not to be more than ten years after the completion of the work on the improvement for which it is assessed The instalments shall bear interest at the rate of not more than six per centum per annum commencing at such times as may be fixed by ordinance If any of said instalments shall remain unpaid for two months after the same shall become due and payable the whole of the assessment remaining unpaid shall be due and

payable Any person upon whom such assessment has been made may pay all or as many as he chooses of such instalments before the same are due

Section 3302 Collection of Assessments All assessments made in pursuance hereof shall be collected in the same manner and with the same penalties as provided by law for the collection of municipal claims

(b) [Highway] Street Improvements

Section 3310 Issue of Bonds for Payment of Cost of Improvement In order to provide for the payment of the cost and expense of the permanent paving and improvement of any street [highway lane or alley] or part thereof cities may in addition to other methods provided from time to time issue their bonds in such sums as may be required in all to an amount not exceeding the cost and expense of such improvement and interest thereon

Said bonds shall bear the name of the [highway] street [lane] [or alley] to be improved They shall [be payable at a period not less than five years from the date of their issue to be provided in the ordinance directing the improvement and] bear interest at a rate not exceeding six per centum per annum payable semiannually on the first day of July and January and their maturity shall be fixed in accordance with the Municipal Borrowing Law

Section 331 Sections 3312 and 3316 inclusive of said article and act are respectively renumbered 3311 to 3315 inclusive and so renumbered are hereby reenacted

Section [3312] 3311 Disposition of Proceeds of Sale of Bonds Assessment on Properties Said bonds shall be negotiated at not less than par as other bonds of said cities are negotiated and the proceeds thereof applied solely to the payment of the cost of said improvement The contract price of the same and interest thereon to the first day when interest thereon is payable shall be taken as the cost of said improvement to be assessed on the property benefited according to the provisions of this act

Section [3313] 3312 Entering of Assessments as Liens Such assessments shall be entered in the proper municipal lien and judgment docket in the prothonotary's office and shall if filed within six months from the completion of the improvements without the issuing of a scire facias to revive remain a first lien upon the property assessed until fully paid having precedence of all other liens except taxes and shall not be diverted by any judicial sale unless the payment of the same is provided for from the proceeds of such sale

The assessment shall state the name of the city claimant the name of the owner or reputed owner a reasonable description of the property the amount claimed to be due for what improvement the claim is made and the time when the assessment was finally confirmed or made

Section [3314] 3313 Instalment Payment of Assessments Such assessment shall be payable at the city treasurers' office in equal semiannually instalments with interest at the rate provided in said bonds from the date to which interest was computed on the amount of the assessments or so much as remains unpaid from time to time until all said assessments and interest are fully paid The money so received by the city treasurer shall be applied to the sinking fund

Section [3315] 3314 Collection of Unpaid Instalments In case of default in the payment of any semi-annual instalment of said assessment and interest for a period of sixty days after the same shall become due and payable the entire assessment and accrued interest shall become due and payable and the city solicitor shall proceed to collect the same under the provisions of laws creating and regulating municipal liens and proceedings thereon

Section [3316] 3315 Payment in Advance Discharge of Lien as Part of Property Any owner of property against whom an assessment shall have been made for such improvement shall have the right to pay the same or any part remaining unpaid in full with interest thereon to the next semi-annual payment due on said assessment and such payment shall discharge the lien If any owner shall subdivide any property after such lien attaches he in like manner may discharge the same upon any subdivided portion thereof by paying the amount for which said part would be liable

Section 34 Sections 3401 to 3409 inclusive of Article XXXIV of said act are hereby reenacted revised and amended to read as follows

Article XXXIV

Water-Courses

Section 3401 Changing of Water-courses Removing Obstruction Therefrom Cities may by ordinance after the consent of the Water and Power Resources Board and of the Federal government where required has first been obtained establish the lines change and vacate the channels beds and mouths of water-courses [other than navigable streams] through lands marshes or waters in or adjacent to the city crib wall confine pave or completely inclose and prevent and remove obstructions therefrom at the expense of those causing the same and for such purposes may enter upon and condemn such property and materials as may be necessary Cities may construct and maintain dams as hereinafter provided Cities may also by ordinance establish the lines of banks of streams of water which pass through or along the boundary of such cities and by proceedings at law or equity prevent and remove all such encroachments on the banks of streams and water-courses as threaten to or do injure the city or the property therein

Section 3402 Notice No ordinance for the establishment of lines or the vacation or alteration of the course or channel of any watercourse shall be passed until notice thereof has been given by publication of the proposed ordinance at least once a week for three consecutive weeks in one newspaper [published in the city] in accordance with the provisions of section one hundred nine of this act

Section 3403 Viewers to Assess Damages The city may at any time after the passage of the ordinance present a petition to the court of common pleas setting forth the lines established and the nature of the vacation or alteration proposed in the course or channel of such watercourse together with a description of the proposed improvements and praying the court to appoint three viewers to ascertain the damages costs and expenses for so much thereof as the viewers may deem reasonable upon the property benefited

Section 3404 Appointment of Viewers The court or any law judge thereof in vacation shall appoint three viewers from the county road of viewers and appoint a time not less than twenty nor more than thirty days thereafter when the viewers shall meet upon the line of the improvement and view the same and the premises affected

Section 3405 Proceedings to Assess Damages The proceedings before such viewers for the allowances of damages for property taken injured or destroyed and for the assessment of benefits upon property benefited shall be as provided in this act for the assessment of damages and benefits in eminent domain proceedings

Section 3406 Discontinuance of Proceedings If any city shall repeal any ordinance passed or discontinue any proceeding taken providing for any such improvements prior to the entry upon appropriation or injury to any property or materials the city shall not be liable to pay any damages but all costs upon any such proceeding together with any actual damage or injury sustained by reason of such proceeding shall be paid by the city

Section 3407 Liens When the court has entered its final decree confirming the report or fixing the assessments the assessments of benefits shall become liens upon the property assessed Claims therefor may be collected in the same manner as municipal claims are collected or they may be collected by action of assumpsit the lien of the judgment however to be limited to the property assessed

Section 3008 Water Excepted Nothing contained in the preceding sections of this article shall apply to any watercourse used by any municipality or water company as a source of supply unless such municipality or water company shall consent to such vacation or alteration

Section 3409 Construction of Dams Whenever the consent of the Water and Power Resources Board and of the Federal government whenever necessary has been

granted to any city to construct and maintain a dam in a public navigable river or stream flowing through or partly within and partly without its corporate limits for the purpose of improving the sanitary conditions thereof such city may purchase acquire enter upon take use and appropriate private property either within or without its territorial limits for that purpose If the city cannot agree with the owner or lessee of such private property upon the compensation for the property appropriated or the damages done or when by reason of the absence or legal incapacity of any such owner or lessee no such compensation can be agreed upon the court of common pleas of the county in which such property may be situate or any judge thereof in vacation on application thereto by petition by said city or such owner lessee or any person affected shall appoint viewers to view and ascertain the damages done by reason thereof and the proceedings thereupon shall be as provided in this act in the case of property taken injured or destroyed

Section 35 Sections 3501 to 3521 inclusive paragraphs (1) (2) and (3) of subdivision (a) of Article XXXV of said act are reenacted revised and amended as follows

Article XXXV

Public Service

(a) Water Supply

(1) General Provisions

Section 3501 Exclusive Right to Furnish Water to City Frontage Tax Each city shall have the exclusive right at all times to supply the city with water and such persons partnerships and corporations therein as may desire the same at such prices as may be agreed upon and for that purpose to have at all times the unrestricted right by ordinance subject to the provisions of existing laws to make erect and maintain all proper works machinery buildings cisterns reservoirs pipes conduits for the raising reception conveyances and distribution of water or in territory not supplied with water to make contracts with and authorize any person company or association so to do and to give such person company or association the privilege of furnishing water as aforesaid for any length of time not exceeding ten years Whenever an extension of a supply of water to portions of the city not previously supplied shall be made it shall be lawful to charge all owners of houses lots and buildings on each side of the street a frontage tax [at such rate per foot as council may by ordinance fix] for the local water supply part thereof according to the foot front or the assessed valuation of the property for city purposes or according to benefits This tax shall be collected and recovered in the manner provided by law for the recovery of municipal claims The legal title to all water-works heretofore vested in any city by equitable title shall after the effective date of this act be vested in such city Said waterworks shall be operated maintained and managed in the same manner and subject to the same provisions as any waterworks owned or acquired by cities

(2) Acquisition by Eminent Domain

Section 3505 Appropriation of Lands and Waters Any city desiring to erect water-works or to improve its water supply may appropriate springs streams rivers or creeks and lands easements and rights of way within or without its limits and for the purpose of conducting water obtained outside the limits of the city may lay pipes under and over any lands rivers streams bridges highways and [across] under railroads No water appropriated under the provisions of this section shall be used in such manner as to deprive [the owner thereof] riparian owners thereon of the free use and enjoyment of the same for domestic or farm purposes

Section 3506 Agreements as to Damages Bonds Prior to any such appropriation the city shall attempt to agree with the owners as to the damage done or likely to be done If the parties cannot agree or the owner cannot be found or is under legal incapacity the city shall [if required by the court upon] petition [file its bond in] the court of common pleas to fix the amount of its bond with or without surety as the court may direct conditioned

for the payment to the owner of the property of the damages for the taking thereof when the same shall have been ascertained and shall file said bond as approved in the said court

Section 3507 Appointment of Viewers Proceedings Upon petition of either the property owner or city the court shall appoint three viewers from the county board of viewers who shall assess the damages for the property or rights appropriated and shall fix a time for their meeting of which notice shall be given to all parties interested by newspaper publication at least once in at least one newspaper ten days prior to such meeting as required by section one hundred and nine of this act and the posting of hand bills along the line of said improvement The proceedings for the assessment of damages shall be as provided in this act in case of property taken injured or destroyed

(3) Acquisition by Purchase After Appraisalment

Section 3515 Petition to Court Expressing Desire to Acquire Water-Works Whenever any person firm or [any] corporation shall own any water-works or system [and a city is desirous of owning and operating such water-works or system] which furnishes water within the city such city may present its petition to the court of common pleas of the county setting forth that the city is desirous of owning and operating such water-works or system and that it will be necessary to issue bonds to be secured by such water-works or system and that a value should be placed upon such water-works or system including all property real and personal used in connection therewith A city may acquire by agreement with the owner thereof any water-works or system which furnishes water within the city or a part thereof and within nearby municipal subdivisions or parts thereof

Section 3516 Appointment of Engineers as Appraisers to Make Valuation The court shall thereupon appoint three [civil] registered engineers in civil engineering as appraisers to value and appraise such water-works or system and the property used in connection therewith and the contracts or agreements with municipalities or townships who shall file their report in the court within three months after their appointment unless such time be extended by the court

Section 3517 Powers of Appraisers The appraisers shall have access to the books and records of the person firm or corporation owning such water-works or system to inform themselves as to the income and value thereof They shall have power to administer oaths and are authorized to take the testimony of witnesses Their report shall be final if not appealed from

Section 3518 Appeal from Appraisalment Within ten days after notice of the filing of any report either party may appeal from such appraisalment alleging an undervaluation or overvaluation of the property and praying for a hearing before the court The court shall thereupon fix a time when such appeal may be heard of which time at least ten days' notice shall be given to the parties and upon such hearing the court shall have power to modify such report and either party may appeal from the final confirmation of such report to the Superior or Supreme Court

Section 3519 Effect of Failure of Owner of Works to Accept Price Fixed After the value is finally determined the city may buy such water-works or system at the valuation so fixed and the person firm or corporation owning the same shall within ten days after notice file in court its consent to sell and convey its water-works or system and property to the city at the valuation fixed And in default thereof such person firm or corporation shall cease to have any exclusive privilege of supplying the city or the citizens thereof with water and the city may install such water-works or system as may be necessary for the accommodation of the public

Section 3520 Issue of Bonds For the purpose of [such] any purchase authorized by this article in the city may issue [bonds which shall be secured solely by such water-works systems and property and the revenues thereof and without any other liability on the part of such city] gen-

eral obligation bonds or utility bonds or non-debt revenue bonds issued as provided by the Municipal Borrowing Law

Section 3521 Limit of Bond Issue Such bonds shall not exceed in amount the value fixed by the appraisers or the court The proceeds of the sale of such bonds shall be used exclusively for the purpose of paying for the property acquired

Section 35.1 Sections 3522 to 3524 inclusive paragraph (3) subdivision (a) of said article and act are hereby repealed

Section 35.2 Sections 3530 to 3532 inclusive of paragraph (4) section 3540 of paragraph (5) sections 3550 to 3553 inclusive of paragraph (6) sections 3560 to 3564 inclusive of paragraph (7) sections 3570 and 3571 of paragraph (8) all of subdivision (a) and sections 3575 and 3576 subdivision (b) and sections 3580 to 3589 inclusive subdivision (c) all of said article and act are hereby reenacted revised and amended as follows

(4) Acquisition of Competing Water Companies by Cities

Section 3530 Power to Acquire Companies Operating in Same Territory Any city owning operating or controlling a system of water-works for the supplying of water to persons partnerships and corporations residing therein and for [fire protection] municipal purposes whether the title to the said water-works be in the name of commissioners of water-works or in the city itself or otherwise may acquire all the water-works including water pipes mains service attachments fire hydrants and improvements of any water corporation or private individual operating partly within and partly without the limits of the said city both so much as is included within the limits of the said city and so much as is without the limits of the said city serving the territory adjacent thereto and acquire and exercise all of the franchises and powers of said prior owner both within and without the city limits

No such municipal acquisition shall be valid until upon application filed by the city and formally joined in by the proposed vendor water company the Public [Service] Utility Commission [of the Commonwealth of Pennsylvania] shall have found and determined after public hearing that the granting of such application and the service contemplated by the city is necessary or proper for the service accommodation and convenience of the public In any such proceeding the entire matter shall be before the commission and no further specific approvals of the said commission which might otherwise be required shall be necessary

Section 3531 Service Outside Limits Subjects to Control of Public [Service] Utility Commission The service of water by any such city in the territory outside of the limits of the city shall be subject to regulation and control by the Public [Service] Utility Commission as to character of service extensions and rates with the same force and in like manner as though the city serving in such territory were in fact a water corporation and with respect to such territory outside of the limits of the city and shall have all the powers and be subject to all the duties of a water corporation

Section 3532 Different Rates Within and Without City Inasmuch as the city may be serving its inhabitants at less than the actual cost of service including capital charges and depreciations because the plant may have been or may be built and operated in part out of the funds raised by municipal taxation no rate classification rule regulation or practice put in operation by the city in the portion of its territory supplied located beyond the city limits shall be considered as unjustly discriminatory solely by reason of the fact that a different rate classification rule regulation or practice is in operation within the boundaries of the municipality with respect to a similar service rendered

(5) Power to Furnish Water to Consumer Outside City

Section 3540 All cities wherein the title to the water-works therein located is or shall hereafter be in the name of the city may extend the water-pipes and improvements of any such water-works beyond the bounds

of the cities wherein they are located into the county and municipalities of the county in the vicinity of such cities and furnish water to any and all corporations institutions persons and [municipalities] municipal subdivisions in the counties in which said cities are located in accordance with law and the rules and regulations of the Public [Service] Utility Commission This section does not authorize a city to extend water-pipes or supply water in territory outside the boundaries of such cities which territory is being supplied with water by a private company

(6) Power to Lease Water-Works

Section 3550 Lease of Water-Works The council of any city may on behalf of such city enter into a contract with any private individual copartnership association or corporation for the leasing of any water supply works system and property or both of such private individual copartnership association or corporation

Section 3551 Terms of Lease Rental The said leasing may be for such term of years and at such rental as shall be agreed upon by the city and the private individual copartnership association or corporation

Section 3552 Operation of Property The property so acquired shall be operated in the same manner as if the same had been acquired by such city by purchase or condemnation proceedings

Section 3553 Rates The council of the city [with the consent of] subject to the Public [Service Commission] Utility Law shall fix the rates to be charged for the water furnished [within] without the limits of such city to individuals copartnerships associations or corporations

(7) Condemnation of Lands for Road Purposes and to Prevent Contamination

Section 3560 Overflowing Roads Acquisition of Lands to Reconstruct Roads Whenever any city in supplying water to the public shall find it necessary in storing water to occupy and overflow with water portions of any turnpike or public road or whenever any public road leads into or crosses over any reservoir used for the storage of water the city shall cause such turnpike or road to be reconstructed at its own expense on a favorable location and in as perfect manner as the original road and for such purposes is authorized to condemn land whenever an agreement as to the price cannot be had with the owners

Section 3561 Filing Maps and Plans After such change is made the city shall file in the court of quarter sessions of the county a map or plan showing such change of road and shall furnish to the supervisors or other authorities of the township or municipal corporation a copy of such map

Section 3562 Condemnation of Lands to Prevent Contamination Cities may acquire by purchase or condemnation such lands along and contiguous to the streams of water or reservoirs from which water is taken for public use as may be necessary to preserve the same from contamination

Section 3563 Security for Payment of Damages No land shall be taken injured or destroyed for the uses mentioned in this subdivision of this article until compensation therefor shall have been paid or secured before such taking injury or destruction

Section 3564 Condemnation Proceedings The damages incurred in changing the location of any such turnpike or public road and in condemning land to preserve water from contamination shall be ascertained in the manner provided in this act in case of property taken injured or destroyed

(8) Miscellaneous Provisions

Section 3570 Power of City to Patrol Through Private Lands Any city owning and operating a water works system is hereby authorized and empowered to enter by any of its employees upon private lands through which may pass any stream or streams of water supplying such city for the purpose of patrolling the drainage area of such stream or streams and making investigations or inquiries pertaining to the condition of the stream or

streams sanitary or otherwise Any injury or damage done to the property so entered upon shall be paid by such city

Section 3571 Leasing of Part of Water-works for Yacht Harbor The council or the commission of water-works or other body of any city having charge and control of the water-works property of any such city may subject to the approval of the State Department of Health and subject to proper restrictions lease for a period of years any portion of the real property not exceeding three acres and any water area under its control and not necessary or essential for the operation and maintenance of such water-works for the purpose of establishing and maintaining a harbor for yacht and for the erection of proper and suitable buildings in connection therewith whenever the occupation of the grounds and water areas so leased shall not interfere with the operation of such water-works or in any manner affect the sanitary conditions of any public water supply

Any such lease before the same is executed shall be submitted to and be approved by the Department of Health

(b) Power and Light

Section 3575 Power to Furnish Light Cities shall have the exclusive right at all times to supply the city with electric gas or other light and such persons partnerships and corporations therein as may desire the same at such prices as may be agreed upon and shall have at all times the unrestricted right to make erect and maintain the necessary buildings machinery and apparatus for manufacturing and distributing the same or in territory not supplied with light to make contracts with and to authorize any person company or association so to do and to give such person company or association the privilege of supplying gas or other light as aforesaid for any length of time not exceeding ten years

Section 3576 Street Lighting Ornamental Lighting Systems Cities may by ordinance provide for and regulate the lighting of streets with gas or electric light or light by other means and upon petition of the majority of the property owners in number or interest abutting on any street or section thereof may install ornamental lighting systems and assess the costs of installation maintenance [and/] or operation entirely upon the city or entirely upon the abutting property owners or partly upon the abutting property owners and partly on the city

(c) Water and Lighting Commission

Section 3580 Creation of Water and Lighting Department Any city which now has or which may hereafter have the title to any water gas or electric light works by conveyance to the same or by operation of law in its corporate name or which may hereafter erect or purchase water gas or electric light works under the provisions of this act may create a department to be called the water and lighting department and for the organization and government of the same the council may divide the city into three districts for the election of a board of commissioners which districts shall be numbered one two and three one commissioner to be chosen from each respective district of which he shall be a resident at the time of his election and no member of council or person holding any city office shall be eligible as a member of said board

Section 3581 Election of Members of Commission The council of such city creating such department as aforesaid may on the second Monday of April or within thirty days thereafter elect one person from each of said districts as a member of the board of commissioners of the water and lighting department and at the first election each member of council shall vote for but two commissioners and the three persons being one from each of said districts having the highest number of votes shall be declared elected The commissioners so elected shall serve for the term of one two and three years respectively to be computed from the date of election and until their successors are duly elected and qualified The term of each shall be determined by lot at the first meeting of the board

and thereafter on the second Monday of April of each year or within thirty days thereafter the council shall elect one commissioner to serve for the term of three years

Section 3582 Compensation of Commissioners Oath Removal Filling of Vacancies The members of the board of commissioners created as aforesaid shall receive such compensation for their services as may be provided by ordinance Before entering upon their respective duties they shall take and subscribe the oath prescribed by this act for city officers and they shall be removable by council for misdemeanor in office or neglect of duty All vacancies occurring in the board shall be filled by council for the unexpired term

Section 3583 Duties of Board The Board shall take charge of the water and lighting department so created and shall employ and dismiss at pleasure a superintendent and a clerk who shall be secretary of the board whose compensation shall be fixed by council The board shall employ such laborers mechanics and workmen as they may deem necessary for the economical and efficient administration of said department They shall purchase such materials and supplies as may be required for keeping the works in good repair and have charge and control of all constructions repairs enlargements and extensions of the works and shall conduct and manage the affairs and business of the department in accordance with law and the directions of council

Section 3584 Estimates of New Work to Be Furnish Council The said board of commissioners shall whenever called upon by council make and submit to them full estimates of the cost charges and expenses of any new work enlargement extension of water or lighting supply or alteration which council may contemplate making relative to said works and may at any time submit to council any suggestions and estimates they may see proper to make touching the improvement extension or enlargement of said works but no new construction reconstruction extension supply of water or light or enlargement of said works shall be undertaken by said commissioners so created or materials or supplies be purchased therefor without the previous consent and direction of council

Section 3585 Payment of Cost of Extensions by Property Owners Frontage Tax Whenever an extension of a supply of water or light to portions of the city not previously supplied shall be made by the said commissioners they shall make out a full statement of the number of feet of main pipes laid or extended through any of the streets of the city in which main pipes were not laid before the said extension and shall file the same in the department and it shall be the duty of the clerk of said department forthwith on receipt of said statement to make out a list of all owners of houses lots and buildings on each side of the street through which said pipes are extended and to charge said owners and each of them for each and every house lot or building so situated in said streets at such rate per foot as council may by ordinance fix for said mains extending along the front of their respective houses lots and buildings Nothing herein contained shall be construed to prevent council from providing for the payment of water and gas pipes by the city

Section 3586 Collection of Frontage Tax Assessment of Cost Said charge shall be called the frontage water tax or lighting tax as the case may be and shall be collected and recovered in the manner provided by law for the recovery of municipal claims Whenever any pipes for the conveyance of water or light shall be laid in any of the streets or highways within such city the owners of the ground in front of which the same shall be laid shall pay for the expense thereof such sum for each foot of the front of their ground upon such street as council may by ordinance direct Provided that in all corner lots an allowance shall be made of one-third [(1/3)] the length of their front but such allowances shall be always and only on the street [or highway] having the longest front and in case both front are of equal dimensions the allowance shall be made in the street in which the pipes shall be last laid but in no case shall the allowance exceed sixty [(60)] feet on any corner lot And provided further That

when a corner lot shall have erected upon it two or more separate tenements there shall be an allowance made equal to one-third [(1/3)] of the depth of the corner tenement and the yard adjoining The provisions of this and the foregoing section shall not apply to any lot or piece of ground in such city upon which there may be a supply of water or gas obtained from any other source whatever but if at any time the owner of such lot or piece of ground shall desire to obtain a supply of water or gas from the works of such city then and in that case the provisions of this section shall first be complied with

Section 3587 Fixing Rates The board of commissioners may with the approval of council fix the water and lighting rates and the quantity to be used and for that purpose they shall on the first Monday of March in each year establish the rates for the succeeding year which rates shall be submitted by them to council for its approval and when approved such rates shall not be changed for and during the year but if not approved the existing rates shall continue until modified by the commissioners with the approval of council

Section 3588 Collection of Lighting and Water Rates Council shall provide by ordinance for the collection of all the lighting and water rates that may accrue from time to time to the city for the use of the water or light fixing the time when such rates shall be payable and the penalties for nonpayment thereof and such rates shall be charged to the respective owners of the real estate on which such water or light is used and if the same shall not be paid in accordance with the provisions of such ordinance claims for the amounts due shall be registered in the city lien docket in the same manner as provided by law in the case of unpaid city taxes on real estate with the like force and effect as to the lien thereof

Section 3589 Report to Council Accounts of City Treasurer Disposition of Surplus The board of commissioners shall annually at a stated meeting of council in the month of January report to said council a full statement of all the repairs alterations reconstructions new constructions expenditures and everything relating to the management and cost to the city of maintaining each of the said works The city treasurer shall keep his accounts in such manner as to show in his monthly report distinctly and separately the entire amount of revenue realized during each month from the water and lighting departments of said city respectively and the revenues derived from the said water and lighting departments shall be applied exclusively to the purposes of said departments respectively and the surplus if any to the reduction of the debt thereof Any surplus revenues from said water and lighting departments after the payment of all the debts of said respective departments shall be applied as follows The surplus from the water revenues to the reduction of the bonded indebtedness which has been created by the city for the erection and construction of its water-works and the surplus from the lighting revenues to the reduction of any bonded indebtedness which has been created by the city for the erection and construction of its lighting plant

Section 36 Sections 3601 to 3612 inclusive of Article XXXVI of said act are hereby reenacted revised and amended as follows

Article XXXVI

Public Buildings and Works

Section 3601 Hospitals [Prisons] Jails Poor Farms Et Cetera [Cities] Each city may by ordinance erect purchase establish or maintain hospitals [prisons] jails workhouses or houses of correction for juvenile or other offenders and prescribe regulations for the government thereof and erect all public buildings necessary for the use of the city or of any department thereof purchase take use or occupy private lands upon which to erect any of the said buildings purchase take use or occupy within or without the limits of the respective city whether within the county wherein is located the city or within a county adjacent thereto or within both private lands and buildings establish and maintain a general hospital or hospitals for the cure and treatment of the sick and injured or a hospital

or hospitals for the treatment and separation of persons suffering with contagious or infectious diseases [with authority to] and prescribe rules and regulations for the government management and maintenance thereof purchase take use or occupy within the limits of the county of such city or within a county adjacent thereto or within both private lands upon which to establish and maintain a poor farm with all necessary and convenient buildings and appliances where the city may support and maintain such poor persons as such city is by law required to support and maintain acquire by purchase or in other lawful manners within or without the city but within the county or counties in which the city is located sufficient real estate for present and future use upon which to erect workhouses or houses of detention poor houses garbage and incinerating furnaces The proceedings for the assessment of damages for any property taken occupied or used for any such purpose shall be the same as provided in this act for property taken injured or destroyed

Section 3602 Public Auditoriums Libraries Memorials and Monuments Cities may take purchase or acquire by any lawful means or through condemnation proceedings property for the purpose of erecting thereon public auditoriums public libraries public memorial buildings and monuments

Section 3603 Payments of Cost of Erection and Maintenance Cities may appropriate money or issue bonds for the erection on said property purchased or acquired through condemnation proceedings public auditoriums public libraries public memorial buildings and monuments Cities may also appropriate moneys for the operation and maintenance of such public auditoriums public libraries memorial buildings and monuments

Section 3604 Proceedings for Assessment of Damages All proceedings for the assessment of damages for property taken for auditoriums libraries memorials and monuments shall be had in the manner provided by this act for property taken injured or destroyed

Section 3605 Donation of Land by City for Library Purposes Contributions Toward Maintenance Cities may donate ground thus acquired for a public library to any library association provided said association will furnish the funds for the erection of the library building the plans of which are approved by the city but only in such cases where the said library association is by its by-laws and charter compelled to put back into the property any surplus earnings from the operation of said library Cities [by order of council may contribute from time to time towards the operating support of such library a sum not to exceed fifty per centum (50%) of the annual operating maintenance of said] may make appropriations towards the operating expense of such library

Section 3606 Rental of Public Auditoriums Disposition of Proceeds Cities in the case of public auditoriums may by order of council charge a [nominal] rental for the use of said auditorium All moneys derived from rental of said auditoriums shall [first be devoted to the maintenance of said auditorium and any annual balance accruing therefrom shall be turned over to the city funds for the maintenance of public parks and grounds] be paid into the general fund of the city

Section 3607 Leasing of City Property as Memorials [Cities] Each city may lease real estate the property of said city on long term improvement leases at a nominal rental or otherwise to a corporation of the first class for the purpose of providing an auditorium for dramatic musical artistic literary [or] scientific [events including provision for the accommodation for] or patriotic societies or [groups] events or for such other purposes as may be approved from time to time by [the city said auditorium to be a memorial to the heroes of the Great War] council

Section 3608 Term of Lease Renewals Improvements to Be Erected Every such lease shall be for a term of not more than ninety-nine years and may provide for a right of renewal for a like term and shall contain provision for the improvement of the real estate by the erection of a suitable building or buildings of dignified and appropriate architecture absolute ownership of which building or

buildings shall revert to the city free of any claim or charge at the end of the term of the said lease or any renewal thereof

Section 3609 Use of Buildings The building or buildings so erected may be used for any one or more of the following purposes which are hereby declared in respect of this subject matter to be used for public purposes As an auditorium for dramatic musical artistic literary or scientific events including provision for the accommodation of patriotic societies or groups or such other accommodations and features as may be approved from time to time by the city

Section 3610 Title in City Exemption from Taxation Maintenance The title to the said property as so improved shall remain in the city and neither the said real estate nor the leasehold created by such lease shall be subject to local or other taxation

The [leases] lessees shall be exclusively liable for the maintenance and upkeep of the demised premises and shall be solely responsible for the maintenance and operation thereof

Section 3611 Rental Any such lease may provide that the lessor shall be entitled to receive a sum equal to the net income of said demised premises after reasonable reserves and proper amortization charges

Section 3612 Location of City [Prisons] Jails Restricted No city shall erect or construct a city [prison] jail or lockup or use any existing building or lock-up for the first time which will be or is located within five hundred feet of any public school building

Section 37 Sections 3701 to 3713 inclusive of Article XXXVII of said act are hereby reenacted revised and amended as follows

Article XXXVII

Parks Playgrounds and Recreation Centers

Section 3701 Plans of Parks and Playgrounds Every city shall have a general plan of its parks and playgrounds including those which have been or may be laid out but not opened Said plan shall be filed in the office of the engineer or other proper office of the city and all subdivisions of property thereafter made shall conform thereto The location of parks or playgrounds laid out and confirmed by authority of council shall not afterwards be altered without the consent of council No map or plot of parks or playgrounds shall be entered or recorded in any public office of the county in which said city is situated until approved by council No person shall hereafter be entitled to recover any damages for the taking for public use of any building or improvements of any kind which may be placed or constructed upon or within the lines of any located park or playground after the same shall have been located or ordained by council

Section 3702 Lands for Planned Parks to Be Appropriated Within Three Years Whenever any park [or] parkway or playground may hereafter be superimposed upon the confirmed plan of the streets or parks of any city in sections not entirely built up by ordinances of council unless an ordinance actually appropriating the land within the lines of said park [or] parkway or playground to public use is duly passed by council thereof or said land is acquired by council within three years from the passage of said ordinance superimposing said plan upon said land said ordinance superimposing said plans upon said land shall be void and of no effect and said plan shall be automatically removed from said land as if it had never been placed thereon nor shall any plan again be superimposed on said land without an accompanying ordinance condemning same to public use

Section 3703 Acquisition of Lands and Buildings Cities may enter upon take use purchase and acquire by gift or by the right of eminent domain lands property and buildings for the purpose of making extending enlarging and maintaining public parks parkways playgrounds playfields gymnasiums public baths swimming pools or indoor recreation centers hereinafter called recreation places may levy and collect such special taxes as may be necessary to pay for the same and make appropriations for

the improvement maintenance care regulations and government of the same Cities may designate and set apart for use for any of the purposes specified in this section lands and buildings owned by such cities and not dedicated or devoted to other public use Cities may also lease lands and buildings in such [city] cities for temporary use for such purposes Lands property and buildings outside the limits of the city may be [taken] acquired in like manner for [the purpose of a park parkway or playground] recreation places and such lands may be annexed to the city in the manner provided by this act for the annexation of territory to a city

Section 3704 Creation of Recreation Board The authority to supervise and maintain [parks playgrounds playfields gymnasiums public baths swimming pools or indoor recreation centers] recreation places may be vested in any existing body or board or in a recreation board as council shall determine Council may equip operate and maintain the [parks playgrounds playfields gymnasiums swimming pools bathing places public baths or indoor recreation centers] recreation places as authorized by this act Such authorities may for the purpose of carrying out the provisions of this article employ play leaders recreation directors supervisors superintendents or any other officer or employee as they deem proper The compensation of such officers and employees shall be fixed by council

Section 3705 Composition of Board If council shall determine that the power to equip operate and maintain [parks playgrounds playfields gymnasiums public baths bathing places swimming pools or recreation] [centers] recreation places shall be exercised by a recreation board they may establish in said city such recreation board which shall possess all the powers and be subject to all the responsibilities of council under this article Such board when established shall consist of five persons two of [the members] whom shall be members of the school board The board shall be appointed by the mayor with the approval of council and shall serve for terms of five years or until their successors are appointed except that the members of such board first appointed shall be appointed for such terms that the term of one member shall expire annually thereafter Members of such board shall serve without pay Women shall be eligible for appointment Vacancies in such board occurring otherwise than by expiration of term shall be for the unexpired term and shall be filled in the same manner as original appointments

Section 3706 Organization of Board Employees The members of a recreation board established pursuant to this article shall elect their own chairman and secretary and select all other necessary officers to serve for a period of one year and may employ such persons as may be needed as authorized by this [act] article Such board shall have power to adopt rules and regulations for the conduct of all business within its jurisdiction

Section 3707 Joint Ownership and Maintenance Any city may jointly with any other [city or] cities [and/or any borough or] boroughs [and/] or [township or] townships or any of them acquire property for and operate and maintain any [parks playgrounds playfields gymnasiums public baths bathing places swimming pools or indoor recreation centers] recreation places Any city may join with any school district in equipping operating and maintaining [playgrounds playfields gymnasiums public baths swimming pools and indoor recreation centers] recreation places and may appropriate money therefor

Section 3708 Issue of Bonds The city council may issue general obligation bonds for the purpose of acquiring lands or buildings for [parks parkways playgrounds playfields gymnasiums swimming pools public baths and indoor recreation centers] recreation places and for the equipment therefor

Section 3709 Maintenance and Tax Levy All expenses incurred in the operation of such [parks parkways playgrounds playfields gymnasiums swimming pools public baths bathing places and indoor recreation] [centers] recreation places established as herein provided shall be

payable from the treasury of the city Council may annually appropriate and cause to be raised by taxation such tax not to exceed two mills on the dollar of the assessed valuation of taxable property in such city for the purpose of maintaining and operating [parks parkways playgrounds playfields gymnasiums public baths bathing places swimming pools and recreation centers] recreation places

Section 3710 Leasing by City of Its Parks or Playgrounds Cities may enter into contracts and agreements with any incorporated association acting within its corporate powers for the use by the latter of any park or playground owned leased or occupied by said cities for such period and upon such terms as to maintenance upkeep and improvement of such ground as may be mutually agreed upon No such contract or agreement however shall permanently exclude the public of said cities from the use and enjoyment of said parks and playgrounds The said cities shall at all times be invested with the power and authority to adopt suitable rules and regulations concerning the use and occupation of said parks and playgrounds by the public generally and by such incorporated associations specially

Section 3711 Sale of Coal Under Parks or Commons Council may sell and lease at the best price obtainable and subject to such conditions as it may deem necessary to impose for the protection of the surface the coal under any park or common owned by and situate within the corporate limits of the city When any park or common shall front on a river or other public stream such portion of the amount realized from the sale or lease of such coal may be used for the erection of retaining walls as council shall deem necessary for the purpose Before any such coal shall be sold or leased the proposed sale shall be advertised in accord with the provisions of section one hundred and nine of this act at least once a week in three daily papers published in the city in which said coal is situate if there be so many and [also in some New York journal or magazine devoted to coal mines and mining for four weeks] in any other publication as council may determine and sealed bids shall be received and the person copartnership association or corporation offering the highest and best price shall be the purchaser but council shall have the right to reject all bids

Section 3712 Use of Proceeds of Sale or Lease of Coal Under Parks Whenever any city shall have sold or leased the coal underlying any public park or common within the limits of said city the proceeds of said sale or lease except as hereinbefore otherwise provided shall be applied only as follows First To the improvement policing and lighting of the said park or common or the redemption of bonds issued for the improvement of said park or common [second] Second Any surplus of the said proceeds [left beyond what is required for improving policing and lighting said park or common] may then be applied and used for the purchase and improvement of other lands within the limits of the city or immediately adjacent thereto for use as [public parks or commons] recreation places or for the building of bridges and construction of drains and sewers or for such other purposes as council may determine Provided That no land shall be purchased for such use with said funds unless the ordinance authorizing the purchase shall have been passed by the affirmative vote of [two-thirds of the] four members [elected to the said] of council

Section 3713 Application of Coal Rentals to Payment of Cost of Improvements Issue of Bonds Whenever hereafter any such city shall have leased the coal under any public park or common for a rental or royalty payable in periodical instalments in order to provide for the payment of the cost of any such improvements authorized in the preceding sections the said city may from time to time issue [improvement] general obligation bonds [based upon the faith and credit of the city and upon the pledge of such royalties in such sums as may be from time to time required not to exceed the cost of such improvement and the interest thereon Such bonds shall bear interest at the rate not to exceed six per centum per annum payable

semi-annually] The issuance of any such bonds shall be in accordance with the Municipal Borrowing Law

[The said rental or royalty shall be paid to the city treasurer and placed to the credit of the sinking fund for the redemption of said bonds and the payment of the interest thereon as the same shall become due] [The method of redemption shall be provided for in ordinance authorizing the issuing of such bonds]

Section 37.1 Section 3714 of said article and act is hereby repealed

Section 37.2 Sections 3715 to 3722 inclusive of said article and act are hereby respectively renumbered 3714 to 3721 inclusive and so renumbered are reenacted revised and amended as follows

Section [3715] 3714 Appointment of Directors of City Trusts Whenever any property or estate whatsoever has been conveyed bequeathed or devised to any city in trust for the purpose of establishing or maintaining a public park or other public purpose for the use and benefit of citizens of such city the court of common pleas of the county in which such city is located on petition of council of said city shall appoint five persons as directors of city trusts all of whom shall be citizens of such city and none of whom shall hold any office or employment thereunder who shall exercise and discharge all the duties and powers of said city however acquired concerning such property conveyed bequeathed or devised to such charitable use to the extent that the same has been or hereafter may be by statute or otherwise vested in or delegated to the said city or the officers thereof The directors of city trusts may delegate the supervision and operation of such city trusts as are recreation places to the authority determined by council for recreation places of the city in accordance with section three thousand seven hundred four of this act

Section [3716] 3715 Term of Service Removal Vacancies The persons so appointed shall serve as members of the board of directors of city trusts during good behavior subject however to [the] removal by the court of common pleas for dereliction or neglect of duty or for any other cause deemed by the said court to be important for the conservation or administration of the said trust thus imposed upon them

All vacancies shall be from time to time filled by the said court on petition of the council of said city or any of its citizens

Section [3717] 3716 Duties of Directors The said directors of trusts shall carefully invest and preserve the trust funds make such rules and by-laws for the proper regulation of their business not inconsistent with the terms annexed to any conveyance bequest or devise in any deed or last will and testament of any decedent appoint and employ as many agents and employees as in their judgment shall be necessary for the proper discharge of the said trust or trusts and in the name and in accordance with the conditions of said trusts do any and all things requisite for the proper administration and management of the property under their control

Section [3718] 3717 Directors to Be Agents of City to Have No Interests in Contracts The said directors in the discharge of their duties and within the scope of their powers shall be considered agents or officers of the city but no compensation or emolument whatever shall be received by them for any services performed relating to the said trusts nor shall any of them have or acquire any personal interest in any contract whatever made through them or their agents or employees

Section [3719] 3718 Appointment of Park Guards The council of every city shall have power under the provisions of this article to provide by ordinance for the selection and employment of such number of persons as they deem necessary to act as park guards fix their compensation and duties and provide for their uniforming

Section [3720] 3719 Powers of Park Guards Persons appointed as park guards under any ordinance passed pursuant to the provisions of the preceding section shall have in the parks and playgrounds and other public places in such cities and beyond the limits of such cities when such cities have acquired such lands properties and buildings

for park and playground or other public purposes the same power in preserving the peace maintaining order and making arrests as policemen have in such cities

Section [3721] 3720 Control of Park Guards Such park guards shall be under the supervision control and direction of the director of the Department of Parks and Public Property

Section [3722] 3721 Sale of Unused and Unnecessary Land and Buildings The council of each city is hereby vested with the necessary power and authority to sell unused and unnecessary lands and buildings that have been dedicated to park purposes by public auction upon sealed bids or at private sale with approval of the court of common pleas Provided nevertheless That before any such sale is made council shall advertise said proposed sale [in accordance with the publication required under the contract sections of the Third Class City Code] twice in at least one newspaper in accordance with section one hundred and nine of this act

Section 38 Sections 3801 to 3810 inclusive subdivision (a) sections 3820 and 3821 subdivision (b) and sections 3830 to 3838 inclusive subdivision (c) of Article XXXVIII of said act are hereby reenacted revised and amended to read as follows

Article XXXVIII

Shade Trees and Forests

(a) Shade Trees

Section 3801 Shade Tree Commission Any city may by ordinance create a commission to be known as the Shade Tree Commission of such city but in cities where the council of said city shall not elect to create by ordinance such Shade Tree Commission the said council may exercise all the rights and perform the duties and obligations imposed by this article upon the Shade Tree Commission

Section 3802 Composition of Commission The commission if ordained shall be composed of three [freeholders] residents of the city who shall be appointed by the mayor and shall serve without compensation

[Whenever a shade tree commission is established by any city the mayor shall appoint three freeholders one] One commissioner shall serve for a term of three years one for a term of four years and one for a term of five years

On the expiration of the term of any commissioner a successor shall be appointed by the mayor to serve for a term of five years

Vacancies in the office of commissioner shall be filled by the mayor for the unexpired term

Section 3803 Powers May be Vested in Park Commission Whenever in any city there exists a commission for the care of public parks the council may also by ordinance provide that the park commission shall have the powers and be subject to all the duties prescribed by this article for the shade tree commission

Section 3804 Powers of Commission The commission shall have exclusive custody and control of the shade trees [in] of the city and may plant remove maintain and protect shade trees on the [public highways] streets and sidewalks in the city The commission may require the planting and replanting of shade trees along the streets and sidewalks of the city as council may direct The kind of tree and the alignment and locations of the trees shall be determined by the commission or as council may direct but shall not prevent necessary or reasonable use of streets sidewalks abutting property or the conduct of business

The commission may with the approved of council either employ and pay [such] superintendents engineers foresters tree-wardens or other assistants [as] or may contract for personal and professional services for the proper performance of the duties developing upon it [shall require] and may make publish and enforce regulations for the care and protection of the shade trees of the city No such regulation shall be in force until it has been approved by the council and until it has been published

at least twice in [one on] not more than two newspaper of the city

Section 3805 Report of Commission The shade tree commission shall annually report in full to the council at council's first stated meeting in October of its transactions and expenses for the last fiscal year of the city The park commission in cities wherein the park commission is authorized to act as the shade tree commission may incorporate such transactions and expenses [in] as a separate part of its regular report to council

Section 3806 Notices by Commission Whenever any shade tree commission or park commission acting as a shade tree commission proposes to plant transplant or remove shade trees on any [highway] street or sidewalk notice of the time and place of the meeting at which such work is to be considered shall be given in [one or more] not more than two newspapers published in the city once a week for two weeks immediately preceding the time of the meeting in accord with the provisions of section one hundred and nine of this act The notice shall specify in detail the [highways] streets or sidewalk or portions thereof upon which trees are proposed to be so planted replanted or removed

Section 3807 Payment by Owners The cost of furnishing planting transplanting or removing any shade trees in or along the [highways] streets of the city of the necessary and suitable guards curbing or grading for the protection thereof and of the replacing of any pavement or sidewalk necessarily disturbed in the execution of such work shall be paid by the owner of the real estate in front of whose property the work is done

The amount each [freeholder] owner is to pay shall be ascertained and certified by the commission to council and to the city treasurer

Section 3808 Assessments Liens Upon the filing of the certificate with the council the city clerk shall cause thirty days' written notice to be given by mail to the persons against whose property an assessment has been made The notice shall state the amount of the assessment and the time and place of payment and shall be accompanied with a copy of the certificate The expense of the notice shall be paid by the city

The amount assessed against the real estate shall be a lien from the time of the filing of the certificate with the council and if not paid within the time designated in the notice a claim may be filed and collected [by the city solicitor] in the same manner as municipal claims are filed and collected

Section 3809 Maintenance by City Tax Levy The cost and expenses of caring for such trees after [having] they have been planted [and] [the expense of the notice provided in the preceding section] shall be paid by the city

The needed amount shall each year be certified by the commissioners to council in time for inclusion in the proposed budget ordinance and the funds provided by council shall be drawn against as required by the commission in the same manner as money appropriated for city purposes

The city council may levy a special tax not to exceed the sum of one-tenth of one mill on the dollar on the assessed valuation of the property in said city for the purpose of defraying the cost and expenses of caring for such shade trees and the administrative expenses connected therewith or it may provide for such expenses by appropriations [equal to the amount certified to be required by the commission]

Section 3810 Penalties The commission to the extent as may be provided by ordinance of council may assess penalties for the violation of its regulations and of this article so far as it relates to shade trees Any penalties so assessed shall be a lien upon the real estate of the offender and may be collected as municipal claims are collected

All penalties or assessments imposed under this article shall be paid to the city treasurer to be placed to the credit of the commission subject to be drawn upon by the commission for the purposes [of the preceding sections of] authorized in this article

(b) Memorial Trees

Section 3820 [Planting of] Memorial Trees [Whenever in any city the council shall be satisfied that by voluntary contribution or by appropriation of public money sufficient funds are available to carry out the planting of a memorial tree for every Pennsylvanian who died in the service of the United States in World War I and World War II or in consequence of disabilities incurred in such service during either war above mentioned and who had been a resident of such city at the time of his or her enlistment or induction into said service then the council may arrange for the planting of a memorial tree for every such Pennsylvanian who had been a resident of said city. Such trees either shall be planted near the homes of such Pennsylvanians or in a memorial grove. Such trees or groves shall be appropriately marked by metal plates, monuments or other effective and permanent means to identify the purpose for their planting.] Council may provide for or authorize provision for memorial trees for residents of the city who died while in the military service of the United States or in consequence thereof. Council may make appropriations or accept contributions for this purpose. Such trees shall bear some permanent indication of their purpose.

Section 3821 Penalty for Injury to Memorial Trees. Any person wilfully maliciously or negligently destroying or injuring any trees planted pursuant to the provisions of this subdivision (b) shall be guilty of a misdemeanor and upon conviction shall be liable to a fine not exceeding five hundred [(\$500.00)] dollars or imprisonment not exceeding three [(3)] months or [by] both [such fine and imprisonment] in the discretion of the court.

(c) Forests

Section 3830 Acquisition of Land for Forest Purposes. Cities may acquire by purchase, gift or lease and hold tracts of land covered with forest or tree growth or suitable for the growth of trees and administer the same under the direction of the [commissioner of forestry] Department of Forests and Waters in accordance with the practices and principles of scientific forestry for the benefit of the city. Such tracts may be of any size suitable for the purpose and may be located within or without the city limits.

Section 3831 Approval of [Secretary] Department of Forests and Waters. Before the passage of any ordinance for the acquisition of land to be used as municipal forests, the mayor shall submit to the [Secretary] Department of Forests and Waters and secure [his] its approval of the area and location of such land.

Section 3832 Ordinance Declaring Intention. Whenever the council [of any city] deems it expedient to acquire any lands for the purposes of municipal forests, it shall so declare in an ordinance wherein shall be set forth all facts and conditions relating to the proposed action.

Section 3833 Appropriations of Money. All money necessary for the purchase of such tracts shall be appropriated in the same manner as appropriations for city purposes and such funds may be provided from the current revenue or by the proceeds of a sale of general obligation bonds in accordance with [existing law] the Municipal Borrowing Law.

Section 3834 Rules and Regulations. Upon the acquisition of any municipal forests or land suitable for such, the council shall notify the [Secretary] Department of Forests and Waters [who] which shall make such rules for the government and proper administration of the same as may be necessary. The council shall publish such rules, declare the uses of the forest in accordance with the intent of this subdivision (c) of this article and make such provisions for its administration, maintenance, protection and development as shall be deemed necessary or expedient. The rules governing the administration of such forests shall have for their main purpose the producing of a continuing city revenue by the sale of forest products.

Section 3835 Appropriations and Revenues. All moneys

necessary to be expended for the administration, maintenance, protection and development of such forests shall be appropriated and applied as is now done for city purposes. All revenue and emoluments arising from such forests shall be paid into the city treasury to be used for general city purposes.

Section 3836 Use of Forests. Municipal forests may be used by the public as general outing or recreation grounds, subject to the rules governing their administration as municipal forests.

Section 3837 Ordinance of Sale. Whenever the council [of any city] deems it expedient to [alienate] sell any municipal forest or part thereof, it shall so declare in an ordinance wherein shall be set forth all the facts and conditions relating to the proposed action which proposed ordinance shall be advertised once a week for three weeks prior to its passage. No ordinance shall be effective in legalizing such [alienation] sale until it has been approved by a majority vote of the people at the next ensuing general municipal or primary election.

Section 3838 Appropriation for Forest Work. Cities may appropriate moneys to any forest protection association cooperating in forest work with the State Department of Forests and Waters or to be expended in direct cooperation with said department in forest work.

Section 39 Sections 3901 to 3905 inclusive of Article XXXIX of said act are hereby reenacted, revised and amended as follows:

Article XXXIX

Wharves and Docks

Section 3901 Power to Erect and Maintain Wharves. Regulation Charges. Cities may erect and maintain wharves in navigable waters within or adjacent to the city, regulate the use thereof, fix and collect wharfage for all public wharves and docks within their limits in accordance with a regular schedule of charges, establish wharf and dock lines and construct and maintain docks, retaining walls, dams [and/or] and embankments. They may regulate the anchoring of all manners of vessels within their limits and the depositing of freight on public wharves and docks. Cities may pursuant to ordinance purchase or condemn such land or other property as they may need for the purposes of wharves and docks.

Section 3902 Erection of Market-houses and Railway Tracks on Wharves. Charges. Licenses. Cities may erect and maintain market-houses and terminal sheds or stations on [its] their wharves for the receipt and distribution of freight express [and other matter hauled by boats, railroads and street cars] and cargo, construct railroad and street railway tracks or other facilities on said wharves to provide for the convenient handling of such freight or express [matters] or cargo and collect rents, tolls or charges for the use of such market-houses, terminal stations, tracks, wharves and other facilities. No permit other than a license revocable at will shall be granted for the use of such tracks, terminal stations, wharves or other facilities and no exclusive permit for the use of such tracks or facilities shall be granted.

No structure so erected and no right granted under the powers herein conferred shall interfere with the general public use of wharves for [river] water-borne commerce.

Section 3903 Use of Unnecessary Wharves or Landings for Other Municipal Purposes. Whenever any city by ordinance declares that any public landing or public wharf or part thereof fronting on any navigable [river] water and lying within its limits has become unnecessary for use for public landing or public wharf purposes, the city may take enter upon and occupy for use for any other public purposes whatsoever the public landing or public wharf or part thereof so found unnecessary for such purposes any limitation of use thereof by the municipality arising from donation, dedication, appropriation, statute or otherwise to the contrary notwithstanding.

Section 3904 Appropriation of [Wharf Properties]. Wharves and Landings for General Purposes. Cities are vested with the right of eminent domain for the purpose of appropriating for such general public uses all such

public landings or public wharves or parts thereof so found unnecessary for such purposes together with any easements property and property rights connected therewith

Section 3905 Assessment of Damages All damages arising from the exercise of the power of eminent domain hereunder shall be ascertained and awarded in the manner provided by this act for property taken injured or destroyed

Section 40 Sections 4001 to 4006 inclusive of Article XL of said act are hereby reenacted revised and amended as follows

Article XL

City Planning

Section 4001 City Planning Commission Appointment of Commissioners Vacancies Powers A City planning commission consisting of five persons to be appointed by the city council is hereby created In the first instance one member of said commission shall be appointed for one year one for two years one for three years one for four years and one for five years Annually thereafter a member of said commission shall be appointed for a term of five years An appointment to fill a [casual] vacancy shall be only for the unexpired portion of the term All members of the said commission shall reside within the zone of jurisdiction of said commission as hereinafter defined No person holding office under the government of the city except the mayor or other members of council shall be ineligible to serve as a member of the city planning commission The commission may make and alter rules and regulations for their own organization and procedure consistent with the ordinances of the city and the laws of the Commonwealth The members of the commission shall serve without compensation and make annually to the council a report of their transactions The commission may pursuant to appropriations by council employ engineers and other [whose] pay their salaries and wages and incur other necessary expenses [of the commission shall be provided for by appropriations of council]

Section 4002 Action on [Ordinances] Bills Relating to Public Buildings Streets Parks Bridges Et Cetera The city clerk [of council] shall [upon introduction] furnish to the city planning commission for its consideration a copy of all [ordinances and] bills and all amendments thereto relating to the location of any public building of the city to the location extension widening narrowing enlargement ornamentation and parking of any street [boulevard parkway] park [playground] recreation place or other public ground to the relocation vacation curtailment charges of use or any other alteration of the city plan with relation to any of the same and to the location of any bridge tunnel and subway or any surface underground or elevated [railway] common carrier route The commission shall have the power to disapprove any [of the said ordinances bills or amendments] such bill or amendments thereto which disapproval however must be communicated to council in writing within [one week] ten days from the introduction of [said] [ordinances] the bill or the amendment but such disapproval shall not operate as a veto

Section 4003 Maps of City and Environs Recommendations to Council The city planning commission may make or cause to be made and lay before council and at [its] council's discretion cause to be published maps of the city or any portion thereof [including] and of territory extending three miles beyond the city limits showing the streets and highways and other natural and artificial features and also locations proposed by it for any new public civic centre street [parkway] park [playground] recreation place or any other public ground or public improvement or any widening extension or relocation of the same or any change in the city plan by it deemed advisable It may make recommendations to council from time to time concerning any such matters things [afore-said] for action by council and in so doing it shall have regard for the present conditions and future needs and growth of the city and the distribution and relative

location of all the [principle] principal and other streets and [railways] common carrier routes waterways and all other means of public travel and business communications as well as the distribution and relative location of all public buildings public grounds and open spaces devoted to public use

Section 4004 Recommendations to Public Authorities Corporations and Individuals The city planning commission may make recommendations to any public authorities or any corporations or individuals in said cities with reference to the location of any buildings structures or works to be erected or constructed by them

Section 4005 Approval of Plans of Building Lots Conflict of Jurisdiction All plans plots or re-plots of lands laid out in building lots and the streets [alleys] or other portions of the same intended to be dedicated to public use or for the use of purchasers or owners of lots fronting thereon or adjacent thereto and located within the city limits or for a distance of three miles outside thereof shall be submitted to the city planning commission and be approved by it before it shall be recorded No [unapproved] plan plot or re-plot shall be received or recorded in any public office unless the same shall bear thereon by endorsement or otherwise the approval of the city planning commission as required by law The disapproval of any such plan by the city planning commission shall be deemed a refusal of the proposed dedication shown thereon The approval of the commission shall be deemed an acceptance of the proposed dedication but shall not impose any duty upon the city concerning the maintenance or improvement of any such dedicated parts until the proper authorities of the city shall have made actual appropriation of the same by acceptance entry use or improvement No sewer water or gas main or pipes or other improvement shall be voted or made within the area under the jurisdiction of said commission for the use of any such purchasers or owners nor shall any permit for connection with or other use of any such improvement existing or for any other reason made be given to any such purchasers or owners until such plan is so approved Where the jurisdiction limit of three miles outside of the city limits as provided in this section may conflict with the zone of similar character connected with another municipality the jurisdiction of said commission shall extend only to the point equidistant between the city limits and the limits of said municipality

Section 4006 Jurisdiction May Be Transferred to Other Municipal Bureau or Commission Cities may provide by ordinance for the exercise of all rights and powers herein conferred upon the city planning commission by a park commission or kindred municipal bureau or commission authorized under existing laws

Section 41 Sections 4101 to 4125 inclusive and subdivisions (a) to (e) inclusive of Article XLI of said act are hereby repealed and the said article and act are hereby reenacted revised and amended by adding thereto new sections numbered 4101 to 4107 inclusive in subdivision (a) new sections numbered 4110 to 4114 inclusive in subdivision (b) new sections numbered 4120 to 4129 inclusive in subdivision (c) and new sections numbered 4130 to 4133 inclusive in subdivision (d) to read as follows

Article XLI

Zoning [and] Building [Regulations] Ordinances and Public Nuisances

(a) The Zoning Ordinances

Section 4101 Zoning Council shall have the authority to define zones within the city in accordance with a comprehensive plan to promote public health safety morality and the general welfare

(a) by adequately providing for light and fresh air water schools parks and recreation places transportation sewerage drainage and other public needs

(b) by providing against the overpopulating of areas in the city against traffic congestion and against public panics or tumults from fires or other calamities

(c) by reducing the possibilities of contagious and infections

(d) by all other measures for the avoidance of slums for the proper development of residential areas of business centers and industrial areas

giving reasonable consideration to the character of the various districts of the city and their peculiar suitability to particular uses so as to conserve property values and encourage the most appropriate use of the land throughout the city

Section 4102 Zones Council may divide the city into zones and determine the number of zones the shape and area of each and the manner of establishing the boundaries thereof

Section 4103 Classifications and Regulations within Zones Council may establish classes of buildings structures and land for any or all of the purposes of zoning Within the zones defined council may regulate and restrict according to the classes established by it

(a) The height number of stories and size of buildings and other structures

(b) Their construction alteration extension repair maintenance replacement or removal

(c) Their density of occupancy

(d) All facilities in or about them

(e) Their location and use

(f) The use of them or of land for trade industry residence or other purposes

(g) The percentage of lot they may occupy and the size of yards courts and other open spaces

(h) The materials used in or about the construction alteration extension repair maintenance replacement or removal of buildings and structures as to their combustibility and the fire-proof characteristics of the roofs of buildings and structures

(i) The establishment maintenance or setting back of building lines upon the streets

For the purposes of this section provisions of the zoning ordinance may be supplied by reference to the building code in effect in the city

Section 4104 Regulations and Restrictions to Be Uniform All zoning regulations and restrictions ordained by council shall be uniform for each class of building structures and land throughout each zone but the regulations and restrictions may differ as between zones

Section 4105 Public Nuisances Any building or structure erected reconstructed enlarged or added to or removed into or within the zones established by council in violation of the zoning ordinance shall be a public nuisance per se and be abatable as such

Section 4106 Penalties and Remedies Council may provide fines or penalties for the enforcement of the provisions of the zoning ordinance as authorized by this act and may in addition institute proceedings to restrain or abate violations of the zoning ordinance and to prevent the occupancy or use of a building or structure as to which there is a violation of the ordinance or as to which a violation would arise by such occupancy or use

Section 4107 Certain Public Utility Buildings Exempted The Public Utility Commission upon petition of a public utility company and after a public hearing may determine that a building structure or use of the company present or proposed which is or would be violative of the zoning ordinance is reasonably necessary to the welfare of the public and in such case the zoning ordinance shall not apply to the building structure or use in question

(b) Procedure for Adoption of Zoning Ordinance

Section 4110 Zoning Commission When council desires to consider the passage of a zoning ordinance it shall appoint a zoning commission of five residents of the city The duty of the zoning commission shall be to prepare the substantial provisions of a proposed zoning ordinance as hereafter specified Council may designate the city planning commission as the zoning commission The zoning commission may with the approval of council retain or employ such expert assistants as it may deem necessary

Section 4111 Procedure Before the Zoning Commission The zoning commission shall lay out the zones and the

boundaries thereof determine class of buildings structures and land and shall draft such regulations and restrictions for each zone and the classes of buildings structures and land therein as shall seem appropriate These proposals shall be embodied in the preliminary report of the zoning commission The commission shall then proceed to hold public hearings on its preliminary report Notice of the time and place of the first of such hearings shall be published on at least three consecutive days at least seven days prior to the first hearing in a daily newspaper of general circulation in the city in accordance with section one hundred and nine of this act After the conclusion of the public hearings the zoning commission shall prepare and submit to council its final report and recommendations

Section 4112 Procedure Before Council Upon receipt of the zoning commission's final report and recommendations council shall fix a time and place for public hearing by it thereon and shall give at least ten days notice of the first of such hearings by publishing a brief notice thereof at least two times in a daily newspaper of general circulation in the city in accordance with section one hundred and nine of this act The notice shall set forth the time and place of the first hearing and state when and where a copy or copies of the final report and recommendations will be available for public inspection Upon the conclusion of council's public hearings if a zoning ordinance be deemed advisable by members of council notice of intention to consider a proposed zoning ordinance shall be published in accordance with section one thousand fourteen of this act

Section 4113 Publication not Required Filing Notwithstanding any provisions for fines or penalties therein the zoning ordinance or any amendments thereto need not be published after passage The zoning ordinance together with a map or plan shall be filed in the office of the recorder of deeds as may be required by law

Section 4114 Amendments to Zoning Ordinance The regulations and restrictions the classifications of buildings structures and land and the manner of establishing the boundaries of zones contained in the zoning ordinance may be amended by council only in accordance with the procedure for enacting the zoning ordinance but in case a protest against any proposed change signed by the owners of at least twenty per cent either of the lots included in such proposed change or of lots immediately adjacent in the rear thereof extending one hundred feet therefrom or of those directly opposite thereto extending one hundred feet in depth from the street frontage of such opposite lots is presented to council before passage of the amending ordinance then an affirmative vote of at least four members of council shall be required for the proposed change Council may refer any such matters for amendment to the city planning commission for a preliminary and final report whether or not the planning commission acted as the zoning commission in the first instance Such amendments of the zoning ordinance shall be filed in the office of the recorder of deeds as may be required by law

(c) Board of Adjustment

Section 4120 Board of Adjustment Any zoning ordinance passed by council shall provide also for a board of adjustment to consist of three members appointed by council The initial terms of the first three members shall be as follows One shall serve until the first Monday of January following the adoption of the zoning ordinance one until the first Monday of the second January and the other until the first Monday of the third January Their successors shall serve for a term of three years Any vacancy shall be filled for the unexpired term only A board member shall be removable for official misconduct or neglect of duty Council may provide in the zoning ordinance for an alternate member of the board of adjustment to be appointed by council and to serve for a term of three years It shall be the duty of any such alternate member to attend meetings of the board at the call of the chairman or acting chairman and to act in place of any absent member

Section 4121 Conduct of Board's Business The board

of adjustment shall meet at the call of the chairman and at such other times as the board may determine. All meetings shall be open to the public. The board shall keep minutes of its proceedings showing the vote of each member upon each question or noting each absence or failure to vote. The chairman or in his absence the acting chairman may administer oaths and compel the attendance of witnesses. The board shall keep records of its examinations and other official actions which shall be immediately filed in the office of the board and shall be a public record.

Section 4122 Functions of the Board. The board shall adopt and make available to the public rules in accordance with the zoning ordinance for the exercise of its functions. The board shall

(1) Hear and decide appeals upon allegations of material error in any order requirement decision or determination made by any official administering the zoning ordinance.

(2) Hear and decide special exceptions to the provisions of the zoning ordinance upon which the board is required to pass under the zoning ordinance.

(3) Authorize upon appeal in specific cases such variance from the provisions of the zoning ordinance as will not be contrary to the public interest but will observe the spirit of the ordinance and achieve substantial justice where because of special conditions a literal enforcement would result in unnecessary hardships.

(4) Perform such other duties as may be provided for in the zoning ordinance.

Section 4123 Appeals to Board. Appeals to the board of adjustment may be taken by any person aggrieved or by any city officer affected by any decision of the administrative officer. Such appeal shall be taken within a reasonable time as provided by the rules of the board by filing with the officer from whom the appeal is taken and with the board a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the board all the papers constituting the record upon which the action appealed from was taken.

Section 4124 Effect of Appeal. An appeal to the board shall stay all proceedings in furtherance of the action appealed from unless the officer from whom the appeal is taken certifies to the board of adjustment after the notice of appeal has been filed with him that in his opinion and by reason of facts which he shall specify therein a stay would cause imminent peril to life and property. Upon such a certification proceedings shall not be stayed otherwise than by a restraining order granted by the board or by a court of record after notice to the officer appealed from and due cause shown.

Section 4125 Hearing of Appeal. The board of adjustment shall fix a reasonable time for the hearing of the appeal shall give public notice thereof by advertising at least one week before the hearing once in a newspaper of general circulation within the city in accordance with the provisions of section one hundred and nine of this act and shall give due notice to the parties in interest. Any party may appear at the hearing in person or by agent or attorney.

Section 4126 Board's Decision upon Appeal. Disposition of Appeals and Exceptions. The board shall decide each appeal within a reasonable time and notice thereof shall forthwith be given to all parties in interest. The board's decision shall be immediately filed in its office and be a public record in the exercise of its functions upon such appeals or upon exceptions the board may in conformity with the provisions of this article reverse or affirm wholly or partly or modify the order requirement decision or determination appealed from or may make such order requirement decision or determination as in its opinion ought to be made.

Section 4127 Appeal from Board's Decision. Any person aggrieved by any decision of the board of adjustment or any city officer affected thereby may appeal therefrom within thirty days to the court of common pleas. Every such appeal shall specify the grounds thereof and the interest of the appellant. So far as practicable and consistently with the provisions of this article the procedure

for appeals from the board of adjustment shall be in conformity with the Rules of Civil Procedure of the Supreme court regarding appeals from administrative agencies.

Section 4128 Testimony. If upon the hearing of the appeal the court shall deem it necessary to have additional testimony it may remand the appeal to the board of adjustment with instructions or it may take testimony or appoint a referee to do so as it may direct and to report the testimony to the court with his findings of fact and conclusions of law.

Section 4129 Disposition of Appeals. Costs. The court may reverse or affirm in whole or in part or may modify the decision appealed from as to it may appear just and proper. Costs shall not be allowed against the board unless it shall appear to the court that it acted with gross negligence or in bad faith or with malice in making the decision appealed from.

(d) Building Ordinances

Section 4130 Building Ordinance. Each city may enact a building ordinance which may provide for the following matters:

(a) A system of specifications and regulations to insure the structural safety and the incombustibility of buildings constructed, reconstructed, altered, enlarged, repaired or maintained within the city.

(b) A system of specifications and regulations for the setting out, construction, alteration, repair, maintenance, occupation, sanitation, ventilation, lighting, water supply, toilet facilities, drainage, use and inspection of all buildings or parts of buildings and the walls and foundations thereof constructed, erected, altered, designed or used in whole or in part for human habitation and for the sanitation and inspection of land appurtenant thereto.

Section 4131 Form of Building Ordinance. Passage. Penalties. The building ordinance may adopt any standard building code published and printed in book form covering any or all of the above items without incorporating such code in the ordinance or any city may enact any such building code as its building ordinance. In either event the building ordinance or code need not be advertised after passage but notice of its consideration in such reasonable detail as shall be in conformity with a uniform form to be prepared or approved by the Department of Labor and Industry shall be published as required by section one thousand fourteen of this act. Not less than three copies of the building ordinance adopted by council shall be made available to public inspection and use during business hours for at least three months after its adoption. The building ordinance may provide proper fines and penalties not exceeding three hundred dollars for violations thereof.

Section 4132 Building Inspectors. Council may appoint building inspectors and fix their compensation. Such inspectors shall have the right to enter upon and inspect any and all premises at all reasonable hours for the administration and enforcement of the building ordinance. Any fees payable to them under the building ordinance shall be paid by them to the city treasurer for the use of the city as promptly as may be.

Section 4133 Actions to Restrain Violations. The city may in addition to the penalties provided by its building ordinance bring actions at law or in equity to prevent or restrain correct or abate any violations of its building ordinance.

Section 41.1 Subdivision (f) of Article XLI of said act is hereby changed to subdivision (e) and sections 4140 to 4143 inclusive of that subdivision of the said article and act are hereby reenacted revised and amended to read as follows:

[(f)] (e) Abatement of Public Nuisances

Section 4140 Petition for Removal of Public Nuisances. Viewers Vacating Public Alleys, Lanes or Passageways. Declared Public Nuisances by Board of Health. The council of any city may by resolution authorize and empower the mayor of such city to present a petition to the court of common pleas [of the county wherein such city is

located] setting forth that any property building premises business or occupation specifying the same fully and describing the same accurately located within said city has become a public nuisance injurious or dangerous to the community and to the public health Upon the presentation and hearing of such petition if the nuisance complained of be not a public nuisance per se then the court may appoint three viewers from the county board of viewers to go upon the premises where said nuisance is alleged to exist at a time to be fixed in order appointing the same of which time due notice shall be given to all persons affected which shall be not less than twenty nor more than thirty days from the date of the order making such appointment and shall thereupon being the first duly sworn view the property premises building business or occupation shall bear the parties their witnesses and counsel and shall make due report thereof to the court appointing them In any case where the board of health shall have declared any public alley lane or passageway or a part thereof to be a public nuisance any two or more owners of property adjacent or abutting thereon may petition council that such public alley lane or passageway or part thereof be vacated in accordance with the procedure provided in this subdivision for the abatement of public nuisance except that the viewers shall not question the finding of the board of health but shall determine whether or not the said alley lane or passageway or part thereof should be vacated Council may with or without the aforesaid petition proceed for the vacating of any such public alley lane or passageway or part thereof except that in no case shall any such alley lane or passageway be vacated in such a way or to such an extent as to deprive any lot abutting thereon of its sole means of ingress and egress nor shall any alley lane or passageway created by grant or contract and not therefore accepted by the public be vacated

Section 4141 Power of Viewers The viewers appointed as aforesaid may

First Determine whether or not the property premises building business or occupation is a public nuisance and if they shall find it is such a nuisance shall so return in their award and

Second Find what if any compensation shall be paid by the said city to the owner or owners of said property premises building business or occupation for the abatement of the same and if the finding of the said viewers be in favor of said city and direct the abatement of said nuisance then judgment shall be entered upon their award within thirty days after the same is filed unless the said award be appealed from or exceptions [there to] thereto be filed within thirty days No execution or other process for the collection of any sum of money awarded to any person or persons corporation or corporations as compensation for the abatement of any such nuisance shall issue until the said nuisance has been fully and completely abated and return thereof made to the court

Section 4142 Appeals Any of the parties interested in any proceedings provided by the preceding two sections may appeal to the court of common pleas [of the proper county] within thirty days from the date of filing an award such appeal to be in the same form as now governs appeals from the awards of viewers appointed pursuant to this act to assess damages for property taken injured or destroyed the party appealing to pay the costs incurred and to give bond with one surety for the payment of all costs which may thereafter be incurred Upon such appeal being perfected the court shall frame an issue which issue shall be placed at the head of the next trial list then open and shall be tried by the court and jury in the same manner as feigned issues are now tried Upon such trial the jury shall have power to find the same facts as are provided may be found by the viewers If the jury shall find in favor of the city and award any compensation to the owner or owners of said property premises buildings business or occupation judgment shall be entered upon the verdict [of a jury] No execution or other process for the collection of such

judgment shall issue the nuisance complained of shall have been fully and completely abated and return thereof made to the court upon which the court shall have power to award execution or other process necessary to enforce the collection of the judgment

Section 4143 Abatement of Public Nuisance After Award by Viewers Whenever the award of viewers or the verdict of a jury shall find that a public nuisance exists and the owner or owners of any property premises building business or occupation causing the same shall fail to abate the same within sixty days from the date of the judgment the authorities of said city shall have full power and authority to enter upon said property premises or building where said nuisance exists and abate the same and shall not be liable in any form of action for so doing The cost and expense of abating the same shall be deducted from any compensation awarded in said proceedings

Section 42 Sections 4201 to 4205 inclusive of Article XLII of said act are hereby reenacted revised and amended as follows

Article XLII

Aeronautics

Section 4201 Power to Acquire Land for Aeronautical Purposes Maintenance of Municipal [Airdromes] Airports Etc [A] With the approval of the Pennsylvania Aeronautics Commission a city may acquire by lease purchase or condemnation proceedings any land lying either within or without the territorial limits of the city and within or without the territorial limits of the county in which such city is located which in the judgment of council may be necessary and desirable for the purpose of establishing and maintaining municipal [airdromes and/or aviation landing fields] airports landing fields or intermediate landing fields and other air navigation facilities

Section 4202 Proceedings for Condemnation The proceedings for the condemnation of lands under the provisions of this [act] article and for the assessment of damages for property taken injured or destroyed shall be conducted in the manner provided by this act in the case of property taken injured or destroyed The title acquired by the city exercising the power of condemnation shall be a title in fee simple

Section 4203 Leasing of Land Acquired for Aeronautical Purposes Any city requiring land for any aeronautical purposes may lease the same or part thereof to any individual or corporation desiring to use the same for the purpose of taking off or landing [or starting] an aeroplane [therefrom] or for other aeronautical purposes on such terms and subject to such conditions and regulations as may be provided Any such city may enter into a contract in the form of a lease providing for the use of said land or any part thereof by the Government of the United States for air mail delivery or other aeronautical purposes upon nominal rental or without consideration

Section 4204 Operation of [Airdrome] Facilities Jointly [with County] Any city [acquiring land for any aviation purpose] may operate and maintain [said] municipal [airdrome or aviation landing field] airports landing fields or intermediate landing fields and other air navigation facilities jointly with any [county] other political subdivision or with the Pennsylvania Aeronautics Commission upon such terms and conditions as may be agreed upon between the [corporate authorities of the city] council and the [county commissioners of the county] corporate authorities of the other contracting party or parties

Section 4205 Appropriation for Support of [Airdromes or Landing Fields] Air Navigation Facilities [Cities which do] A city which does not own lease or operate municipal [airdromes or aviation landing fields] airports landing fields or intermediate landing fields or other air navigation facilities may appropriate money for the support and maintenance of [airdromes or aviation landing fields] any such facilities situate either within or without the

[limitations] boundaries of [any] the city [and within or without the limitations] or of the county or counties in which such city is located

Section 43 Sections 4301 to 4307 inclusive subdivision (a) sections 4320 to 4326 inclusive subdivision (b) and sections 4340 to 4353 inclusive subdivision (c) of Article XLIII of said act are hereby reenacted revised and amended as follows

Article XLIII

Pensions

(a) Police

Section 4301 Police Pension Fund Direction of Cities shall establish by ordinance a police pension fund to be maintained by an equal and proportionate monthly charge against each member of the police force which shall not exceed annually three per centum of the pay of such member which fund shall at all times be under the direction and control of council but may be committed to the custody and management of such officers of the city or citizens thereof or corporations located therein as may be designated by council and applied under such regulations as council may by ordinance prescribe for the benefit of such members of the police force as shall receive honorable discharge therefrom by reason of age or disability and the families of such as may be injured or killed in the service but such allowances as shall be made to those who are retired by reason of the disabilities of age shall be in conformity with a uniform scale Any compensation paid to a corporate custodian of the police pension fund shall be paid from the general fund of the city

Section 4302 Retirement Final Discharge Such ordinances shall prescribe a minimum period of continuous service not less than twenty years and when any minimum age is prescribed a minimum age of fifty years after which members of the force may retire from active duty and such members as are retired shall be subject to service from time to time as a police reserve until unfitted for such service when they may be finally retired by reason of age or disability

Section 4303 Allowances Payments for allowances shall not be a charge on any other fund in the treasury of the city or under its control save the police pension fund herein provided for The basis of the apportionment of the pension shall be determined by the rate of the monthly pay of the member at the date of injury death honorable discharge or retirement and shall not in any case exceed in any year one-half the annual pay of such member computed at such monthly rate

Section 4304 Inalienable Rights in Fund Whenever any person shall become entitled to receive an allowance from the police pension fund and shall have been admitted to participate therein he shall not be deprived of his right to an equal and proportionate participation therein upon the basis upon which he first became entitled thereto

Section 4305 Payments to Pension Funds by City There shall be paid annually to the organization or association constituting and having in charge the distribution of police pension funds in every city a sum of money not less than one-half of one per centum nor more than one per centum of all city taxes [collected] levied by the city other than taxes levied to pay interest on or extinguish the debt of the city or any part thereof

Section 4306 Designation of Organization to Manage Pension Fund The organization having in charge the distribution of police pension funds herein mentioned shall consist only of such as is by ordinance designated as the official and authorized organization or association to hold receive and distribute the funds of moneys for the purpose of pensioning the police officers of the city

Section 4307 Trusts for Benefit of Police Pension Fund Any city may take by gift grant devise or bequest any money or property real personal or mixed in trust for the benefit of such pension fund and the care management investment and disposal of such trust funds or property shall be vested in such officer or officers of [such] the city for the time being as the [city] council may designate and such care management and disposal shall likewise be

directed by ordinance and the said trust funds shall be governed thereby subject to such directions not inconsistent therewith as the donors of such funds and property may prescribe

(b) Firemen

Section 4320 Firemen's Pension Fund Management Annuity Contracts Except as hereinafter provided cities shall provide annuity contracts or establish by ordinance a firemen's pension fund to be maintained in part by an equal and proportionate monthly charge against each member of the fire department which shall not exceed annually three per centum of the pay of such member In any case where there is an existing organization or association for the benefit of fully paid firemen constituting and having in charge the distribution of firemen's pension funds no annuity contract shall be provided nor shall any firemen's pension funds be established under the provisions of this section unless and until the members of such organization or association by a two-thirds vote elects to transfer said existing fund into the pension fund required to be established by this section

All pension funds established under the provisions of this section shall be under the direction and control of a board of managers consisting of the mayor the director of accounts and finance the director of the department having charge of the fire department or in cities where the mayor is also the director of the department having charge of the fire department then the director of public safety the city controller and the chief of the bureau of fire ex officio and two members of the fire department to be chosen by the members of the fire department of the first managers so chosen by the members of the fire department one shall be chosen for a term of two years and one for a term of four years Biennially thereafter one manager shall be chosen for a third term of four years to take the place of the one whose term expires In case of vacancy among the managers chosen by the fire department a successor shall be chosen for the unexpired term The fund shall be applied under such regulations as the board of managers shall prescribe for the benefit of such members of the fire department as shall receive honorable discharge therefrom by reason of service or age or disability and the families of such as may be killed in the service All pensions as shall be allowed to those who are retired by reason of the disabilities or of service or age shall be in conformity with a uniform scale Benefits allowed from such fund to families of such as are killed in service shall take into consideration the member's widow and his minor children under eighteen years of age if any survive

Section 4321 Retirement Final Discharge Such regulations shall prescribe a minimum period of continuous service not less than twenty-five years and a minimum age not less than fifty-five years after which members of the department may be retired or elect to be retired on pension from active duty and such members as are retired shall be subject to service from time to time as a firemen's reserve in cases of emergency until unfitted for such service when they may be finally discharged by reason of age or disability

Section 4322 Maximum Amount of Pension Payments of pensions shall not be a charge on any fund in the treasury of the city or under its control save the firemen's pension fund herein provided for The basis of the pension of a member shall be determined by the monthly salary of the member at the date of retirement whether for disability or by reason of age or service and shall be one-half the annual salary of such member at the time of retirement computed at such monthly rate In the case of the payment of pensions to members for permanent injury incurred in service and to families of members killed in service the amount and commencement of the payment of pensions shall be fixed by regulations of the board which shall take into consideration the amount and duration of workmen's compensation allowed by law

Section 4323 Causes for Forfeiture of Rights in Fund Other Employments Whenever any person shall become

entitled to receive a pension from the firemen's pension fund and shall have been admitted to participate therein he shall not thereafter be deprived of his right to participation therein upon the basis upon which he first became entitled thereto except for one or more of the following causes that is to say Conviction of a felony or misdemeanor becoming an habitual drunkard or failing to comply with some general regulation relating to the management of said fund which may be made by the managers and which may provide that failure to comply therewith shall terminate the right to participate in the pension fund Any termination of a pension shall be only after such due notice and hearing as shall be prescribed by regulation of the managers

In case any retired member of the fire department shall after retirement engage in employment for compensation his pension from the firemen's pension fund shall be reduced to such an amount that when added to the compensation he receives for employment it shall equal the compensation he was receiving as a member of the fire department at the time of his retirement At any time when such other employment for compensation ceases his pension shall be fully restored

Section 4324 Payments to Firemen's Pension Funds by City There shall be paid to the firemen's pension funds by every city annually a sum of money not less than one-half of one per centum nor more than one per centum of all city taxes [collected] levied by the city other than taxes levied to pay interest on or extinguish the debt of the city or any part thereof

Section 4325 Transfer of Funds from Other Pension Funds In any city wherein the members of the fire department are members of a pension fund not established solely for the purpose of pensioning members of the fire department there shall be transferred from such other pension fund into the firemen's pension fund required to be established by this act the moneys contributed thereto by members of the fire department who have not been retired and a just and equitable proportion of the moneys contributed by the city to such other pension fund for the future retirement of members of the fire department Such transfers may be made by the transfer of securities The amounts to be transferred shall be amicably adjusted by the managers of the firemen's pension fund and the pension board having the charge of such other pension fund In case of disagreement as to the amount so to be transferred the disagreement shall be resolved by the city council whose action thereon shall be final

Nothing contained in this section shall be construed to relieve any existing pension fund of its liability to continue the payment of pensions to retired members of the fire department in accordance with the laws and regulations under which such members were retired

Section 4326 Trusts for Benefit of Firemen's Pension Fund Any such city may take by gift grant devise or bequest any money or property real personal or mixed in trust for the benefit of such pension fund and the care management investment and disposal of such trust funds or property shall be vested in such officer or officers of such city for the time being as the said city may designate and such care management and disposal shall likewise be directed by ordinance and the said trust funds shall be governed thereby subject to such directions not inconsistent therewith as the donors of such funds and property may prescribe

(c) Pension Funds for Employees other than Policemen and Firemen

Section 4340 Pension Funds for Employees other than Police or Firemen Cities may create a pension fund for the pensioning of employees of said cities who are not members of the police force or fire department thereof and the families of such as may be injured or killed in the service in the manner under the conditions and subject to the qualifications following As used in this subdivision "employees" includes officers and officials of the city whether elected or appointed

Section 4341 Pension Board Duties In any city which

creates such pension fund there shall be created a board to be known as the pension board consisting of the mayor the city controller the superintendent of finance and two employees to be chosen by the employees contributing to the pension fund It shall be the duty of said board to register all persons employed by the said city and to administer the collections and distribution of the fund herein provided for and make such reasonable rules in the premises as such board may deem necessary to carry into effect the provisions of this act

Section 4342 Retirement Age Every person now or hereafter employed by any city which has created such pension fund and pension board as hereinbefore provided of the age of sixty years and upwards who shall have been so employed for a period of twenty years or more shall upon application to the board of pensions herein created be retired from service and shall during the remainder of his or her life receive the pension or compensation fixed by this act subject to such qualifications as are herein contained

Section 4343 Retirement Allowance Proof of Disability During the lifetime of any person in the employment of any city creating such pension fund and pension board as hereinbefore provided he or she shall be entitled to receive as a pension annually from the fund set aside for the purpose fifty per centum of the amount which would constitute the average annual salary or wages which he or she received during the last five years of his or her employment by the said city said pension to be paid in semi-monthly payments Should any person so employed after twenty years of service be dismissed voluntarily retired or be in any manner deprived of his or her position or employment before attaining the age of sixty years upon continuing a monthly payment to the fund equal to the last amount due and paid monthly while in active service said person shall be entitled to the pension above mentioned notwithstanding he or she has not attained the age of sixty years at the time of his or her separation from the service of such city but said pension shall not commence until he or she has attained the age of sixty years Should any employee however become totally and permanently disabled after twenty years of service and before attaining the age of sixty years he or she shall be entitled to the said pension Proof of total and permanent disability shall consist of the sworn statement of three practicing physicians designated by the board that the employee is in a permanent condition of health which would permanently disable him or her from performing the duties of his or her position or office

Section 4344 Amount of Payments into Fund Repayment before Retirement The employees of any city creating such pension fund and pension board shall pay into the board of pensions monthly an amount equal to two per centum of their monthly salaries or wages [in no event however paying at a rate greater than four dollars per month] which shall be applied to the purposes of the fund Payment of the monthly amount or contribution herein mentioned shall cease and be discontinued at the time the beneficiary receives the pension herein provided If for any cause any employee contributing to the pension fund shall cease to be an employee of the city before the said employee becomes entitled to a pension the total amount of the contributions paid into the pension fund by such employee shall be refunded to him or her in full without interest If any such employee shall have returned to him or her the amount contributed as aforesaid and shall afterward reenter the employe of the city said employee shall not be entitled to the pension designated until twenty years after said reemployment unless he or she shall return to the pension fund the amount withdrawn in which event that period of twenty years shall be computed from the time said employee first enters the service of the city In the event of the death of any such employee before the said employee becomes entitled to the pension aforesaid the said total amount of contribution paid into the pension fund by said employee shall be paid over to the estate of said deceased employee

Section 4345 Payments by Laborers Optional Any person holding a position in any such city as a laborer at a per diem wage shall not be compelled to pay or contribute toward the pension fund herein provided for but shall have the option or choice of so doing and in that event only of becoming entitled to the pension provided by this act

Section 4346 Heads of Departments to Certify List of Employees The head of every department and office employing persons entitled to receive a pension shall certify to the board of pensions all persons so employed and the amount of salary or wages which is paid to said employee together with dismissals resignations or terminations of service and from the records of their office or department shall furnish such other [relative] relevant information as the board of pensions shall require

Section 4347 Receipt Investment and Payment of Funds It shall be the duty of the board of pensions to receive and retain and when deemed advisable to invest the funds payable in accordance with the provisions of this subdivision of this article and to pay over by warrant or check the amount due to said employees

Section 4348 Appropriations to Fund by Council The council may annually set aside apportion and appropriate out of all taxes and income of such city unto the board of pensions a sum sufficient to maintain the pensions or compensations due hereunder

Section 4349 Application The benefits conferred by this subdivision of this article shall apply to all persons employed in any capacity by or holding positions in the cities creating a pension fund and pension board in accordance with its provisions but his subdivision shall not apply to employees of such departments bureaus or offices as are otherwise protected by pension authorized by law

Section 4350 Computation of Time of Service The time of service herein specified namely twenty years shall be computed from the time of the first or original employments said employment to consist of service to the city and need not be continuous

Section 4351 Funds Payable to Be Free of Attachment The compensation or pension herein mentioned shall not be subject to attachment or execution and shall be payable only to the beneficiary designated and shall not be subject to assignment or transfer

Section 4352 Employee Defined The term "employee" as used in this subdivision is meant to include all persons in the service of cities [of the third class] creating a pension fund and a pension board in accordance with the provisions thereof who are not now otherwise protected by pensions authorized by this act

Section 4353 Beneficiaries of Fund Not to Be Employed by City No person or persons who shall have become a beneficiary shall be employed by the said city in any capacity excepting in an office elected by popular vote but during any such elected term he or she shall not be entitled to a pension

Section 44 Sections 4401 to 4409 inclusive of Article XLIV of said act are reenacted revised and amended to read as follows

Article XLIV

Civil Service

Section 4401 Examinations Required of All Appointees No Person or persons may be appointed to any position whatever in the police department or in the engineering department or electrical department except as otherwise provided by law or in the position of building inspector [or to any salaried position whatever in the fire department (except volunteer departments)] or as health officers other than registered physicians or as sanitary policemen or inspectors of the health department without having first passed all the examinations hereinafter provided for and having been appointed in the manner and according to the terms and provisions and conditions of this article

Section 4402 Appointment of Examining Boards There shall be the following civil service boards in each city (a) A board for the examination of applicants for ap-

pointment to any position in the police department (b) a board for the examination of applicants for appointment [to any salaried position in the fire department (except volunteer departments) or] as health officers other than registered physicians or as sanitary policemen or inspectors of the health department (c) a board for the examination of applicants for appointment to any position in the engineering or electrical departments except as otherwise provided for by law or to the position of building inspectors

Each of said boards shall consist of three citizens who shall be elected by council for terms of four years or until their successors are elected and qualified One of the members of the boards provided for in clauses (a) and (b) of this section shall be an educator and one shall be a physician Any person may be appointed to one or more of said boards No city officer or employee shall be eligible for appointment to any civil service board

Section 4403 Terms Filing of Vacancies Compensation Quorum At the first election in newly created cities council shall elect to each of said boards one person to serve for two years one person to serve for three years and one person to serve for four years Upon the expiration of the term of any member of any of said boards in any city one person shall be elected by the city council to serve upon said board for the term of four years If any vacancies occur they shall be filled by the city council for the unexpired term Each of said members before entering upon the duties of his office shall take and subscribe to the oath of office prescribed by this act and file the same duly certified by the officer administering it with the controller of the city No salary or other compensation shall be paid to any member of the said boards Two members of the board shall constitute a quorum necessary for the transaction of business of that board Said boards shall organize for the purpose of transacting all business immediately after their first appointment and from time to time thereafter as new appointments to such board are made

Section 4404 Rules and Regulations Examinations Each of said boards shall prepare and adopt such rules and regulations to cover the selection and appointment of all persons as hereinbefore provided to be hereafter employed or appointed in said cities as in the judgment of said boards shall be best adapted to securing the best service for the public Such rules and regulations shall provide for ascertaining and determining so far as possible the physical qualifications habits reputation standing experience and education of all applicants for such positions respectively and they shall provide for examinations upon any and all subjects deemed proper or necessary by said boards for the purpose of determining their qualifications for the position sought and applied for

Section 4405 Grading for Discharged [Soldiers or Sailors] Servicemen When any person who was engaged in the military [or naval] service of the United States during any [war] military engagement in which the United States [engaged] participated and has an honorable discharge therefrom shall take any examination for appointment or promotion his examination shall be marked or graded [fifteen per centum perfect before the quality or contents of the examination shall be considered] in the same manner as provided for all other examinations when the examination of any such person is completed and graded if the grade is passing then such grading or percentage as the examination merits shall be [added to the aforesaid fifteen per centum] increased by fifteen per centum and such total mark or grade shall represent the final grade or classification of such person and shall determine his or her order of standing on the eligible list For the purpose of this article the military service means the army navy marines air force coast guard and any branch or unit thereof and servicemen means the members thereof including women and military engagement includes land naval and air engagements

Section 4406 Selections of Appointee from Certified List of Applicants Said boards shall make and keep in numerical order a list containing the names of all applicants for civil service positions in said city who may pass the required mental and physical examinations Where more than one person takes examinations for any of said positions at the same time the names of all those successfully passing such examination shall be entered upon the list of eligible names in the order of their respective percentages the highest coming first The board shall furnish to council a certified copy of all lists so prepared and kept Wherever any vacancy shall occur in any civil service position in said city the city council shall make written application to the president of the proper board who shall forthwith certify to the city council in writing the four names on the list of applicants for such position having the highest percentage where there are four or more eligible names on the list but [where there is only one name or] if there be less than four eligible names on such list the board shall certify such name or names Thereupon the director of the department in which such appointment is to be made shall nominate to the city council [the] a person [or one of the persons] from the list submitted to fill such [positions] vacancy If the city council approves such nomination the person nominated shall be appointed by council to fill such vacancy and shall be assigned for service in the department If the council does not approve such nomination then the director of the department in which such appointment is to be made shall submit another nomination for such position from the remaining names if any and if such nomination is not approved by the council he shall submit the third name if any and if such nomination is not approved he shall submit the fourth name if any The person whose nomination by the director is approved by the city council shall be appointed to fill such a position in the department or as building inspector In all cases the boards may recommend those in the employ of a department for promotion in case the person recommended is competent for the higher position The name of the person so appointed shall be immediately stricken from the list of said board and the names of the rejected persons shall immediately be restored to their proper place in said list Provided however That if the [names] name of any applicant has been submitted to the said council and been rejected three times then such name shall be stricken from the eligible list

Section 4407 Tenure Preference in Appointment to [Soldiers and Sailors] Discharged Servicemen Temporary Appointments [The provisions of this article shall apply to all employes of said cities as described in section one of this article] All appointments made [subject] pursuant to the provisions of this article shall be for and during good behavior and no employe shall be removed or transferred for any political reasons whatever Among those persons possessing qualifications and eligibility for appointment preference in appointment shall be given to honorably discharged [soldiers and sailors who served in the Army or Navy of the United States during time of war] Provided That preference may be given by the appointing power to all honorable discharged soldiers sailors and marines who served in the Army or Navy of the United States during times of war who have passed the required civil service examinations notwithstanding the fact that the names of such soldiers sailors and marines may not be among the four names standing highest upon the eligible lists as hereinbefore provided Such appointment of soldiers sailors and marines may be made without regard to any age limitations now provided for by law or the rules and regulations of any board or commission having in charge civil service regulations in any county city or borough] servicemen and their spouses and surviving spouses as provided by law

All persons holding appointments in said several departments or as building inspectors of said cities at the time this act goes into effect shall retain their positions without being required to pass examination and be re-

moved only in accordance with the provisions of this article

In case of riot or emergency temporary appointments to positions in the civil service may be made without complying with the provisions of this article

Section 4408 Suspension and Discharge Reduction of Employees Appeals [by Policemen] All employes subject to civil service shall be subject to suspension by the director of the department for misconduct or violation of any law of this Commonwealth any ordinance of the city or regulation of the department pending action by the city council upon the charges made against any of such employes On hearing before the city council where they may be represented by council they may be fined or suspended for a period not exceeding thirty days with or without pay or they may be discharged by city council if found guilty of the charges made against them The director of each such department may for misconduct or violation as aforesaid suspend any employe of such department for a period of ten days with or without pay without preferring charges and without a hearing of council Provided however That if it should become necessary to reduce the number of men in said department for purposes of economy seniority rights shall prevail and any and all removals for such cause or causes shall be from the members last appointed and the member or members serving the shortest time shall be removed first by members with longer times of service may be discharged for cause

Any [policeman] civil service employe aggrieved by the action of the council in fining suspending or discharging him shall have the right to appeal by petition to the court of common pleas within thirty days after receipt of written notice of such action which it shall be the duty of the council to give [to the court of common pleas of the county which] and the court shall hear the charges made against [the policeman] him de novo The issue before the court shall be whether the action if the council shall be affirmed or be modified in any respect or whether the charges should be dismissed Where any [policeman] such employe has been suspended by action of council and the charges are dismissed on appeal [the policeman] he shall receive full compensation for the entire period of suspension

Section 4409 Secretaries of Boards Compensation Each of said civil service boards may appoint a secretary and prescribe his duties He shall be subject to removal at any time by the board appointing him and such board shall have power to change his duties The compensation to be paid said secretaries and all necessary stationery and supplies for said boards shall be such as council shall by ordinance direct

Section 44.1 Said act is hereby further amended by adding to Article XLIV therefor a new section numbered 4410 to read as follows

Section 4410 Review of Eligibility Lists The list of eligible names kept by each civil service board shall be annually examined by the board for the purpose of deleting therefrom persons who are permanently unavailable for or disqualified for the position or positions involved either by death permanent removal from the area written desire to be removed therefrom or by other permanent cause in conformity with the board's rules and regulations adopted pursuant to section four thousand four hundred four

Section 45 Sections 4501 to 4504 inclusive of Article XLV of said act are hereby reenacted revised and amended to read as follows

Article XLV

Charities and Welfare

Section 4501 Creation of Department of Charity Council by ordinance may create a bureau for the purpose of administering charity and for support of the poor create any office which may be deemed necessary for the proper government support and management of said bureau and regulate and prescribe the powers duties and compensa-

tion of all such officers Such bureau shall have the care management administration and supervision of the charities almshouses poorhouses and the relief of the poor of the city subject however to the control of the council

Section 4502 Power to Levy Special Tax Council may levy a tax annually not exceeding ten mills on the dollar on all persons and property taxable by the city for city purposes for the support of said bureau

Section 4503 Hospitals Appropriations Free Treatment for Poor Any city may acquire by gift devise or bequest lands chattels securities and funds for the establishment and maintenance of a hospital for the purposes of caring for the sick and injured residents of such city and the vicinity thereof and for such purposes to appropriate and expend money of the city Provided That the poor residents of such city shall receive free treatment to the extent that it is possible to provide for same with the means available Such hospital or any ward therein may be named in accord with the wishes of any person making a substantial donation thereto by will or otherwise

Section 4504 Appointment of Trustees for Gifts Powers Such gifts devises bequests and appropriated funds shall be under the supervision of a board of trustees to be appointed by council consisting of at least nine trustees three of whom shall be members of council three of whom shall be licensed and practicing physicians in such city and the vicinity thereof and the remainder of which board shall consist of residents of such city and vicinity thereof Said appointments shall at all times be made subject to the approval of the orphans' court of the county in which said city is situated Said board of trustees shall at all times be subject to the resolutions of council and the jurisdiction of said court which shall have power to remove any of them upon petition of such city Any vacancy in such board may be filled by a new appointment in manner aforesaid Said board of trustees shall make reasonable rules for the management of such hospital and appoint and remove the physicians surgeons nurses and other employees necessary for the conduct thereof

Section 45.1 Said act is hereby further amended by adding to Article XLV thereof a new section numbered 4505 to read as follows

Section 4505 Appropriations or Other Assistants for Hospitals Council may make appropriations for the support or assistance of hospitals within or near the city or in lieu thereof council may provide for services to such hospitals at the city's expense and with materials or equipment of the city

Section 46 Section 4601 of Article XLVI of said act is hereby reenacted revised and amended as follows

Article XLVI

Collection of Municipal Claims by Suit and Compromise of Claims

Section 4601 Collection of Municipal Claims by Suit In addition to the remedies provided by law for the filing of liens for the collection of municipal claims all cities may proceed for the recovery and collection of municipal claims by action of assumpsit against the person or persons who were the owner or owners of the property at the time of the completion of the improvement notwithstanding the fact that there was a failure on the part of any such city or its agents to enter any such municipal claim as a lien against the property assessed for the improvement and for the recovery of which the action of assumpsit was brought Any such action in assumpsit shall be commenced within three years after the completion of the improvement from which said claim arises

This section shall extend to all municipal claims where the improvement was heretofore made where the action of assumpsit has been instituted under the provisions of prior acts of Assembly and where the claim was not barred by the statute of limitations affecting actions of [debt or] assumpsit

Section 46.1 Said act is hereby amended by adding to Article XLVI thereof three new sections numbered 4602

4603 4604 which sections are a continuance of the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 907) entitled "An act authorizing cities of the third class with the approval of the court of Common pleas to accept less than the full amount of certain municipal claims filed as a lien against real estate in compromise settlements thereof" The said three sections shall read as follows

Section 4602 Compromise of Municipal Claims Court Approval Whenever any city has any municipal claim entered in the office of the prothonotary as a lien against real estate which said claim has existed for ten years or more council may with the approval of the court of common pleas agree with the owner of such real estate to accept in compromise or reduction of the amount of the claim and the interest charges expenses and fees added thereto and due thereon any sum less than the whole of such amount so due

Section 4603 Satisfaction Upon receipt of the compromise amount so agreed upon and approved the city shall cause the lien to be properly satisfied on the record which satisfaction shall be as effective as if the whole amount of the claim interest charges expenses and fees had been paid and such claim shall no longer be a lien against the real estate or a claim against the said owner thereof

Section 4604 Certain Claims Excluded The provisions of sections four thousand six hundred two and four thousand six hundred three shall not apply to or in any manner affect any claims the assessments for which are the sole basis of improvement bonds issued by any political subdivision and which are the security for the payment thereof or any claims the assessments for which have heretofore been assigned by any political subdivision to any contractor in payment of the amount due him under terms of the contract for the improvement for which the assessment was levied

Section 47 Section 4701 of Article XLVII of said act is hereby repealed but this repeal of the said section does not revive the acts and parts of acts of Assembly which were repealed by the said section

Section 47.1 The said act is hereby further revised and amended by enacting in Article XLVII thereof a new section numbered 4701 which new section is to the extent its provisions are the same or substantially the same as those of the section 4701 hereinabove repealed by section 47 a continuation of the said repealed section 4701 The new section numbered 4701 shall read as follows

Article XLVII

Acts of Assembly Repealed Saving Clause

Section 4701 Repeals and Saving Clause The following acts and parts of acts of Assembly are hereby repealed as particularly set forth

The act approved the twenty-fifth day of March one thousand eight hundred seventy-eight (P. L. 8) entitled "An act authorizing cities of the third class to levy and collect taxes for park purposes and curing any defects in previous levies" absolutely

The act approved the thirty-first day of May one thousand nine hundred nineteen (P. L. 358 Number 172) "An act to amend section three article five of the act approved the twenty-seventh day of June one thousand nine hundred thirteen (P. L. 568) entitled 'An act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto' by adding thereto clause forty-nine relative to the collection and disposal of garbage ashes and other waste and refuse matter" absolutely

The act approved the fourth day of June one thousand nine hundred nineteen (P. L. 373) entitled "An act to amend section three article five of the act approved the twenty-seventh day of June one thousand nine hundred thirteen (P. L. 568) entitled 'An act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal

officers therein and repealing consolidating and extending existing laws in relation thereto' by adding thereto clause forty-nine relative to appropriations for municipal music" absolutely

The act approved the tenth day of March one thousand nine hundred twenty-one (P. L. 29 Number 10) entitled "An act for the relief of certain county treasurers and county tax collectors in the settlement of county poor and State taxes in cities of the third class" absolutely

The act approved the twenty-second day of April one thousand nine hundred twenty-seven (P. L. 358) entitled "An act authorizing and empowering cities of the third class to recognize the moral obligation of the city to pay just claims against the city although under existing laws no legal recovery could be had against the city" absolutely

Section seven hundred twenty-three of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" in so far as inconsistent with the provisions of this act

The act approved the seventeenth day of May one thousand nine hundred twenty-nine (P. L. 1801) entitled "An act authorizing cities of the third class to provide by ordinance for the payment for public work or improvements heretofore made for or furnished to the city and accepted and used by the city where no legal or valid contract was entered into as required by law" absolutely

The act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 923) entitled "An act to authorize cities of the third class to sue out writs of scire facias on certain municipal claims where more than five years have elapsed since said claims were filed and to reduce such claims to judgment and providing for the revival and collection of such judgments" absolutely

The act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 176 Number 82) entitled "An act requiring cities of the second and third class to allow members of the police departments twenty-four consecutive hours of rest each week and fourteen days vacation each year except in emergency cases" so far as it relates to cities of the third class

The act approved the first day of May one thousand nine hundred thirty-nine (P. L. 40) entitled "An act to amend the title and the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 176) entitled 'An act requiring cities of the second and third class to allow members of the police departments twenty-four consecutive hours of rest each week and fourteen days vacation each year except in emergency cases' extending the provisions of said act to cities of the second class "A" so far as it relates to cities of the third class

Sections six hundred eighty-two and six hundred ninety of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" so far as they relate to cities of

the third class and are inconsistent with the provisions of this act

The act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 907) entitled "An act authorizing cities of the third class with the approval of the court of common pleas to accept less than the full amount of certain municipal claims filed as a lien against real estate in compromise settlements thereof" absolutely

The act approved the second day of May one thousand nine hundred forty-seven (P. L. 149) entitled "An act authorizing cities to enact ordinances prohibiting smoking or the carrying of lighted cigarettes cigars pipes or matches or using matches or other fire producing devices in certain retail stores within such cities and to provide penalties therefor" so far as it relates to cities of the third class

All other acts or parts of act of Assembly supplied by or inconsistent with the provisions of this act are hereby repealed It is the intention that this act shall furnish a complete and exclusive system for the government and regulation of cities of the third class except as to the several matters enumerated in section one hundred and three of this act

But nothing contained in this act shall be construed to repeal any local or special laws or to repeal the provisions of the Public Utility Law or any law relating to the Board of Commissioners of Navigation for the River Delaware and its navigable tributaries or the provisions of any law the enforcement of which is vested in the Department of Health or the Sanitary Water Board or the provisions of any law the enforcement of which is vested in the Department of Forests and Waters or the Water and Power Resources Board or the provisions of the Airport Zoning Act or any of the provisions of the act approved the thirty-first day of May one thousand nine hundred thirty-three (P. L. 1108) or any of the provisions of the act approved the thirteenth day of May one thousand nine hundred thirty-seven (P. L. 620) or any of the provisions of the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2803) or any of the provisions of the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 903) or any amendments or supplements of them or any laws or parts of laws pertaining to civil defense

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Snowden,
Barr,	Hare,	McPherson, Jr.,	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Toole,
Blass,	Kessler,	Pechan,	Wade,
Byrne,	Lane,	Peelor,	Wagner,
Chapman,	Leader,	Probert,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,
Dent,	Mahany,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Scarlett,	Wood,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed.			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 500, as follows:

An Act to further amend the title of and the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1286) entitled as amended "An act empowering counties of the second class cities boroughs incorporated towns and townships to charge and collect from owners of and water users in property served thereby annual rentals rates or charges for the use of certain sewers sewerage systems and sewage treatment works including charges for operation inspection maintenance repair depreciation and the amortization of indebtedness and interest thereon empowering counties of the second class cities boroughs incorporated towns and townships to contract with authorities organized by counties of the second class for sewerage and sewage treatment services to grant convey lease transfer encumber mortgage and pledge to such authorities their sewers sewerage systems and sewage treatment works to assign and pledge to such authorities rentals rates and charges charged and collected by them for the use thereof and to assign to such authorities their power to charge and collect the same and validating all such contracts grants conveyances leases transfers assignments encumbrances mortgages and pledges heretofore made" by extending to authorities organized by cities of the third class the provisions affecting authorities organized by counties of the second class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1286) entitled as amended "An act empowering counties of the second class cities boroughs incorporated towns and townships to charge and collect from owners of and water users in property served thereby annual rentals rates or charges for the use of certain sewers sewerage systems and sewage treatment works including charges for operation inspection maintenance repair depreciation and the amortization of indebtedness and interest thereon empowering counties of the second class cities boroughs incorporated towns and townships to contract with authorities organized by counties of the second class for sewer sewerage and sewage treatment services to grant convey lease transfer encumber mortgage and pledge to such authorities their sewers sewerage systems and sewage treatment works to assign and pledge to such authorities rentals rates and charges charged and collected by them for the use thereof and to assign to such authorities their power to charge and collect the same and validating all such contracts grants conveyances leases transfers assignments encumbrances mortgages and pledges heretofore made" as last amended by the act approved the eighteenth day of April one thousand nine hundred forty-nine (P. L. 499) is hereby further amended to read as follows

An Act

Empowering counties of the second class cities boroughs incorporated towns and townships to charge and collect from owners of and water users in property served thereby annual rentals rates or charges for the use of certain sewers sewerage systems and sewage treatment works including charges for operation inspection maintenance repair depreciation and the amortization of indebtedness and interest thereon empowering counties of the second class cities boroughs incorporated towns and townships to contract with authorities organized by counties of the second class or by cities of the third class for sewer sewerage and sewage treatment services to grant convey lease transfer encumber mortgage and pledge to such authorities their sewers sewerage systems and sewage treatment works to assign and pledge to such authorities rentals rates and charges charged and collected by them for the use thereof and to assign to such authorities their power to charge and collect the same and validating all such contracts grants conveyances leases transfers assignments encumbrances mortgages and pledges heretofore made

Section 2 Section 2.1 of said act as added by the act approved the eighteenth day of April one thousand nine hundred forty-nine (P. L. 499) is hereby amended to read as follows

Section 2.1 It shall be lawful for any county of the second class city borough incorporated town or township to execute such agreements and contracts as it may deem necessary or advisable with an authority organized by a county of the second class or by a city of the third class undertaking to provide or to design or construct facilities with which to provide sewer sewerage or sewage treatment service to it and to its inhabitants also to grant convey lease transfer encumber mortgage and pledge to such authority its sewers sewerage systems sewage treatment works and appurtenant facilities and any improvements extensions and additions thereto to assign and pledge to such authority rentals rates and charges charged and collected by it for the use thereof and to assign to such authority its power to charge and collect the same No such agreement contract grant conveyance lease transfer assignment encumbrance mortgage or pledge shall be construed to prevent the affected county of the second class city borough incorporated town or township from thereafter using its tax revenues for the purpose of maintaining repairing altering inspecting improving or extending such sewers sewerage systems or sewerage treatment works

Every such agreement contract grant conveyance lease transfer assignment encumbrance mortgage and pledge heretofore made to or with any authority organized by a county of the second class or by a city of the third class is hereby ratified confirmed and made valid and the same shall be and remain lawful valid and enforceable according to its terms

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Snowden,
Barr,	Hare,	McPherson, Jr.,	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Toole,
Blass,	Kessler,	Pechan,	Wade,
Byrne,	Lane,	Peelor,	Wagner,
Chapman,	Leader,	Probert,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,
Dent,	Mahany,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Scarlett,	Wood,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 513, as follows:

An Act to amend section 2 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registra-

tion certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by providing that certain appeals may be taken to the court of common pleas of the county in which the aggrieved person resides

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 130) "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" is hereby amended to read as follows

Section 2 Sectary to Administer Act Appeal to Court

(a) The secretary shall administer and enforce the provisions of this act and may make rules and regulations necessary for its administration

(b) An person aggrieved by an order or act of the secretary under the provisions of sections four to eleven of this act may within [ten] thirty days after notice thereof file a petition in the court of common pleas of [Dauphin County] the county in which the aggrieved person resides for a trial de novo to determine whether such order or act is lawful and reasonable The filing of such a petition shall not suspend the order or act of the secretary unless a stay thereof shall be allowed by a judge of said court pending final determination of the matter The court shall summarily hear the petition and may make any appropriate order or decree

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows: viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Snowden,
Barr,	Hare,	McPherson, Jr.,	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Toole,
Blass,	Kessler,	Pechan,	Wade,
Byrne,	Lane,	Peelot,	Wagner,
Chapman,	Leader,	Probert,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,
Dent,	Mahany,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Scarlett,	Wood,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 525, on third reading, entitled:

An Act to further amend Section 2 of the act approved the twenty-fifth day of June one thousand eight hundred ninety-five (P. L. 275) entitled "An act dividing the cities

of this State into three classes with respect to their population and designating the mode of ascertaining and changing the classification thereof in accordance therewith" by providing for the regression in classification of cities upon their decrease in population

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 527, as follows:

An Act to amend clause (h) of section one hundred two clauses (c) and (f) of section two hundred two clause (c) of section two hundred five clauses (a) (b) (c) (d) (e) and (f) of section two hundred ten section three hundred six clause (c) of section five hundred two and clause (g) of section two hundred five of the act approved the twenty-fifth day of June one thousand nine hundred and forty-one (P. L. 159) entitled "An act amending revising consolidating and changing the law relating to the borrowing of money by certain political subdivisions the authorization issuance and sale of general obligations bonds as herein defined of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes and to the funding of debt and the refunding of bonds regulating the keeping and use of sinking funds imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions imposing penalties and repealing existing laws" by clarifying and correcting the provisions of said sections and setting forth provisions and requirements for contesting the validity of any election proceedings under section two hundred five

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (h) of section 102 clauses (c) and (f) of section 202 clause (c) of section 205 clauses (a) (b) (c) (d) (e) and (f) of section 210 section 306 clause (c) of section 502 of the act approved the twenty-fifth day of June one thousand nine hundred and forty-one (P. L. 159) entitled "An act amending revising consolidating and changing the law relating to the borrowing of money by certain political subdivisions the authorization issuance and sale of general obligation bonds as herein defined of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes and to the funding of debt and the refunding of bonds regulating the keeping and use of sinking funds imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions imposing penalties and repealing existing laws" are hereby amended to read as follows

Section 102 Definitions

* * * * *

(h) "Assessed valuation" the assessed valuation of all property taxable [by the municipality as last determined by the Board of Revision] in the municipality for the purposes of the municipality as last determined by the board bureau or persons charged by law with the duty of determining the valuation of such property for tax purposes

Section 202 Determination of Existing Net Debt

* * * * *

(c) The amount of undisputed municipal liens other than tax liens actually filed against property [(other than such as are pledged for the redemption of assessment bonds deductible under clause (f)] in such proportion as such liens are certain to be collected

(f) The amount of assessment bonds outstanding heretofore issued for the construction of any project where the cost of such project has been assessed on property specially benefited which bonds purport to impose no municipal liability [to the extent that such bonds are

supported by cash in the sinking fund held for such assessment bonds and by undisputed valid liens against the property benefited in such proportion as such liens are certain to be collected but this clause shall not apply to assessment bonds where the courts have held the same to be general obligations of the municipality

Section 205 Desire Ordinance Elections to Authorize an Increase of Indebtedness

* * * * *

(c) The corporate authorities of the municipality shall in all cases fix the time of holding such election on the day of a municipal general or primary election unless more than ninety days or less than thirty days elapse between the effective date of the desire ordinance and the day of holding the said municipal general or primary election. If more than ninety (90) days or less than thirty (30) days elapse between the effective date of the desire ordinance and the day of holding the next municipal general or primary election the corporate authorities may call a special election for the purpose of obtaining the assent of the electors to such increase of debt.

If any day other than the day of any municipal general or primary election is fixed for such election the expense of holding the same shall be paid by the municipality for the benefit of which it is held.

Section 210 Serial Bonds Required Except as otherwise provided in this section all general obligation bonds issued under the authority of this article shall mature in annual installments. The first installment of principal shall mature not later than two years after the date of the bonds. Installments of principal shall mature annually thereafter. The sum of the principal interest and State tax payable in any year after the first installment of principal falls due shall not exceed the sum of the principal interest and State tax payable in any prior year on account of such issue by more than the sum of one thousand dollars (\$1000).

General obligation bonds may mature in other than annual installments in the event that

(a) The last installment of principal shall mature more than twenty-five years and not more than thirty years from the date of the bonds and the aggregate principal amount of the bonds is [less] not more than one hundred thousand dollars (\$120,000). Provided That not less than ten (10) per centum of the principal amount of the bonds shall mature by the end of the fifth year after the date of the bonds twenty-five (25) per centum by the end of the tenth year forty (40) per centum by the end of the fifteenth year sixty (60) per centum by the end of the twentieth year and eighty (80) per centum by the end of the twenty-fifth year.

(b) The last installment of principal shall mature more than twenty years and not more than twenty-five years from the date of the bonds and the aggregate principal amount of the bonds is [less] not more than one hundred thousand dollars (\$100,000). Provided That not less than ten (10) per centum of the principal amount of the bonds shall mature by the end of the fifth year after the date of the bonds twenty-five (25) per centum by the end of the tenth year forty-five (45) per centum by the end of the fifteenth year and seventy (70) per centum by the end of the twentieth year.

(c) The last installment of principal shall mature more than fifteen years and not more than twenty years from the date of the bonds and the aggregate principal amount of the bonds is [less] not more than eighty thousand dollars (\$80,000). Provided That not less than fifteen (15) per centum of the principal amount of the bonds shall mature by the end of the fifth year after the date of the bonds forty (40) per centum by the end of the tenth year and seventy (70) per centum by the end of the fifteenth year.

(d) The last installment of principal shall mature more than ten years and not more than fifteen years from the date of the bonds and the aggregate principal amount of the bonds is [less] not more than sixty thousand dollars (\$60,000). Provided That not less than twenty-five (25) per centum of the principal amount of the bonds shall mature by the end of the fifth year after the date of the

bonds and sixty (60) per centum by the end of the tenth year.

(e) The last installment of principal shall mature more than five years and not more than ten years from the date of the bonds and the aggregate principal amount of the bonds is [less] not more than forty thousand dollars (\$40,000). Provided That not less than forty (40) per centum of the principal amount of the bonds shall mature by the end of the fifth year after the date of the bonds.

(f) The last installment of principal shall mature not more than five years from the date of the bonds and the aggregate principal amount of the bonds is [less] not more than twenty thousand dollars (\$20,000).

The purpose of this section is to require serial bonds and to encourage annual maturities without impairing the marketability of the bonds and nothing herein contained shall limit the power of municipalities to authorize bonds maturing at periods earlier than are required hereby.

Section 306 Appeals by Interested Parties and Taxpayers Where proceedings for the incurring or increasing of debt had by any municipality have been approved by the department any party interested or any taxpayer of the municipality may within [thirty] fifteen days after such approval and not thereafter appeal therefrom by petition to the Court of Common Pleas of Dauphin County which petition shall specifically allege the error or errors complained of in the proceedings in the manner required of bills in equity and the appellant shall have the burden of proof.

Jurisdiction is hereby conferred upon the court of Common Pleas of Dauphin County to hear and determine such appeals.

Section 502 Funding Bonds Conditions

* * * * *

(c) If the total of the unfunded debt which is to be funded under the provisions of this section when added to the existing net debt of the municipality incurred without the assent of the electors as determined by the provisions of sections 202 and 204 of this act other than the unfunded debt to be funded shall exceed two per centum of the assessed valuation of taxable property in the municipality but shall not exceed seven per centum of such assessed valuation then such municipality may first submit to the electors thereof in the manner prescribed by section 205 of this act the ratification validation and confirmation of such unfunded debt and if said electors shall assent to such ratification validation and confirmation of such unfunded debt the corporate authorities may proceed to fund the same in the manner prescribed by this section. In such cases no approval of the court of quarter sessions shall be required. The total of the debt which has been ratified validated and confirmed shall thereafter be excluded in computing the amount of the debt of the municipality incurred without the consent of the electors.

Section 2 Clause (g) of section 205 of said act is hereby amended to read as follows:

(g) The election officers and clerks shall make return on forms provided by the county board of elections of the votes cast on such question to the county board of elections which shall compute the same and transmit a certified return thereof to the council in the case of cities and boroughs and to the corporate authorities in the case of other municipalities which body shall enter the same upon the minutes of the municipality. If it appears that a majority or three-fifths of the electors as the case may require voting on such question have voted in favor of the increase of debt the county board of elections shall also file a certified copy of such return together with a copy of the ordinance certified to the county board of elections by the municipality with the clerk of the court of quarter sessions and the said clerk shall make a record of the same. There shall also be filed with said clerk a copy of the notice of election and proof of the advertisement thereof. Any interested party or any taxpayer may contest the validity of any election proceedings under this section 205 by filing within sixty (60) days from the date of the election and not thereafter a petition in the Court of Quarter Sessions of the County wherein the municipality is located specifically alleging the error or

errors complained of in the proceedings in the manner required of bills in equity and the appellant shall have the burden of proof Provided however That if the proceedings required by Article III of this act have been approved by the Department of Internal Affairs such petition shall be filed in the Court of Common Pleas of Dauphin County When any election has been held to obtain the assent of the electors of any municipality under this section 205 and no such petition has been filed within said period of sixty (60) days from the date of the election or such petition having been filed shall have been finally dismissed such election shall be conclusively deemed to be valid for all purposes except where a constitutional question is involved

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Snowden,
Barr,	Hare,	McPherson, Jr.,	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Toole,
Blass,	Kessler,	Pechan,	Wade,
Byrne,	Lane,	Peelot,	Wagner,
Chapman,	Leader,	Probert,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,
Dent,	Mahany,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Scarlett,	Wood,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 681, as follows:

An Act to further amend the title and Section 1 of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 477) entitled as amended "An act providing for the payment of the salary medical and hospital expenses of policemen and firemen by cities boroughs towns and townships who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period" by extending the provisions thereof to park guards

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 477) entitled as amended "An act providing for the payment of the salary medical and hospital expenses of policemen and firemen by cities boroughs towns and townships who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period" as last amended by the act approved the twenty-ninth day of March one thousand nine hundred forty-five (P. L. 100) is hereby further amended to read as follows

An Act

Providing for the payment of the salary medical and hos-

pital expenses of policemen [and] firemen and park guards by cities boroughs towns and townships who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period

Section 3 Section 1 of said act as last amended by the act approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1081) is hereby further amended to read as follows

Section 1 Be it enacted &c That any policeman [or] fireman or park guard of any city borough town or township who is injured in the performance of his duties including in the case of firemen duty as special fire police and by reason thereof is temporarily incapacitated from performing his duties shall be paid by the municipality by which he is employed his full rate of salary as fixed by ordinance or resolution until the disability arising therefrom has ceased All medical and hospital bills incurred in connection with any such injury shall be paid by such municipality During the time salary for temporary incapacity shall be paid by the city borough town or township any workmen's compensation received or collected by a policeman [or] fireman or park guard for such period shall be turned over to such city borough town or township and paid into the treasury thereof and if such payment shall not be so made by the policeman [or] fireman or park guard the amount so due the city borough town or township shall be deducted from any salary then or thereafter becoming due and owing

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Snowden,
Barr,	Hare,	McPherson, Jr.,	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Toole,
Blass,	Kessler,	Pechan,	Wade,
Byrne,	Lane,	Peelot,	Wagner,
Chapman,	Leader,	Probert,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,
Dent,	Mahany,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Scarlett,	Wood,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 700, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by further defining clarifying adding to and otherwise changing the laws relating to the affairs of townships

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 420 and 515 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as last amended by the

act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1562) are hereby further amended to read as follows

Section 420 Supervisors If the electors of any township shall fail to choose a supervisor or if any person elected to such office shall neglect or refuse to serve therein or if a vacancy shall occur in the office by death resignation removal from the township or otherwise the two remaining supervisors may appoint a successor [to] and upon their failure to make such appointment within thirty days after the vacancy occurs the court of quarter sessions shall appoint a successor upon the presentation of a petition signed by a supervisor and not less than five registered electors In either case the successor so appointed shall hold the office until the first Monday of January succeeding the first municipal election occurring at least sixty days after the office became vacant at which election a supervisor shall be elected for the unexpired term When a vacancy is so filled [the supervisors] by the two remaining supervisors they shall within fifteen days thereafter certify such appointment to the clerk of the court of quarter sessions

[If the two remaining supervisors in the event of a vacancy as aforesaid shall be unable to agree on such appointment for a period of thirty days after vacancy occurs the court of quarter sessions shall upon the presentation of a petition signed by a supervisor and by not less than five registered electors appoint a person to hold such office for the unexpired term]

Section 515 Compensation of Supervisors Supervisors shall receive from the general township fund as compensation not less than four dollars nor more than six dollars for each meeting which they attend The amount of the compensation for attending meetings shall be determined by the township auditors The township auditors shall also allow to the supervisors reasonable compensation for making a semi-annual inspection of the roads and bridges The compensation of supervisors when acting as superintendents roadmasters or laborers shall be fixed by the township auditors either per hour per day per week semi-monthly or monthly which compensation shall not exceed compensation paid in the locality for similar services and such other reasonable compensation for the use of [vehicular equipment] a passenger car or a two-axled four-wheeled motor truck having a chassis weight of less than two thousand pounds and a maximum gross weight of five thousand pounds when required and actually used for the transportation of road and bridge laborers and their hand tools as the auditors shall determine and approve but no supervisor shall receive compensation as a superintendent or roadmaster for any day he receives compensation for attending a meeting of supervisors unless such meeting is held during the nighttime

Section 2 Section 611 of said act as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) is hereby further amended to read as follows

Section 611 Delegates Each county association of township supervisors shall elect one township supervisor or township secretary for each ten townships or fraction thereof within said county as a delegate to each annual meeting of said State association

Section 3 Section 612 of said act as last amended by the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1562) is hereby further amended to read as follows

Section 612 Expenses and Mileage The expenses of the delegates attending the annual meeting shall not exceed [ten] twelve dollars per day for each delegate for not more than three days together with [the actual mileage at the prevailing rate of railroad fare] eight cents per mile in going to and returning from such meeting and shall be paid by the respective county associations

Section 4 The first paragraph of **Section 702** of said act as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) is hereby further amended to read as follows

Section 702 Supervisors to Exercise Powers The cor-

porate powers of townships of the second class shall be exercised by the township supervisors Where no specific authority is given for the expenditures incident to the exercise of any power hereinafter conferred or where no specific fund is designated from which such expenditures shall be made appropriations for such expenditures shall be made only from the general township fund In addition to the duties imposed upon them by section 516 hereof they shall have power

Section 5 Clause II of said **Section 702** of said act as last amended by the act approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1187) is hereby further amended to read as follows

Section 702 * * * *

II Contracts and Assessments for Lighting On the petition of the owners of a majority of the lineal feet frontage along any road highway or portion thereof within the township to enter into contract with electric gas or other lighting companies to light and illuminate said roads and highways and other public places [in villages] with electric light gas light or other illuminant

The township supervisors shall annually assess or cause to be assessed the cost and expense of the maintenance of said lights by an equal assessment on all property within two hundred and fifty (250) feet of such lighting in proportion to the number of feet the same fronts on the street or highway or portion thereof to be lighted The supervisors may provide for an equitable reduction from the frontage of lots at intersections or where from the peculiar or pointed shape of lots an assessment of the full frontage would be inequitable No such assessment shall be made against any farm land but vacant lots between built-up sections whether tilled or untilled shall not be deemed to be farm lands Provided however That the assessment per front foot against vacant lots shall be only twenty-five per centum of the assessment per foot front against property with improvements thereon All such assessments for street lighting shall be filed with the township tax collector who shall give thirty days written or printed notice that the assessments are due and payable stating the due date to each party assessed either by service on the owner of the property or by mailing such notice to the owner at his last known post office address The tax collector shall be entitled to the same commission for the collection of such assessments as he is entitled to by law for the collection of the township road tax If the assessments or any of them remain unpaid at the expiration of not exceeding ninety days the exact time to be fixed by the township supervisors they shall be placed in the hands of the township solicitor for collection The solicitor shall collect the same together with five per centum as attorney's commission and interest from the date such assessments were due by a municipal claim filed against the property of the delinquent owner in like manner as municipal claims are by law filed and collected Where an owner has two or more lots against which there is an assessment for the same year all such lots shall be embraced in one claim All assessments when collected shall be paid over to the township treasurer who shall receive and shall keep the same in a separate account and pay out the same only upon orders signed by the chairman of the township supervisors attested by the secretary The tax collector and the treasurer shall make a report to the auditors of the township annually

Section 6 Clause III of said **Section 702** of said act as last amended by the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1562) is hereby further amended to read as follows

Section 702

*** * * * ***

III Contracts and Tax Levy for Fire Purposes On the petition of the surface property owners of a majority of the lineal feet frontage along any highways streets roads and alleys or portion thereof [in any village] within the township to enter into contract with water companies for the placing of fire hydrants to water mains maintaining pressures approved by the fire insurance underwriters along said highways streets roads and alleys or to provide

for or acquire a water supply system equipped to supply sufficient water for the protection of property from fire

The moneys necessary for acquiring any such water system may be obtained by proceeding in accordance with either of the methods set forth in paragraphs A and B as follows

A The supervisors shall levy for the acquisition of a water system for the maintenance of such fire hydrants and for the purchase of hose et cetera an annual tax upon the property abutting upon said highways streets roads and alleys and upon property within six hundred feet of any fire hydrant in the district benefited thereby based upon the assessment for county purposes No such tax shall be levied against any farm land or land used as an aviation field or against other property in the district not benefited thereby Such tax shall be collected in the same manner as other taxes The collector shall receive the same commission as on the township tax The township treasurer shall receive all such taxes collected for fire protection and keep the same in a separate account and pay the same out only upon orders signed by the chairman of the board of supervisors attested by the secretary The treasurer shall make a report to the auditors of the township annually

B The township supervisors shall annually assess or cause to be assessed the cost and expense for the acquisition of a water system for the maintenance of such fire hydrants and for the purchase of hose et cetera by an equal assessment on all property abutting upon said highways roads and alleys within six hundred feet of any fire hydrant in the district benefited thereby in proportion to the number of feet the said property fronts on any street highway road or alley upon which a water main is laid or within six hundred feet of any fire hydrant on such street highway road or alley The supervisors may provide for an equitable reduction from the frontage of lots it intersects or where from the peculiar or pointed shape of lots an assessment of the full frontage would be inequitable No such assessment shall be made against any farm land but vacant lots between builtup sections either tilled or untilled shall not be deemed to be farm lands All such assessments for fire protection shall be filed with the township tax collector who shall give thirty (30) days written or printed notice that the assessments are due and payable stating the due date to each party assessed either by service on the owner of the property or by mailing such notice to the owner at his last known post office address The tax collector shall be entitled to the same commission for the collection of such assessments as he is entitled to by law for the collection of the township road tax If the assessments or any of them remain unpaid at the expiration of not exceeding ninety (90) days the exact time to be fixed by the township supervisors they shall be placed in the hands of the township solicitor for collection The solicitor shall collect the same together with five percent as attorney's commission and interest from the date such assessments were due by a municipal claim filed against the property of the delinquent owner in like manner as municipal claims are by law filed and collected Where an owner has two or more lots against which there is an assessment for the same year all such lots may be embraced in one claim All assessments when collected shall be paid over to the township treasurer who shall receive and shall keep the same in a separate account and pay the same only upon orders signed by the chairman of the township supervisors attested by the secretary The tax collector and the treasurer shall make a report to the auditors of the township annually

Section 7 Clauses IV VIII X XXXVII and XLI of said Section 702 of said act as added or reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) are hereby amended or further amended as the case may be to read as follows

Section 702 * * * * *

IV Fire Protection To purchase or contribute to the purchase of fire engines and fire apparatus for the use of the township and to appropriate moneys to fire companies located therein for the operation and maintenance thereof and for the purchase and maintenance of fire apparatus

and for the construction repair and maintenance of fire company houses in order to secure fire protection for the inhabitants of the township An annual report of the expenditure of such appropriated moneys shall be made to the township supervisors for each completed fiscal year of the township by such fire companies verified by an officer thereof before any further payments shall be made to such fire companies out of appropriations for any current fiscal year To ordain rules and regulations for the government of such fire companies and their officers To enter into contracts with the proper authorities of near or adjacent cities boroughs or townships or fire departments fire companies or fire company therein for the furnishing to such townships of fire protection by the fire department fire departments fire companies or fire company or such cities boroughs or townships and to make appropriations therefor Provided That such contracts before being entered into by township supervisors shall be first approved by the township auditors

* * * * *

VIII Garbage Regulations [To provide for the care and removal of ashes garbage and other refuse material including the imposition and collection of reasonable fees and charges therefor and] To prohibit accumulations of garbage and rubbish upon private property including the imposition and collection of reasonable fees and charges for the collection and removal thereof They shall also have power to

(1) provide by contract or otherwise for the collection removal and disposal through incinerating works garbage plants or otherwise of ashes garbage and rubbish and to prescribe penalties for the enforcement thereof any such contract may be made for a period not exceeding three years To erect maintain and operate garbage or incinerating plants either within or without the limits of the township in order to provide for the destruction of garbage and other refuse material and to provide for the payment of the cost and expense thereof either in whole or part out of the funds of the township and to acquire and to maintain lands and places for the dumping of ashes and other refuse material or in the absence of such collection removal and disposal plan for the entire township the entire township the supervisors shall

(2) on petition of a majority of the adult taxable residents of any territory within the township which has been definitely defined set apart and limited by the township supervisors with the approval of the township auditors as a village prior to the filing of any such petition [the supervisors shall] either with township employees and facilities or with independent contractors provide for the removal from the village of ashes or garbage or other refuse material as the case may be and for the disposal thereof The supervisors shall levy a per capita assessment upon all adult residents of any such village sufficient to defray the cost of such removal and disposal Such assessment shall be collected in the same manner as per capita taxes and the collector shall receive the same commission thereon The treasurer of the board of supervisors shall receive all such assessments collected and keep the same in a separate account and pay the same out only upon orders signed by the chairman and attested by the secretary of the board of supervisors The treasurer shall make an annual report of the account to the auditors of the township

* * * * *

X Roads To purchase or hire material equipment machinery teams and implements as shall be necessary for the construction repair and maintenance of roads and bridges Records shall be kept of the rental paid for all equipment machinery teams and implements hired To lease or lend for adequate consideration such equipment machinery and implements to contract to construct reconstruct improve or maintain driveways on lands owned or occupied by school districts of the township to construct reconstruct and improve and to contract for the construction reconstruction and improvement of roads in the township

* * * * *

XXXVII Naming of Streets Numbering of Buildings To provide for and regulate the naming of streets roads and highways and to require and regulate the numbering of buildings.

XLI Ordinances To adopt ordinances prescribing the manner in which such specific powers of the township shall be carried out All such ordinances unless otherwise provided by law shall be published prior to passage at least once in one newspaper circulating generally in the township [An ordinance shall not become effective until ten days after the passage aforesaid] Except as otherwise provided in this act an informative notice of the passage of all such ordinances shall be advertised once in one newspaper circulating generally in the township such ordinances shall be recorded in the ordinance book of the township and shall become effective five days after such advertising In any case in which maps plans or drawings of any kind are adopted as part of an ordinance the supervisors may instead of publishing the same as part of the ordinance refer in publishing the ordinance to the place where such maps plans or drawings are on file and may be examined The board of supervisors may prescribe fines and penalties not exceeding three hundred dollars in any instance for the violation of any such township ordinances which fines and penalties may be collected by suit or summary proceedings brought in the name of the township before any justice of the peace Proceedings for the violation of township ordinances and for the collection of fines and penalties imposed thereby may be commenced by warrant or by summons at the discretion of the justice of the peace before whom the proceedings is begun No warrant shall be issued except upon complaint on oath or affirmation specifying the ordinance for the violation of which the same is issued All proceedings shall be directed to and be served by a constable of the township Warrants shall be returnable forthwith and upon such return like proceedings shall be had as in cases of summary conviction All fines and penalties collected for the violation of township ordinances shall be paid over to the township treasury Upon judgment against any person by summary conviction or by proceedings by summons on default of the payment of the fine or penalty imposed and the costs the defendant may be sentenced and committed to the township lockup for a period not exceeding five days or to the county jail or workhouse for a period not exceeding thirty days

[Except as otherwise provided in this act no ordinance shall be considered in force until same is recorded in the ordinance book of the township and is advertised as required in this subsection]

Any person aggrieved may within thirty days after any ordinance or resolution takes effect make complaint as to the legality of such ordinance or resolution to the court of quarter sessions upon entering into recognizance with sufficient surety to prosecute the same with effect and for the payment of costs The determination and order of the court thereon shall be conclusive

Section 8 Said Section 702 of said act as so reenacted and amended and as amended by the acts approved the thirteenth day of May one thousand nine hundred forty-nine (P. L. 1324) and the twentieth day of May one thousand nine hundred forty-nine (P. L. 1562) is hereby further amended by adding immediately following clause XLVI thereof new clauses to read as follows

XLVII Public Safety To take all needful means for securing the safety of persons or property within the township

XLVIII Committing Magistrate To designate from time to time one of the justices of the peace to sit at the police station or town hall as a committing magistrate

XLIX Fire Houses To provide and maintain suitable places for the housing of engines hose carts and other apparatus for the extinguishment of fire No such building shall be erected or maintained without obtaining the assent of the electors thereof expressed at an election to be held at the place time and under the same regulations as provided by law for the holding of municipal elections

L Building Regulations To prohibit or regulate the

erection of wooden buildings in certain parts of the township and make regulations for the construction of new buildings and the alteration and repair of old ones and to require that before the work begins municipal approval of the plans and specifications therefor be secured to classify buildings or parts of buildings according to the use to be made of them to specify the mode of construction of such different classes of buildings and to require that before any use or occupancy be changed from any classification to a different classification as to which more stringent regulations are prescribed under the provisions of any ordinance relating thereto municipal approval of the plans and specifications therefor be secured

LI Building Sanitation Regulations In addition to other remedies provided by law and in order to promote the public health safety morals and the general welfare to enact and enforce suitable ordinances to govern and regulate the construction alteration repairs occupation maintenance sanitation lighting ventilation water supply toilet facilities drainage use and inspection of all buildings or parts of buildings constructed erected altered designed or used in whole or in part for human habitation and of the sanitation and inspection of land appurtenant thereto In case any building or structure is constructed reconstructed altered repaired converted or maintained or any building or land is used in violation of any ordinance enacted under authority conferred hereby the township supervisors in addition to penalties provided by ordinances enacted hereunder may institute appropriate actions or proceedings at law or in equity to prevent and restrain such unlawful construction reconstruction alteration repairs conversion maintenance or use and to restrain correct or abate such violation and to prevent the occupancy of said building or structure The ordinances enacted pursuant to this clause shall not be inconsistent with the provisions of any statute governing the same matter but all regulations prescribed by such ordinances which are additional or supplementary to the statute law and not inconsistent therewith or enacted for the purpose of carrying into effect the provisions of the statute law shall be valid and binding Such ordinances may adopt any standard building code published and printed in book form covering any or all of the above items without incorporating such building code in the ordinance or any township may enact such building code as its ordinance authorized under the provisions of this clause In either event such building code shall not be published or advertised in full as provided by this section in the case of the adoption of ordinances Provided That notice of the adoption of such standard building code as the building ordinance of the township together with a brief summary thereof setting forth the principal provisions of said ordinance in such reasonable detail as will give adequate notice of its contents pursuant to a uniform form which shall be prepared or approved by the Department of Labor and Industry and a reference to the place or places within the township where copies of the building code adopted are deposited and may be examined shall be published in the manner provided by this section for the publication of ordinances Not less than three such copies shall be made available to public inspection and use during business hours for a period of not less than three months after the adoption of such building code

LI Building Inspectors To provide for the inspection of the construction and repair of buildings including the appointment of one or more building inspectors to prescribe limits wherein none but buildings of non combustible material and fireproof roofs shall be erected or substantially reconstructed or removed thereinto to provide penalties for the violation of such regulations Any building erected reconstructed or removed contrary to the provisions of any ordinance passed for any of the purposes therein specified is declared to be a public nuisance and abatable as such

LI Building Lines To establish by ordinance and maintain uniform building lines upon any or all public streets or highways of the township

Section 9 Section 802 of said act as last amended by the

act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1562) is hereby further amended to read as follows:

Section 802 Letting Contracts Each township shall have the power to make to authorize and to ratify expenditures for lawful purposes from funds available therefor by borrowing within legal limitations. Provided That all contracts or purchases in excess of [five hundred dollars (\$500)] seven hundred fifty dollars except those herein-after mentioned shall not be made except with and from the lowest responsible bidder after due notice in one newspaper of general circulation published or circulating in the county in which the township is situated at least three times at intervals of not less than three days where daily newspapers of general circulation are employed for such publication or in case weekly newspapers are employed then the notice shall be published once a week for two successive weeks. The first advertisement shall be published not less than ten days prior to the date fixed for the opening of bids.

The amount of the contract shall in all cases whether of straight sale price conditional sale bailment lease or otherwise be the entire amount which the township pays to the successful bidder or his assigns in order to obtain the services or property or both and shall not be construed to mean only the amount which is paid to acquire title or to receive any other particular benefit or benefits of the whole bargain.

The acceptance of bids shall only be made by public announcement at the meeting at which bids are received or at a subsequent meeting the time and place of which shall be publicly announced when bids are received. If for any reason one or both of the above meetings shall not be held the same business may be transacted at subsequent meetings. Provided That at least five days' notice thereof shall be published in the newspaper aforesaid.

The successful bidder when advertising is required herein shall be required to furnish a bond with suitable reasonable requirements guaranteeing performance of the contract with sufficient surety in the amount of fifty per centum (50%) of the amount of the contract within twenty days after the contract has been awarded unless the supervisors shall prescribe a shorter period not less than ten days and upon failure to furnish such bond within such time the previous award shall be void. Delivery accomplishment and guarantees may be required in all cases of expenditures including the exceptions herein.

The contracts or purchases made by any supervisors involving an expenditure of over [five hundred dollars (\$500)] seven hundred fifty dollars which shall not require advertising or bidding as hereinbefore provided are as follows:

(a) Those made for maintenance repairs or replacements for water electric light and other public works of the township provided they do not constitute new additions extensions or enlargements of existing facilities and equipment but a bond may be required by the supervisors as in other cases of work done.

(b) Those made for improvements repairs or maintenance of any kind made or provided by any township through its own employees. Provided however That this shall not apply to construction materials used in a road improvement.

(c) Those where particular types models or pieces of new equipment articles apparatus appliances vehicles or parts thereof are desired by the supervisors which are patented and manufactured products.

(d) Those involving any policies of insurance or surety company bonds those made for public utility service under tariffs on file with the Pennsylvania Public Utility Commission those made with another political subdivision county the Commonwealth of Pennsylvania or the Federal Government or any agency of the Commonwealth or Federal Government or any municipal authority including the sale leasing or loan of any supplies or materials by the Commonwealth or the Federal Government or their agencies but the price thereof or the expenditure therefor shall not be in excess of those fixed by the Commonwealth or the Federal Government or their agencies.

(e) Those involving personal or professional services. Except as herein provided no township official either elected or appointed who knows or who by the exercise of reasonable diligence could know shall be interested to any appreciable degree either directly or indirectly in any contract for the sale or furnishing of any supplies or materials for the use of the township or any work to be done for such township involving the expenditure by the township of more than three hundred dollars (\$300) in any year but this limitation shall not apply to cases where such officer or appointee of the township is an employee of the person firm or corporation to which the money is to be paid in a capacity with no possible influence on the transaction and which he cannot be possibly benefited thereby either financially or otherwise. Provided however That in the case of a supervisor if he knows that he is within the exception just mentioned he shall so inform the supervisors and shall refrain from voting on the expenditures or any ordinance relating thereto and shall in no manner participate therein. Provided further That any such official or appointee who shall knowingly violate this provision shall be subject to surcharge to the ouster from office and shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars (\$500). Provided That in the case of the purchase of material for the construction reconstruction maintenance and improvement of roads and bridges the contract which shall be in writing and shall be let only on standard specifications of the Department of Highways and materials so purchased shall only be used in accordance with specifications of said department.

Section 10 Article VIII of said act as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) is hereby further amended by adding immediately following Section 802 thereof a new section to read as follows:

Section 801.1 Evasion of advertising requirements no supervisor or supervisors shall evade the provisions of section eight hundred two as to advertising for bids by purchasing or contracting for services and personal properties piecemeal for the purpose of obtaining prices under seven hundred and fifty dollars upon transactions should in the exercise of reasonable discretion and prudence be conducted as one transaction amounting to more than seven hundred and fifty dollars this provision is intended to make unlawful the evading of advertising requirements by making a series of purchases or contracts each for less than the advertising requirement price or by making several simultaneous purchases or contracts each below said price when in either case the transactions involved should have been made as one transaction for one price any supervisors who so vote in violation of this provision and who know that the transaction upon which they so vote is or ought to be a part of a larger transaction and that it is being divided in order to evade the requirements as to advertising for bids shall be jointly and severally subject to surcharge for ten per centum of the full amount of the contract or purchase whenever it shall appear that a supervisor may have voted in violation of this section but the purchase or contract on which he so voted was not approved by the board of supervisors this section shall be inapplicable.

Section 11 Clause 4 of Section 905 of said act as last amended by the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1562) is hereby further amended to read as follows:

Section 905 Township and Special Tax Levies A The board of township supervisors may by resolution levy taxes upon all real property and upon all occupations or upon real property alone within the township made taxable for township purposes as ascertained by the last adjusted valuation for county purposes for the purposes and at the rates hereinafter specified. All taxes shall be collected in cash.

* * * * *

4 A tax not exceeding two mills and not exceeding

the amounts hereinafter limited for the purpose of purchasing and maintaining fire apparatus and to provide with the assent of the electors of the township as hereinafter provided a suitable place for the housing of the same and to make appropriations to fire companies for the purchase and maintenance of fire apparatus [but the total expenditure for the purchase of fire apparatus by the township together with the amount of appropriation to one or more fire companies from such taxes shall not for the first fiscal year exceed in all the sum of seven thousand five hundred dollars nor shall any] but no new fire apparatus shall thereafter purchased by the township or by any fire company from appropriations made by the township without the consent of the electors as herein-after provided

Section 12 Article IX of said act as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) is hereby further amended by adding immediately following Section 911 thereof a new section to read as follows

Section 912 Road Machinery Fund Special Tax Townships are hereby empowered to create a special fund to be known as the road machinery fund and to accumulate therein moneys to be used exclusively for purchasing road machinery Such special fund may consist of (1) moneys transferred during any fiscal year from appropriations made from the general township fund (2) moneys transferred from surplus moneys in the general township fund at the end of any fiscal year and (3) moneys appropriated to the fund in the annual budget from the receipts of a special tax not exceeding two mills which the supervisors may levy and collect for that purpose annually upon all property taxable for township purposes

Section 13 Section 1101 of said act as amended by the act approved the second day of May one thousand nine hundred forty-nine (P. L. 819) is hereby further amended to read as follows

Section 1101 Power to Lay Out Open Widen Vacate Et Cetera The township supervisors may by ordinance enact ordain survey lay out open widen straighten vacate and relay all roads and parts thereof which are wholly within the township upon the petition of a majority in interest of the owners of property or properties through whose land such road passes or upon whose land it abuts or without petition of the owners of abutting property if in the judgment of the supervisors it is necessary for the public convenience Such power shall include authority to vacate in whole or in part roads laid out by the Commonwealth where the same have remained unopened for a period of thirty years and also the authority to lay out and open a public road which will be a continuation or extension of a street already opened by an adjacent city [or] borough or township and to provide in any ordinance for the vacation of a road that all or part thereof shall be a private road

The township supervisors may also by ordinance enact ordain survey lay out open widen straighten vacate and relay roads partly within the township where similar concurrent action is taken by the authorities of all political subdivisions wherein the road is located

When any petition is presented to the township supervisors under the provisions of this section and the supervisors fail to act on the petition within sixty (60) days the petitioners may present their petition to the court of quarter sessions which shall proceed thereon as provided by the general road law

No such road shall be laid out and opened through any burial ground or cemetery nor through any grounds occupied by a building used as a place for public worship or as a public or parochial school or educational or charitable institution or seminary unless the consent of the owner or corporation or person controlling the premises is first secured

Section 14 Sections 1102 1103 and 1104 of said act as added by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) and Section 1102 of which was also amended in part by the act approved the second day of May one thousand nine

hundred forty-nine (P. L. 819) are hereby amended to read as follows

Section 1102 Hearing Report Exceptions Thereto View and Notice (a) [The] Prior to the passage of any ordinance for the laying out opening changing or vacating of any road or section thereof the supervisors shall give ten days' written notice to the property owners affected thereby of the time and place when and where all parties interested may meet and be heard Witnesses may be summoned and examined by the supervisors and by the parties interested at such meeting or any adjournment thereof

(b) After such hearing and a consideration of the matter should the supervisors or a majority thereof decide in favor of exercising the power so conferred they shall make written report together with a draft or survey of the road fixing the width thereof and noting the improvements along the line thereof and the names of the owners of property through which the same shall pass or whereon it shall abut [Such] Duplicate copies of such report and draft shall be filed in the office of the clerk of the court of quarter sessions Upon the filing of such report and draft the supervisors may enact the necessary ordinance

(c) Any citizen or freeholder of the township may within thirty days after the filing of the report of the supervisors upon entering in the court sufficient surety to indemnify them for all costs incurred in the proceedings file exceptions to the report together with a petition for a review Thereupon the court of quarter sessions shall appoint viewers from the county board of viewers for the purpose of the review

(d) Upon favorable action on such matter by the supervisors and after the expiration of the term allowed for filing exceptions or upon the order of the court upon the disposition of any exceptions if in either case the compensation for the damages or benefits accruing therefrom have not been agreed upon the court of common pleas or any law judge thereof in vacation on application by petition by the supervisors or any person interested shall appoint three viewers from the county board of viewers to assess the damages and benefits occasioned by the proceeding in the manner provided by this act for such proceedings

(e) After the passage or approval of any ordinance by the supervisors for the opening widening straightening extending or vacating any road notice shall within ten days thereafter be given by handbills posted in conspicuous places along the line of the [proposed improvement] road Such notice shall state the fact of the passage or approval of the ordinance and the date of the passage or approval

(f) Petitions by property owners shall include the name and address of a person upon whom notices may be served All petitions shall be acted on within sixty (60) days after the hearing thereon Within such period the supervisors shall notify the person designated in the petition of their action thereon If the prayer of the petition is refused the petitioners or a majority of them may within thirty days after receipt of the notice petition the court of quarter sessions for the appointment of viewers and proceedings shall be had thereon in accordance with the general road law

Section 1103 Width of Public Roads The width of a public road in townships of the second class shall not be less than thirty-three feet or more than one hundred and twenty feet unless in any particular case the supervisors shall determine that a road of lesser width will be sufficient for public use and travel Provided That when the public road desired to be opened is in a built up section of any township of the second class of the type commonly known as an alley and is not an integral part of a through route the minimum width may be fifteen feet And provided That the limits of width shall not be construed to include the width required for necessary slopes in cuts or fills when the limits of the road and the extra width required for such slopes exceed the limits of width herein specified

Section 1104 Laying Out Roads Under the General

Road Law All roads partly within townships of the second class where one of the termini of such roads is without the township shall be laid out widened changed or vacated only by the courts of quarter sessions as heretofore in the manner provided by the general road law and the amendments additions and supplements thereto except where concurrent action is taken by all political subdivisions wherein such road is located But no such road shall be opened changed widened altered or vacated unless and until the supervisors of the township shall have passed a resolution consenting and approving thereto and shall have filed with the clerk of said court a copy of such resolution duly certified by the township secretary All damages and benefits occasioned by such laying out and the subsequent opening thereof or by any such widening changing or vacation shall be assessed collected and paid in the manner provided by the general road law and the amendments additions and supplements thereto Provided That all damages occasioned by such laying out and the opening thereof or by the widening changing or vacating of all roads within townships of the second class shall be assessed collected and paid by such townships of the second class

Section 15 Section 1135 of said act as last amended by the acts approved the fourteenth day of April one thousand nine hundred forty-nine (P. L. 474) and the twentieth day of May one thousand nine hundred forty-nine (P. L. 1562) is hereby further amended to read as follows

Section 1135 Petition of Property Owners Any township may grade curb gutter pave or otherwise improve with brick stone or any suitable materials any public street or road or part thereof laid out for and opened in the township Such work may be done by employees of the township or by contract as the board of supervisors shall determine No street or road or any part thereof shall be improved under the provisions of this section except upon the petitions of owners of property representing a majority in number of feet front of the properties abutting on the street or road or part thereof proposed to be improved

Section 16 Said act as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) is hereby further amended by adding immediately following Section 1147 of subdivision (i) of Article XI thereof a new section and by adding immediately following Article XII thereof a new Article to read as follows

(i) Deeds of Dedication Dedicated Roads
Streets and Drainage Facilities

* * * * *

Section 1148 Scope of Subdivision (i) The provisions of this subdivision (i) of Article XI shall be applicable only in cases where a township shall fail to adopt and enforce land subdivision regulations as provided in Article XII-A of this act and to situations not covered by such regulations

Article XII-A

Land Subdivision

Section 1201-A Supervisors Empowered to Adopt Regulations For the purpose of assuring sites suitable for building purposes and human habitation and to provide for the harmonious development of townships for adequate open spaces for traffic recreation light and air and for proper distribution of population thereby creating conditions favorable to the health safety morals and general welfare of the citizens the boards of township supervisors are hereby empowered to adopt by resolution land subdivision regulations Such regulations may include definitions design standards plan requirements plan processing procedures improvement construction requirements and conditions of acceptance of public improvements by the township

Section 1202-A Public Hearing No such regulations shall first be adopted until after a public hearing in relation thereto at which parties in interest and citizens shall have an opportunity to be heard Notice of the time and place of such hearing shall be published in an official paper if one has been designated by the Board of Township Super-

visors or if none has been designated then in a paper of general circulation in the township once a week for two successive weeks

Section 1203-A Subdivision Control Where subdivision regulations have been adopted under the authority of this article no subdivision of any lot tract or parcel of land shall be affected no street sanitary sewer storm sewer water main or other facilities in connection therewith shall be laid out constructed opened or dedicated for public use or travel or for the common use of occupants of buildings abutting thereon except in strict accordance with the provisions of such regulations

Section 1204-A Definition of Subdivision Subdivision may be defined as the division of a single lot tract or parcel of land or a part thereof into two or more lots tracts or parcels of land including changes in street lines or lot lines for the purpose whether immediate or future of transfer of ownership or of building development Provided however That divisions of land for agricultural purposes in parcels of more than ten acres not involving any new street or easement of access shall be exempted

Section 1205-A Subdivisions Wherein Lots Abut Existing Improved Streets of Sufficient Width Such regulations may provide that plans of subdivisions wherein lots abut existing improved streets of sufficient width shall be subject to approval or rejection by the township engineer or a committee appointed by the board of township supervisors as specified in the resolution establishing the regulations In the event such a plan is disapproved the reasons therefor shall be set forth in writing and given to the applicant Any person aggrieved by the decision of the township engineer or the committee may appeal to the board of township supervisors and such appeal shall be considered by the board at its next regular meeting The decision of the board shall be final

Section 1206-A Subdivisions Wherein Abut Existing Streets of Insufficient Width or Proposed Streets

(a) Plans Subject to Approval or Rejection by Supervisors Plans of subdivisions wherein lots abut existing streets of insufficient width or streets proposed to be laid out through unimproved land shall be subject to approval or rejection by the board of township supervisors In the event such a plan is disapproved the reasons therefor shall be set forth in writing and given to the applicant Any party aggrieved by the decision of the board of township supervisors may appeal to the court of quarter session of the county as hereinafter provided

(b) General Requirements Prerequisite to Approval of Plan The board of township supervisors shall not approve any subdivision plan unless all streets shown thereon shall be of sufficient width and proper grade and shall be so located as to accommodate the probable volume of traffic thereon afford adequate light and air facilitate fire protection provide access of fire fighting equipment to buildings and provide a coordinated system of streets conforming to the township's official plan of streets and unless the land whereon buildings are to be constructed shall be of such character that it can be used for building purposes without danger to health or peril from fire flood or other hazard

(c) Improvements or Guarantee Thereof Prerequisite to Approval of Plan Before approving any subdivision plan for recording the board of township supervisors shall either require that the necessary grading paving and other street improvements including where specified by the board curbs sidewalks street lights fire hydrants water mains sanitary sewers and storm sewers shall have been installed in strict accordance with the standards and specifications of the township or that the township be assured by means of a proper completion guarantee in the form of a bond or the deposit of funds or securities in escrow sufficient to cover the cost of the required improvements as estimated by the township engineer or township supervisors that the said improvements will subsequently be installed by the owner

(d) Public Hearing Before acting on any subdivision plan the board of township supervisors may arrange for a public hearing thereon after giving such notice as the board may deem desirable in each case

(e) Modifications The board of township supervisors may alter any subdivision plan and specify changes or modifications therein which it deems necessary and may make its approval subject to such alterations changes or modifications

(f) Appeals Where Supervisors Refuse Approval In any case where the board of township supervisors disapproves a subdivision plan any person aggrieved thereby may within thirty days thereafter appeal therefrom by petition to the court of quarter sessions of the country which court shall hear the matter de novo and after hearing enter a decree affirming reversing or modifying the action of the board as may appear just in the premises The court shall designate the manner in which notices of the hearing of any such appeal shall be given to all parties interested The decision of the court shall be final

(g) Recording The action of the board of township supervisors or of the court on appeal in approving any subdivision plan and an approved duplicate copy of such plan shall within thirty days of the date of approval be recorded by the owner in the office of the recorder of deeds of the county

(h) Recorded Plan Become Part of Official Plan After a subdivision plan has been duly recorded the streets parks and other public improvements shown thereon shall be considered to be a part of the official plan of the township

(i) Offer of Dedication May Be Noted on Recorded Plan Streets parks and other public improvements shown on a subdivision plan to be recorded may be offered for dedication to the township by formal notation thereof on the plan or the owner may note on the plan that such improvements have not been offered for dedication to the township

(j) Streets Parks and Other Improvements Private Until Dedicated or Condemned Every street park or other improvement shown on a subdivision plan that is recorded as provided herein shall be deemed to be a private street park or improvement until such time as the same has been offered for dedication to the township and accepted by resolution or until it has been condemned for use as a public street park or other improvement

Section 1207-A Sale of Lots Issuance of Building Permit or Erection of Building Where subdivision regulations have been adopted under the authority of this article not lot in a subdivision may be sold no permit to rect alter or repair any building upon land in a subdivision may be issued and no building may be erected in a subdivision unless and until a subdivision plan has been approved and where required recorded and until the improvements required by the board of township supervisors in connection therewith have either been constructed or guaranteed as hereinabove provided Where owing to special conditions a literal enforcement of this provision would result in unnecessary hardship the board of township supervisors may make such reasonable exception thereto as will not be contrary to the public interest and may permit the sale of a lot issuance of a permit or erection of a building subject to conditions necessary to assure adequate streets and other public improvements

Section 1208-A Penalty Any person copartnership or corporation who or which shall subdivide any lot tract or parcel of land lay out construct open or dedicate any street sanitary sewer storm sewer or water man for public use or travel or for the common use of occupants of building abutting thereon sell any lot or erect any building in a subdivision without having first complied with the provisions hereof and the subdivision regulations adopted hereunder shall be guilty of a misdemeanor and upon conviction thereof such person or the members of such copartnership or the officers of such corporation responsible for such violation shall be sentenced to suffer imprisonment not exceeding two years or pay a fine not exceeding one thousand dollars or both in the discretion of the court

Section 17 Sections 1402 1403 and 1901 of said act as so reenacted and amended are hereby further amended to read as follows

Section 1402 Construction of Sidewalks or Sidewalks and Curbs Upon Petition of Property Owners The township supervisors may construct sidewalks or curbs or sidewalks and curbs [or both] of suitable material along the roads or highways [through towns and villages] in such townships upon the petition of owners of property representing a majority in number of feet front of the properties abutting on the roads or highways where such sidewalks or sidewalk and curbs are to be constructed Whenever any such petition is filed with the supervisors the owner of the property shall be given notice by the supervisors to construct such sidewalk or sidewalk and curb and in case of failure of the owner to complete such sidewalk or sidewalk and curb within a period of sixty days after the receipt of such notice the supervisors may construct such sidewalk or sidewalk and curb as herein provided Whenever any sidewalks or sidewalks and curbs are constructed by the supervisors the expense of the construction of such sidewalk or sidewalk and curb shall be paid by the abutting property owners in proportion to their frontage If such owners fail to so pay the expenses of the construction of such sidewalk or sidewalk and curb the township supervisors may recover the amount by action of assumpsit or may file municipal liens therefor against the abutting properties in the manner provided by law for the filing and collection of municipal liens

Section 1403 Power to Establish Lines Grades and Width of Curbs Sidewalks or Footpaths Supervisor of townships may regulate by [resolution] ordinance the grade and width of curbs sidewalks or footpaths constructed along the roads or highways in such townships and shall have general supervision over the same and may establish a grade or grades for curbs sidewalks or footpaths which grade or grades may be separate and apart from the grade or grades established for the cartway or roadway In case the highway is a State or county highway the written consent of the Department of Highways or the county commissioners as the case may be shall first be obtained

Section 1901 Designation and Acquisition of Lands The supervisors of any township may by ordinance designate and set apart for use as parks playgrounds playfields gymnasiums public baths swimming pools or indoor recreation centers hereinafter called recreation places any lands or buildings owned by such township and not dedicated or devoted to other public use Such township may in such manner as may be authorized or provided by law for the acquisition of lands or buildings for public purposes in such township acquire lands or buildings therein for any of such purposes or if there be no law authorizing such acquisition the township supervisors may acquire lands or buildings for such purposes by gift or purchase or may lease lands or buildings in such township for temporary use for such purposes Whenever the supervisors designate or acquire any lands with or without buildings under the provisions of this section except when the acquisition is under a lease for temporary use they may construct buildings and facilities thereon for the purposes herein indicated

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,
Barr,
Barrett,
Berger,
Blase,
Byrne,

Haluska,
Hare,
Holland,
Kephart,
Kessler,
Lane,

McMenamin,
McPherson, Jr.,
Meade,
Neff,
Pechan,
Peelor,

Snowden,
Stevenson,
Stiefel,
Toole,
Wade,
Wagner,

Chapman,
Crowe,
Dent,
Diehm,
DiSilvestro,
Fleming,
Freed,

Leader,
Letzler,
Mahany,
Mallery,
McCreesh,
McGinnis,

Probert,
Robinson,
Rosenfeld,
Ruth,
Scarlett,
Silver,

Walker,
Watkins,
Watson,
Wolfe,
Wood,
Yosko,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

RESOLUTION No. 106 TAKEN FROM TABLE

Mr. WOOD. Mr. President, at this time I desire to call from the table Senate Resolution No. 106.

The Clerk read the resolution as follows:

JOINT STATE GOVERNMENT COMMISSION TO MAKE A STUDY OF ALL DISABILITY BENEFIT LAWS

In the Senate, January 15, 1951.

Whereas, Adequate modern disability benefit laws are necessary for the welfare of the huge labor force of this Commonwealth as well as for the well-being of management and the general public; now, therefore be it

Resolved (if the House of Representatives concur), That the Joint State Government Commission is hereby directed to make a thorough study of all disability benefit laws to the end that adequate legislation on the subject may be provided for this Commonwealth; and be it further

Resolved, That the Joint State Government Commission shall file a report of its findings and recommendations to the General Assembly at its next regular session by the first day of February, 1953, together with drafts of any proposed legislation necessary to carry out the same.

SENATE RESOLUTION No. 106 ADOPTED

Mr. WOOD. Mr. President, I move the resolution just read by the Clerk be adopted.

Mr. SNOWDEN. Mr. President, I second the motion. On the question,

Will the Senate agree to the motion?

Mr. WALKER. Mr. President, I desire to interrogate the gentleman from Westmoreland, Senator Dent.

The PRESIDENT. Will the gentleman from Westmoreland, Mr. Dent, permit himself to be interrogated?

Mr. DENT. With apprehension, Mr. President.

Mr. WALKER. Mr. President, I would like to ask if the gentleman has any objection to us considering this resolution at this time? I did not want to interrupt him in the middle of his reading of it.

Mr. DENT. Mr. President, I would like to have the privilege of looking at the resolution because it does deal with a very serious problem. If you will give me just a half a minute I can get through it, and will be able to answer your question.

Mr. WALKER. Mr. President, may we be at ease to give the gentleman a chance to read the resolution? (The Senate was at ease.)

Mr. DENT. Mr. President, an answer to the gentleman from Allegheny, the Majority Leader, I have no objection to the immediate consideration of the resolution but if the Chair permits, in order to keep the record straight, I would like to interrogate the gentleman from Allegheny.

The PRESIDENT. Will the gentleman from Allegheny, Mr. Walker, permit himself to be interrogated?

Mr. WALKER. I will, Mr. President.

Mr. DENT. Mr. President, as I understand it, this resolution deals with a study of disability or a proposal for disability. In the study of such a proposal, it is your understanding that this has no effect upon the question of compensation for injured workmen?

Mr. WALKER. That is my understanding, Mr. President.

Mr. DENT. Employed workmen covered by the Workmen's Compensation Act?

Mr. WALKER. That is my understanding, Mr. President.

Mr. DENT. Thank you very kindly, and with that answer as our guide, I suggest the Democrats vote for the resolution.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

INTERROGATION

Mr. YOSKO. Mr. President, I desire to interrogate the Majority Floor Leader, Senator Walker, at this time.

The PRESIDENT. Will the gentleman from Allegheny, Mr. Walker, permit himself to be interrogated?

Mr. WALKER. Certainly, Mr. President.

Mr. YOSKO. Senator Walker, I am looking now at the Republican platform of last year. This is what it says and it applies to this particular resolution. It says, "We recommend that the General Assembly direct the Joint State Government Commission to make a thorough study of the disability benefit laws and report their findings to the Assembly at the earliest possible date."

Mr. WALKER. That is it, Mr. President.

Mr. YOSKO. I just want to compliment the Majority for adhering at least to one portion of its platform.

Mr. WALKER. Mr. President, may we go back and take a look at that again?

Mr. YOSKO. Mr. President, this portion of the platform comes under "Labor." Here are some other phases that come under "Labor", concerning which I want to ask some questions.

"We favor strengthening the Workmen's Compensation Act and increasing the benefits under this Act to adequately compensate injured employees, commensurate with the increased cost of living and the decreased purchasing power of the dollar."

Will you please tell me whether or not the Majority Party has introduced a bill to meet this portion of the Republican Platform?

Mr. WALKER. Mr. President, may I state to the gentleman, that there will be within the very near future bills introduced to cover every plank that he might refer to in that platform.

Now, Mr. President, we are trying to take them just as fast as we can. We do want to make the mistake that the runner did in that hurdles race a couple weeks ago where he tried to jump two hurdles at once and fell flat on his you-know-what. We are taking one at a time, and this is to discharge that plank in the platform dealing with disability laws. Legislation covering

the workmen's compensation benefits will be introduced and presented to the Senate for action within the very near future.

Mr. YOSKO. Mr. President, I understand that such a bill has not as yet been introduced.

Mr. WALKER. Well, Mr. President, if it has, it has escaped my notice, Senator. I do not think that the bill that is referred to there in the platform has been introduced. If it has, it has not been brought to my attention by the Chairman of the Labor Committee.

Mr. YOSKO. All right. The platform goes on to say that "We believe that the employee who is permanently or totally disabled should be compensated for the full period of time during which the total disability exists." Has such a bill been introduced by the Majority Party to meet this platform pledge?

Mr. WALKER. The same answer goes for the whole labor program, Senator. It is all going to be wrapped up in legislation to be presented in the very near future.

Mr. YOSKO. Mr. President, just this one general question. Have any bills up to this time been presented to meet the labor plank in the Republican platform of last year?

Mr. WALKER. Now, Mr. President, my answer to that one particular phase I think would cover all. To the best of my knowledge, the labor planks have not been met yet with bills, but may I reassure the gentleman that they will be. We have that definitely in mind and bills are being drafted, and I do hope that we can win his enthusiastic support of our endeavors to increase workmen's compensation.

Mr. YOSKO. Thank you, Mr. President.

PERMISSION TO ADDRESS SENATE

Mr. HOLLAND asked and obtained unanimous consent to address the Senate.

Mr. HOLLAND. Mr. President, I just by chance looked at my Calendar, and I find that we are here four months today, and I was wondering how much thought the Republican Party has given to their platform. After being here four months, they have not the bills prepared yet. Has the result of the love feast between the Manufacturers Association and Governor Fine entered into this picture, that they have got to water down their bills. As my good colleague here, Senator Neff, said, we have done everything about fish, bows and arrows and snakes, but we forgot all about the platform of the Republican Party, and I am a little timid now that this platform is going to be very much watered because the love feast is back again. Hop Along Cassidy rides again, and it looks to me as if the Republican Party is a little timid of presenting their bills, and after four months, if you do not have your bills presented, Mr. Walker, I am afraid that there is some dealing being done to kid the public; that the platform that was written by the former Governor Duff or who was a big instrument and was very largely concerned about it, is being watered down by the old guard. The love feast is back in Pennsylvania, and all the great stories and speeches made in the last campaign are forgotten.

PERMISSION TO ADDRESS SENATE

Mr. WALKER asked and obtained unanimous consent to address the Senate.

Mr. WALKER. Mr. President, may I suggest to the gentleman from Allegheny, Senator Holland, that flattery is not going to get him anywhere. The day for him to scold us about our sins of omission and commission on this platform will be when we are coming down the home stretch of the Legislative Session and by no stretch of his fertile imagination, as much as the wish may be the father to the desire that is expressed in their political philosophy, the planks in the platform will be met, and when we are coming down the home stretch, if there are any that we have overlooked they will tell us about them then, but let us point back to the mistakes and not forward.

Mr. President, may we return to the Calendar and pick up the second reading calendar, and then after we have completed the Calendar, and if there is any further discussion that the gentleman of the Minority would like to have on our platform, which they have read in preference to their own, I will be glad to revert to it.

SECOND READING CALENDAR

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 122, on second reading, entitled:

An Act to further amend paragraph (8) of subsection A and subsection B of section 1208, section 1209, and subsection C of section 1210 of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled, as amended, "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers and employees' mutual banking associations defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers and employees' mutual banking associations, and of the officers, directors, trustees, shareholders, attorneys, and other employees of all such corporations, employees' mutual banking associations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further providing for authorized investments and limitations on loans and discounts of savings banks.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 123, on second reading, entitled:

An Act to re-enact, amend, and revise the title and the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 796), entitled "An act providing for the preservation of the records of banks, bank and trust companies, trust companies, savings banks, and private banks; and imposing penalties for violations," as amended; by extending the provisions thereof to national banking associations; making photostatic film reproductions, or photographic or photostatic copies of original records admissible in evidence equally and

with the same force and effect as such original records; providing a means for the final adjustment and settlement of depositors' accounts, and saving certain parts of acts from repeal.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 124, on second reading, entitled:

An Act to further amend subsection A of Section 1006 of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled, as amended, "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers and employees' mutual banking associations; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers and employees' mutual banking associations, and of the officers, directors, trustees, shareholders, attorneys, and other employees of all such corporations, employees' mutual banking associations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further providing for the powers and limitations upon powers of banks and banks and trust companies.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 125, on second reading, entitled:

An Act to further amend subsection E of section nine hundred eight of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled, as amended, "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers and employees' mutual banking associations; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers and employees' mutual banking associations, and of the officers, directors, trustees, shareholders, attorneys, and other employees of all such corporations, employees' mutual banking associations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further providing for the powers and limitations on powers of corporations authorized to engage in the banking business.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 242, on second reading, entitled:

An Act to amend the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers directors trustees share-holders attorneys and other employees of all such corporations employees' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for establishment of branch offices agencies and facilities and the approval thereof by the Department of Banking

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 256, entitled:

An Act to further amend Section 14 of the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 233) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the Bureau of Police in cities of the second class providing a pension fund for said employees and providing for the payment of certain dues fees assessments fines and appropriations thereto regulating membership therein creating a board for the management thereof providing the amount mode and manner of payment to beneficiaries thereof and for the care and disposition of said fund providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds organizations corporations or associations having the same or similar purposes and of such additional monies as may be necessary to carry out the provisions of this act" by fixing and changing the amount of pension payments to beneficiaries.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 282, entitled:

An Act to further amend Section 620 of the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 457), entitled "An act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities, and immunities of such associations, and of their officers, directors, shareholders, solicitors, and other employees; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions, and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," by increasing the maximum amount to be set aside as reserve for contingent losses.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 327, entitled:

An Act to further amend clause four of subsection A of Section 1001 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or with fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers directors trustees shareholders attorneys and other employees of all such corporations employees' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further regulating the making of installment loans.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. FLEMING offered the following amendment:

Amend Section 1 (Section 1001), page 5, line 16, by striking out after the word "eight" the word "five" and inserting in lieu thereof the word "eight."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous con-

sent that Senate Bill No. 327, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 368, entitled:

An Act relating to the practice of professional nursing providing for the licensing of nurses and for the revocation and suspension of such licenses subject to appeal and for their reinstatement providing for the annual renewal of such licenses regulating nursing in general prescribing penalties and repealing certain laws.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 369, entitled:

An Act to further amend Sections 202 418 and 1310 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by changing the name of the State Board of Examiners for Registration of Nurses.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 370, on second reading, entitled:

An Act relating to adverse claims to bank deposits, prescribing the manner in which such claims must be supported to be entitled to recognition and limiting the effect of attachments or restraining orders against banking institutions having branch offices.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 375, entitled:

An Act to amend clause (b) of Section 1 of the act, approved the thirtieth day of June, one thousand nine hundred forty-seven (P. L. 1183) entitled "An act relating to strikes by public employees; prohibiting such strikes; providing that such employees by striking terminate their employment; providing for reinstatement under certain conditions; providing for a grievance procedure; and providing for hearings before civil service and tenure authorities, and in certain cases before the Pennsylvania Labor Relations Board," by changing method of selecting panels for the adjustment of grievances of school district employees and imposing additional duties on such panels.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 381, on second reading, entitled:

An Act to further amend Section 1146 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing revised minimum salaries for certain part-time teachers and supervisors of general extension education classes and activities.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 383, on second reading, entitled:

An Act to further amend the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees retirement system and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employees, exempting annuities, allowances, returns, benefits and rights from taxation and judicial process; and providing penalties," by permitting employees to make up back payments to the retirement system from the time they entered school service, and securing to such employees the full benefits of the retirement system from the time they entered school service.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 397, entitled:

An Act to further amend Section 11 of the act, approved the eighteenth day of July, one thousand nine hundred

seventeen (P. L. 1043), entitled "An act establishing a public school employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employees; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by providing for retroactive service allowance of certain employees.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 398, entitled:

An Act to further amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the bureau of fire in cities of the second class creating a board for the management thereof providing the mode and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created" by changing the compensation of the Secretary-Treasurer of the Board and changing the amounts of contributions by members to the fund and changing the amounts of payments to beneficiaries.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 458, in second reading, entitled:

An Act to amend Section 5 and to add Section 5.1 to the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by requiring certain bonds issued for certain purposes to be offered for sale at open and competitive bidding in certain cases

be recommitted to the Committee on Local Government.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 501, entitled:

An Act to further amend Section 2 of the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 951), entitled, as amended "An act defining and providing for the licensing and regulation of private academic schools; conferring powers and imposing duties on the Department of Public Instruction; and imposing penalties," by exempting therefrom schools for the blind, deaf and dumb receiving State appropriations.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 526, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employees prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" by further regulating the withdrawals of certain optional payment shares providing that accounts of less than a certain amount need not be credited with dividends further regulating the terms of mortgage contracts and the terms of bonds securing mortgages and the types of property upon which mortgages may be taken.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 702, entitled:

An Act to further amend the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by further regulating the affairs of boroughs, and revising, amending, and changing the law relating thereto.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

SENATE BILL No. 192 CALLED UP FROM SECOND READING POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up from the Second Reading Postponed Calendar Senate Bill No. 192.

BILL RECOMMENDED

Mr. WALKER. Mr. President, I move that Senate Bill No. 192, on second reading, entitled:

An Act to further amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," eliminating the power of the Game Commission to fix bag limits in certain cases.

be recommended to the Committee on Forests and Waters, Game and Fish.

Mr. WOLFE. Mr. President, I second the motion.

The motion was agreed to.

HOUSE BILL No. 231 CALLED UP FROM SECOND READING POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up from the Second Reading Postponed Calendar House Bill No. 231 for consideration at this time.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 231, entitled:

An Act relating to mental health including mental illness, mental defect, epilepsy, and inebriety; and amending, revising, consolidating, and changing the laws relating thereto.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HOUSE MESSAGE

HOUSE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, presented an extract from the Journal of the House of Representatives, which was twice read, as follows:

In the House of Representatives, May 7, 1951.

Resolved (if the Senate concur), That House Bill No. 719, Printer's No. 114, entitled:

An Act making a deficiency appropriation to the Department of Welfare to reimburse State-aided hospitals for part of the cost of training student nurses in approved schools of nursing

be returned to the Governor without amendment.

SENATE CONCURS IN HOUSE CONCURRENT RESOLUTION

Mr. WALKER. Mr. President, I move that the Senate do concur in the resolution just read by the Clerk.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,
Barr,
Barrett,
Berger,
Blass,
Byrne,

Haluska,
Hare,
Holland,
Kephart,
Kessler,
Lane,

McMenamin,
McPherson, Jr.,
Meade,
Neff,
Pechan,
Peelor,

Snowden,
Stevenson,
Stiefel,
Toole,
Wade,
Wagner,

Chapman,
Crowe,
Dent,
Diehm,
DiSilvestro,
Fleming,
Freud

Leader,
Letzler,
Mahany,
Mallery,
McCreesh,
McGinnis,

Propert,
Robinson,
Rosenfeld,
Ruth,
Scarlett,
Silvert,

Walker,
Watkins,
Watson,
Wolfe,
Wood,
Yosko,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL INTRODUCED AND REFERRED

Mr. SNOWDEN. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNOWDEN, read in place and presented to the Chair Senate Bill No. 613, entitled:

An Act authorizing the Governor on behalf of the Commonwealth of Pennsylvania to enter into a compact or agreement with the State of New Jersey authorizing the Pennsylvania Turnpike Commission and the New Jersey Turnpike Authority to select a location for a bridge across the Delaware River, and acting alone or in conjunction with each other to construct, finance, operate and maintain such bridge including the power to fix and collect tolls, and authorizing the Governor to apply on behalf of the Commonwealth of Pennsylvania to the Congress of the United States for its consent thereto.

Which was committed to the Committee on Highways.

BILLS ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. MCGINNIS. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 531, entitled:

An Act to amend the last paragraph of subsection E of section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled "An act empowering cities of the second class of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitation for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes

and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" by providing an effective date for tax levies on persons subjects businesses transactions or privileges within two or more political subdivisions when another such political subdivision has previously levied such tax.

And Said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 592, entitled:

A Supplement to the act, approved the twelfth day of June, one thousand nine hundred thirty-one (P. L. 575), entitled "An act providing for joint action by Pennsylvania and New Jersey in the development of the ports on the lower Delaware River and the improvement of the facilities for transportation across the river authorizing the Governor for these purposes to enter into an agreement with New Jersey creating The Delaware River Joint Commission and specifying the powers and duties thereof including the power to finance projects by the issuance of revenue bonds transferring to the new commission all the powers of the Delaware River Bridge Joint Commission and making an appropriation," authorizing the Governor on behalf of the Commonwealth of Pennsylvania to enter into a supplemental compact or agreement with the State of New Jersey amending Articles I, II, IV, XI, and XII of and adding a new article to the compact and agreement between the Commonwealth of Pennsylvania and the State of New Jersey authorized and made pursuant to the act herein supplemented by changing the name of The Delaware River Joint Commission to The Delaware River Port Authority and the method of appointment of commissioners; removing the present Pennsylvania members of the commission, extending the jurisdiction, powers and duties of the Delaware River Port Authority and defining such additional jurisdiction, powers and duties to take effect upon the enactment of substantially similar legislation by the State of New Jersey, embodying the supplemental agreement between the two States in this act set forth and authorizing the Governor to apply on behalf of the Commonwealth to the Congress of the United States for its consent thereto.

And Said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Tuesday, May 8, 1951, at 2:00 o'clock, p. m., Eastern Standard Time.

Mr. WOLFE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:46 o'clock, p. m., Eastern Standard Time, until Tuesday, May 8, 1951, at 2:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, May 7, 1951.

The House met at 3:30 p. m. EST.

The SPEAKER (Herbert P. Sorg) in the Chair.

PRAYER

The Chaplain, Reverend William Hugh Fryer, offered the following prayer:

O God, our heavenly Father, graciously behold this Assembly. Bind together its members with cords of friendliness and sympathy. Give us the vision of our common duty to the State and make us glad and strong in the doing of it. By all the memories of a great past, rouse us to hear the calls of the present. Grant wisdom, courage, and patience to our leaders and fill us all with the spirit of loving service, what whatsoever we do in word or deed may be done in the name of the Lord Jesus Christ through whom we offer this our prayer. Amen.

JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Wednesday, May 2, 1951? If not, and without objection, the Journal is approved.

BILLS INTRODUCED AND REFERRED

By Mr. REAGAN. HOUSE BILL No. 1118.

An Act making an appropriation from the Toll Bridge Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on Toll Bridge Bonds.

Referred to the Committee on Highways.

By Mr. REAGAN. HOUSE BILL No. 1119.

A Joint Resolution proposing an amendment to Section 4, Article III of the Constitution of the Commonwealth of Pennsylvania, by requiring approval of bills for raising revenue by two-thirds of the members elected to each House.

Referred to the Committee on Judiciary.

By Messrs. McKINNEY and HEWITT. HOUSE BILL No. 1120.

An Act relating to the allocation and expenditures of certain funds available for highway purposes.

Referred to the Committee on Highways.

By Messrs. LEISEY and HARNEY. HOUSE BILL No. 1121.

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania.

Referred to the Committee on Appropriations.

By Messrs. MINTESS and BROWN. HOUSE BILL No. 1122.

An Act making an appropriation to the Trustees of the College of Lincoln University, Chester County.

Referred to the Committee on Appropriations.

By Mr. KENT. HOUSE BILL No. 1123.

An Act to provide for the registration and protection of trademarks and to secure the rights, property, and inter-

ests therein, providing for the assignment, cancellation and revocation thereof, and imposing penalties for violations, conferring powers and imposing duties upon the Secretary of the Commonwealth in the administration thereof, and to repeal all acts inconsistent therewith.

Referred to the Committee on State Government.

By Mr. METZ. HOUSE BILL No. 1124.

An Act to amend section 1 of the act approved the twenty-sixth day of May, one thousand nine hundred twenty-one (P. L. 1172) entitled "A supplement to the act, approved the seventeenth day of May, one thousand nine hundred seventeen (P. L. 208), entitled 'An act to regulate the practice of pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof; defining the words 'drug' and 'poison'; and providing for the appointment of a board which shall have in charge the enforcement of said law, and the power to make rules and regulations for the enforcement of said law; and providing for the purchase of samples of drugs for determining their quality strength, and purity;' requiring permits to conduct pharmacies; providing for the revocation thereof; and prescribing penalties," by further regulating the issuance of permits to conduct pharmacies.

Referred to the Committee on Professional Licensure.

By Mr. METZ. HOUSE BILL No. 1125.

An Act to amend Section 1189 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by increasing the maximum penalty on teachers failing to attend meetings called by the county superintendent.

Referred to the Committee on Education.

By Mr. LOFTUS. HOUSE BILL No. 1126.

An Act making an appropriation to the Jefferson Medical College of Philadelphia, Pennsylvania, for medical education and research.

Referred to the Committee on Appropriations.

By Messrs. McCORMACK and RUBIN. HOUSE BILL No. 1127.

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Messrs. EWING, GEER, HAUDENSHIELD, RIGBY, BEECH, WILT, RONALD L. THOMPSON, and COOPER. HOUSE BILL No. 1128.

A Supplement to the act, approved the thirteenth day of June, one thousand nine hundred forty-seven (P. L. 1154), entitled "An act to prohibit the manufacture and sale of oleomargarine or butterine and other similar products when colored in imitation of yellow butter; to provide for license fees to be paid by manufacturers, wholesale and retail dealers, and by proprietors of hotels, restaurants, dining-rooms, and boarding-houses; for the manufacture or sale of oleomargarine, butterine or other similar products not colored in imitation of yellow butter; to regulate the manufacture, sale and advertising of oleomargarine, butterine or other similar products, not colored in imitation of yellow butter; and prevent and punish fraud and deception in such manufacture, sale and advertising as an imitation butter; to prescribe penalties; and punishment for violation of this act and the means and method of procedure for its enforcement; to regulate certain matters

of evidence in such procedure; and to prescribe certain powers and duties of the Department of Agriculture," by authorizing the sale or serving of oleomargarine in cities, boroughs, or townships in counties of the second class regulating the sale or serving thereof.

Referred to the Committee on Agriculture and Dairy Industries.

By Mr. TOMPKINS. HOUSE BILL No. 1129.

An Act making an appropriation to the Department of Justice for the payment of the compensation and expenses of operation of the members and employes of the Deputy Attorneys-General designated as the Pennsylvania Crimes Commission.

Referred to the Committee on Appropriations.

By Messrs. SMITH and MADIGAN.

HOUSE BILL No. 1130.

An Act making an appropriation to the Trustees of the University of Pennsylvania for the School of Veterinary Medicine.

Referred to the Committee on Appropriations.

By Mr. JOHN C. MILLER. HOUSE BILL No. 1131.

An Act to further amend section 4321 of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class, and amending revising, and consolidating the law relating thereto," by providing for retirement of firemen upon twenty years of total service.

Referred to the Committee on Cities—Third Class.

By Mr. JOHN C. MILLER. HOUSE BILL No. 1132.

An Act providing for a three platoon system for firemen in boroughs and townships; and fixing the maximum hours for members of such platoons, in any one week, with certain exceptions.

Referred to the Committee on Municipal Corporations.

By Mr. ZIEGLER. HOUSE BILL No. 1133.

An Act to further amend sections seven, eleven and twenty-one and to add section twenty-one point one to the act, approved the sixth day of August, one thousand nine hundred forty-one (P. L. 861), entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth; establishing the 'Pennsylvania Board of Parole'; conferring and defining its jurisdiction, duties, powers and functions, including the supervision of persons placed on probation in certain designated cases; providing for the method of appointment of its members; regulating the appointment, removal and discharge of its officers, clerks and employes; dividing the Commonwealth in to administrative districts for purposes of parole; fixing the salaries of members of the board and of certain other officers and employes thereof; making violations of certain provisions of this act misdemeanors; providing penalties therefor; and for other cognate purposes, and making an appropriation," by removing the ceiling on salaries of the secretary of the board and of district supervisors, making the amount of such salaries subject to the determination of the Executive Board; and by further defining the jurisdiction, duties, powers and functions of the Pennsylvania Board of Parole.

Referred to the Committee on State Government.

By Mr. ANDREWS. HOUSE BILL No. 1134.

An Act to amend Article VI of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school

system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by defining distressed school districts; authorizing the Department of Public Instruction to assume control of the affairs of such district; defining the powers and duties of the Department with regard thereto; authorizing the levy of an additional tax in certain cases; imposing duties on Department of Auditor General and boards of school directors.

Referred to the Committee on Education.

By Mr. SCOTT. HOUSE BILL No. 1135.

An Act to amend the title and Sections 2 and 3 of the act, approved the third day of June, one thousand nine hundred forty-three (P. L. 847), entitled "An act creating a revolving fund in the State Treasury to be used by the State Council for the Blind, for making advancements to blind persons for the purchase of stock equipment and accessories necessary to operate vending or refreshment stands in locations leased or arranged for by said council; providing for the repayment of such advancements; authorizing the State Council for the Blind to adopt rules and regulations; and making an appropriations," by authorizing the State Council to purchase, own, install, maintain and lease, equipment and accessories for suitable business enterprises for the blind, accept Federal funds and making an additional appropriation.

Referred to the Committee on Appropriations.

By Mr. TOMPKINS. HOUSE BILL No. 1136.

An Act to further amend section 254 of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish, and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by requiring the Board of Fish Commissioners to post printed signs giving notice of the closing of streams or parts thereof after stocking the same with trout.

Referred to the Committees on Fisheries.

By Messrs. COOPER and HAUDENSHIELD.

HOUSE BILL No. 1137.

An Act making an appropriations to the Trustees of the University of Pittsburgh for the general maintenance and operation of and the purchase of apparatus and equipment for the Western State Psychiatric Institute and Clinic, and for the conduct of teaching and research on the cause, treatment, prevention and cure of the various types of nervous disorders and mental diseases, and authorizing the use of income derived from the operation of the Western State Psychiatric Institute and Clinic.

Referred to the Committee on Appropriations.

By Messrs. EWING and RONALD L. THOMPSON.

HOUSE BILL No. 1138.

An Act making an appropriation from the General Fund to the Department of Forests and Waters for the payment of expenses incurred in continuing the development of the Point Park in Pittsburgh.

Referred to the Committee on Appropriations.

By Mr. STIMMEL.

HOUSE BILL No. 1139.

An Act to further amend the first paragraph of section 13 of the act, approved the nineteenth day of March, one thousand nine hundred nine, (P. L. 46), entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania; to provide for the establishment of a State Board of Osteopathic Examiners; to define the powers and duties of said Board of Osteopathic Examiners; to provide for

the examining and licensing of osteopaths in this State; and to provide penalties for the violation of this act," by changing the time and increasing the fee for annual registration of osteopaths.

Referred to the Committee on Professional Licensure.

By Mr. STIMMEL. HOUSE BILL No. 1140.

An Act to further amend Section 3 of the act, approved the thirtieth day of March, one thousand nine hundred seventeen (P. L. 21), entitled "An act defining optometry; and relating to the right to practice optometry in the Commonwealth of Pennsylvania, and making certain exceptions; and providing a Board of Optometrical Education, Examination, and Licensure, and means and methods whereby the right to practice optometry may be obtained; and providing for the means to carry out the provisions of this act; and providing for revocation or suspension of licenses given by said board, and providing penalties for violations thereof; and repealing all acts or parts of acts inconsistent therewith," by eliminating the State optometrical examiner.

Referred to the Committee on Professional Licensure.

By Mr. SPENCER. HOUSE BILL No. 1141.

An Act making an appropriation to the Orlando S. Johnson Industrial School of Scranton, Pennsylvania, for maintenance and purchase of supplies and equipment.

Referred to the Committee on Appropriations.

By Messrs. FROST and HEWITT.
HOUSE BILL No. 1142.

A Further Supplement to the act, approved the first day of April, one thousand eight hundred sixty-three (P. L. 213), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making an appropriation for carrying the same into effect.

Referred to the Committee on Appropriations.

By Messrs. LEISEY and HARNEY.
HOUSE BILL No. 1143.

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania, for the payment of the cost of construction to complete the new Boys' Dormitory.

Referred to the Committee on Appropriations.

By Messrs. COOPER and HAUDENSHIELD.
HOUSE BILL No. 1144.

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of said university, the purchase of apparatus and equipment therefor, and the maintenance of teaching facilities in hospitals for students in the School of Medicine of said university.

Referred to the Committee on Appropriations.

By Mr. YEAKEL. HOUSE BILL No. 1145.

An Act making an appropriation to the National Agricultural College Farm School of Pennsylvania at Doylestown, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. COSTA. HOUSE BILL No. 1146.

An Act making an appropriation to the Berean Manual

Training School at Philadelphia, Pennsylvania, for the purpose of the maintenance of said school.

Referred to the Committee on Appropriations.

By Mr. TOMPKINS. HOUSE BILL No. 1147.

An Act making an appropriation for aid to free public non-sectarian county libraries, and for the purchase and transportation of books.

Referred to the Committee on Appropriations.

By Messrs. EDWIN F. THOMPSON and PICHNEY.
HOUSE BILL No. 1148.

An Act making an appropriation to the Moore Institute of Art, Science and Industry, formerly Philadelphia School of Design for Women, at Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. FERSTER. HOUSE BILL No. 1149.

An Act making an appropriation to the Department of Public Instruction, including proceeds of publications sold, for the purpose of revising the curricula of elementary, secondary and vocational schools.

Referred to the Committee on Appropriations.

By Mr. COSTA. HOUSE BILL No. 1150.

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art—Textile Institute, Philadelphia.

Referred to the Committee on Appropriations.

By Mr. HELM. HOUSE BILL No. 1151.

An Act to amend sections one thousand seventy-one and one thousand seventy-two of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by further providing for the appointment of district and assistant district superintendents.

Referred to the Committee on Education.

By Mrs. MARKLEY. HOUSE BILL No. 1152.

An Act making an appropriation to the Department of Public Instruction to pay expenses in the operation of the Speech and Hearing Rehabilitation Centers.

Referred to the Committee on Appropriations.

By Mr. STIMMEL. HOUSE BILL No. 1153.

An Act to further amend Subsection (1) of Section 6 of the act approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employees; defining the uses and purposes thereof, and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employees serve; excepting annuities, allowances, returns, benefits and rights from taxation and judicial process; and providing penalties," by giving trustees of the retirement fund same powers to invest as fiduciaries.

Referred to the Committee on State Government.

By Messrs. LYONS and MADDEN.

HOUSE BILL No. 1154.

An Act making an appropriation to provide funds for the Bushy Run Battlefield Park.

Referred to the Committee on Appropriations.

By Mr. MURRAY.

HOUSE BILL No. 1155.

An Act to amend section sixteen of the act, approved the twenty-eighth day of June, one thousand nine hundred forty-seven (P. L. 1110), entitled "An act defining and regulating certain installment sales of motor vehicles; prescribing the conditions under which such sales may be made and regulating the financing thereof; regulating and licensing persons engaged in the business of making or financing such sales; prescribing the form, contents and effect of instruments used in connection with such sales and the financing thereof; prescribing certain rights and obligations of buyers, sellers, persons financing such sales and others; limiting incidental charges in connection with such instruments and fixing maximum interest rates for delinquencies, extensions and loans; regulating insurance in connection with such sales; regulating repossessions, redemptions, resales and deficiency judgments and the rights of parties with respect thereto; authorizing extensions, loans and forbearances related to such sales; authorizing investigations and examinations of persons engaged in the business of making or financing such sales; prescribing penalties and repealing certain acts," by permitting the resale, retransfer or reassignment of installment sale contracts to the installment sellers from whom such contracts were originally acquired.

Referred to the Committee on Banking and Building and Loan Associations.

By Messrs. PAUL F. JONES, ROSE, Mrs. MONROE and Mr. LEVEN.

HOUSE BILL No. 1156.

An Act to amend Section 654 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by changing the definition of a place of public accommodation, resort or amusement and the penalties relative thereto, and providing for the suspension and revocation of licenses or permits.

Referred to the Committee on Judiciary.

By Mr. VAN SANT, Mrs. MARKLEY and Mr. STIMMEL.

HOUSE BILL No. 1157.

An Act to add section 1207.1 to the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and

providing for refunds," by granting jurisdiction to magistrates in summary proceedings in certain cases where minors are charged with violations of said act.

Referred to the Committee on Motor Vehicles.

By Mr. VAN SANT, Mrs. MARKLEY and

Mr. STIMMEL.

HOUSE BILL No. 1158.

An Act to further amend subsection (d) of Section 1002 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by authorizing the use of photostatic copies of certificates of appointment as official speedometer testing stations as competent evidence in proceedings for speed violations.

Referred to the Committee on Motor Vehicles.

By Mr. VAN SANT, Mrs. MARKLEY and

Mr. STIMMEL.

HOUSE BILL No. 1159.

An Act to further amend clause (a) of Section 1001 of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by clarifying the meaning of reckless driving.

Referred to the Committee on Motor Vehicles.

By Mr. VAN SANT, Mrs. MARKLEY and

Mr. STIMMEL.

HOUSE BILL No. 1160.

An Act to amend the penalty clause of Section 1032 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the

use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by changing penalty for non-conformance to requirements for use of lighting equipment.

Referred to the Committee on Motor Vehicles.

By Mr. VAN SANT, Mrs. MARKLEY and Mr. STIMMEL.
HOUSE BILL No. 1161.

An Act to further amend Sec. 204 and subsection (a) of Section 207 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety, regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, ships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by prohibiting the issuance, assignment or transfer of certificates of title to persons less than twenty-one years of age.

Referred to the Committee on Motor Vehicles.

By Mr. VAN SANT, Mrs. MARKLEY and Mr. STIMMEL.
HOUSE BILL No. 1162.

An Act to amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety, regulating the use of highways, and the operations of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns,

ships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by permitting peace officers to cause certain vehicles to be towed and providing for the payment of the costs thereof; prohibiting driving on one-way streets in the wrong direction; further defining tampering with vehicles; and further providing for arrests of non-resident violators by peace officers in cities.

Referred to the Committee on Motor Vehicles.

By Mr. HARRY W. PRICE, Jr. HOUSE BILL No. 1163.

An Act to further amend subsection (b) of Section 2 of the act approved the twenty-ninth day of September, one thousand nine hundred thirty-eight (P. L. 53), entitled as amended "An act relating to institutions of counties, cities, wards, boroughs, townships, institution districts and other political subdivisions, for the care, maintenance, and treatment of mental patients; providing for the transfer to the Commonwealth for the care, maintenance and treatment of mental patients of such institutions, and all ground, lands, buildings and personal property of such political subdivisions used for the care and maintenance of indigent persons connected with such mental institutions; providing for the management and operation or closing and abandonment thereof; and the maintenance of mental patients therein; including the collection of maintenance in certain cases; providing for the retransfer of certain property to counties, cities, wards, boroughs, townships, institution districts and other political subdivisions under certain circumstances; conferring and imposing upon the Governor, the Department of Welfare, the courts of common pleas and counties, cities, wards, boroughs, townships, institution districts and other political subdivisions certain powers and duties; prohibiting cities counties, wards, boroughs, townships, institution districts and other political subdivisions from maintaining and operating institutions, in whole or in part, for the care and treatment of mental patients; and repealing inconsistent laws," by extending the time for the transfer to the Commonwealth of institutions used in the care and maintenance of indigent persons by certain political subdivisions.

Referred to the Committee on State Government.

By Messrs. BLOOM and ROBERTSON.
HOUSE BILL No. 1164.

An Act making an appropriation to the Williamson Free School of Mechanical Trades for maintenance.

Referred to the Committee on Appropriations.

By Messrs. COSTA and WOOD. HOUSE BILL No. 1165.

An Act making an appropriation from the General Fund to the Department of Forests and Waters for the payment of expenses incurred in continuing the development of the Independence Hall in Philadelphia.

Referred to the Committee on Appropriations.

By Messrs. CLAPPER and BANKER.
HOUSE BILL No. 1166.

An Act making an appropriation to the Department of Public Instruction for payments to the School Districts on account of obligations to the Public School Building Authority as provided by law.

Referred to the Committee on Appropriations.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 296.

An Act to further amend the act approved the nineteenth day of June one thousand nine hundred thirty-one (P. L. 589), entitled as amended "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein regulating compensation for service rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties" by changing the provisions as to fees charged apprentices and students and as to the powers of municipalities removing the limitation on the payment of wages to apprentices and transferring the administration of several provisions of this act to the State Board of Barber Examiners.

Referred to the Committee on State Government.

SENATE BILL No. 297.

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by creating the State Board of Barber Examiners as a departmental administrative board in the Department of Public Instruction.

Referred to the Committee on State Government.

SENATE BILL No. 303.

An Act relating to the apportionment of estate taxes and providing procedure for enforcement of contribution or exoneration.

Referred to the Committee on Ways and Means.

SENATE BILL No. 379.

An Act to add section 4.1 to the act approved the twentieth day of July one thousand nine hundred seventeen (P. L. 1143) entitled "An act relating to free public nonsectarian libraries and branch libraries within this Commonwealth providing for their establishment maintenance and regulation and for the maintenance and regulation of such free public nonsectarian libraries as may have been already established by the several counties cities boroughs towns and townships and providing that all library property and all gifts devises grants or endowments for library purposes shall be exempt from taxation and providing that the several counties cities boroughs towns and townships may levy taxes condemn private property and borrow money for library purposes and imposing penalties for injuring library property and for violations of library regu-

lations and repealing existing laws in relation to the above subjects" by further regulating county libraries permitting cities boroughs towns and townships to withdraw from county library districts and payment of county library tax.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 387.

An Act to amend Section 404 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing for additional clerks of election in election districts having more than twelve hundred qualified electors in counties of the fourth class.

Referred to the Committee on Elections and Apportionment.

SENATE BILL No. 456.

An Act to further amend the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 368) entitled "An act to protect consumers in the purchase for fuel purposes of the hard coal known as anthracite providing for and regulating the sale offering for sale resale delivery and shipment of anthracite according to a standard provided for in this act requiring producers and dealers and persons engaged in the sale and resale of anthracite from storage yards or otherwise to consumers to keep certain records conferring powers on the Anthracite Committee and its agents and providing penalties" by defining "Retail Dealer" "Wholesale Dealer" "Municipal Weighmaster" and "Municipality" requiring producers wholesale dealers and municipal weighmasters to issue certain statements and keep certain records imposing and changing penalties providing for the payment of fines for violations to the Commonwealth and providing for injunctions to restrain violations.

Referred to the Committee on State Government.

SENATE BILL No. 459.

An Act to further amend Section 1101 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the laws relating thereto" by authorizing the payment of bounties for the destruction of rattlesnakes and copperhead snakes.

Referred to the Committee on Game and Forestry.

SENATE BILL No. 490.

An Act to further amend section two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 216) entitled "An act relating to dentistry defining and providing for the licensing and registration of dentists and dental hygienists and for the revocation and suspension of such licenses and registrations subject to appeal and for their reinstatement defining the powers and duties of the State Dental Council and Examining Board and the Department of Public Instruction providing penalties and repealing existing laws" by further defining the term "Practice of Dentistry."

Referred to the Committee on Professional Licensure.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. TOMPKINS, SCOTT, BOWER, GOODLING, FROST, GEER, EWING, McMILLEN, MAZZA, MADDEN, LYONS, SHOTWELL, WILBUR H. HAMILTON, GLEASON, WILT, PRICE, FIRMSTONE, SPENCER, CLARENCE E. MOORE, COOPER, HALL, TOOMEY, GIBSON, BEECH, DONALD L. THOMPSON, ERB, METZ, STONER, PITZER, DUBOIS, VARNER, GREER and FLACK.

(Concurrent) RESOLUTION No. 43.

In the House of Representatives, May 2, 1951.

Whereas, Many rumors, complaints, accusations and exposures have and are being made of gambling, racketeering and vice operating in many parts of our Commonwealth either unnoticed, unhampered or without opposition from law enforcement agencies; and

Whereas, Numerous complaints have and are being made of a laxity in the investigation and enforcement of the criminal laws of this Commonwealth; and

Whereas, Many petitions have been and are being addressed both directly and indirectly to State and local authorities seeking assistance in the solution of these problems; and

Whereas, The Kefauver Committee of the National Congress has suggested that further probing, investigation and prosecution of these matters should rest with State and local government; and

Whereas, Public interest and justice now require some positive action on these matters for the protection of the people and the body politic; and

Whereas, Section 904 of the Administrative Code of 1929, Pamphlet Laws 177, provides: "The Department of Justice shall have the power, and its duty shall be, with the approval of the Governor

(a) To investigate any violations, or alleged violations, of the laws of the Commonwealth which may come to its notice;

(b) To take such steps, and adopt such means, as may be reasonably necessary to enforce the laws of the Commonwealth," therefore, be it

Resolved (if the Senate concur), That the Attorney-General shall, with the approval of the Governor, appoint five persons as Deputy Attorneys General who shall constitute a body to be known and designated as the "Pennsylvania Crimes Commission," whose powers, functions and duties shall be:

1. To investigate any violations, or alleged violations, of the criminal laws of the Commonwealth which have been committed, or may hereafter come to its notice.

2. To take such steps, and adopt such means, as may be reasonably necessary to enforce the criminal laws of the Commonwealth.

3. To conduct public or private hearings as to it may be deemed necessary.

4. To subpoena persons, books, papers, records and any other material or matter and to question and examine the same in accordance with and to the extent provided by common law and the Administrative Code of 1929, its supplements and amendments.

5. To cite for contempt in accordance with and to the extent provided by common law and the Administrative Code of 1929, its supplements and amendments.

6. To make periodic unannounced investigations and examinations of any or all law enforcement agencies within the Commonwealth; the findings thereof to be filed with the Governor as a public record.

7. To do any and all things which may be necessary or required to carry out the purpose and intent of this resolution.

8. The compensation of the members of said commission and such employees as may be required, together with costs and expenses of operation be fixed as provided by the Administrative Code of 1929.

Referred to the Committee on Rules.

By Messrs. EDWIN F. THOMPSON and MINTESS.

(Concurrent) RESOLUTION No. 44.

In the House of Representatives, May 2, 1951.

Honesty, independence, and leadership comprise the essential qualities of an exemplary public official. Although these characteristics are frequently appraised on a scale of relativity, yet there is inherent in each of them an absolute value that should persist unchanged by time, circumstance, expediency, or any other extraneous factor.

When conditions are favorable for an individual and his party and the prognosis of a political action is reassuring, then a rigid practice of the three virtues—honesty, independence, and leadership—is relatively an effortless matter. But when the trend has changed and the storms of dissension and uncertainty are breaking overhead, it becomes difficult to hold resolutely to these basic concepts.

At such a time one is tempted to rationalize the impracticability of absolute honesty in the crooked world around him. He is inclined to think that an independent opinion is futile. If contrary to the popular view, and his impulse to lead becomes blunted by the disappearance of the crowd elsewhere.

Within a few months, Senator Duff has responded well to this criterion for public service. His thrilling courage in meeting squarely the challenging public questions of today without any consideration for his personal advantage or a partisan expediency is heart warming to liberal-minded citizens of every political persuasion.

The critical and objective editors of Liberty Magazine have appropriately observed these sterling qualities that impel a leader to cleave to fundamental principles and to turn away from the siren call of opportunism and have awarded Senator Duff the distinction of a formal recognition of his "outstanding honesty, independence, and leadership in the 82nd Congress"; therefore be it

Resolved, That this House of Representatives (if the Senate concur) express its enthusiastic gratification with the public service rendered on the national level by Senator James H. Duff, a service devoted exclusively to the welfare of our country and utterly devoid of any political implications; and be it further

Resolved, That this House of Representatives (if the Senate concur) is appreciative of the distinctive and significant award that the Liberty Magazine has conferred upon one of Pennsylvania's most distinguished citizens; and be it further

Resolved, That a copy of this resolution be transmitted to Senator James H. Duff.

Referred to the Committee on Rules.

COMMUNICATION AND HOUSE BILL 719 TAKEN FROM TABLE

Mr. WOOD. Mr. Speaker, I move that the Communication from the Governor together with House Bill 719, Printer's No. 114 which were laid upon the table on April 30, be taken from the table.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL 719

April 26, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution re-

calling from the Governor, for the purpose of further consideration, the following bill:

House Bill No. 719, Printer's No. 114.

Accordingly, the original bills are herewith returned.

JOHN S. FINE.

RESOLUTION

HOUSE BILL 719 RETURNED TO GOVERNOR

Mr. WOOD offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, May 7, 1951.

Resolved, (if the Senate concur) That House Bill No. 719, Printer's No. 114, entitled "An act making a deficiency appropriation to the Department of Welfare to reimburse State-aided hospitals for part of the cost of training student nurses in approved schools of nursing," which was recalled from the Governor, April 26, 1951, be returned to the Governor without amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

COMMUNICATION AND HOUSE BILL 188 TAKEN FROM TABLE

Mr. ROBERTSON. Mr. Speaker, I move that the communication from the Governor together with House Bill No. 188, Printer's No. 77 which were laid upon the table on April 30, be taken from the table.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL 188

April 26, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor, for the purpose of further consideration, the following bill:

House Bill No. 188, Printer's No. 77.

Accordingly, the original bill is herewith returned.

JOHN S. FINE.

RECONSIDERATION OF VOTE

Mr. ROBERTSON. Mr. Speaker, I move that the vote by which House Bill No. 188, entitled:

An Act relating to the admissibility in evidence and the proof of official records documents and proceedings both domestic and foreign and of copies thereof and extracts therefrom and certificates in reference thereto

passed finally be reconsidered.

Mr. BLOOM. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Delaware vote on the final passage of this bill?

Mr. ROBERTSON. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Delaware vote on the final passage of this bill?

Mr. BLOOM. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. ROBERTSON. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. ROBERTSON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 1, 2nd line of Title, by striking out the words "both domestic and foreign" and inserting in lieu thereof "of the United States government"

Amend Sec. 2, page 2, lines 4 to 9, inclusive, by striking out all of said lines.

Amend Sec. 3, page 2, lines 10 to 15, inclusive, by striking out all of said lines.

Amend Sec. 4, page 2, line 16, by striking out the figure "4" and inserting in lieu thereof "2"

Amend Sec. 5, page 3, line 5, by striking out the figure "5" and inserting in lieu thereof "3"

Amend Sec. 6, page 3, lines 11 to 16, inclusive, by striking out all of said lines.

Amend Sec. 7, page 3, lines 17 to 20, inclusive, by striking out all of said lines.

Amend Sec. 7, page 4, lines 1 to 4, inclusive, by striking out all of said lines.

Amend Sec. 8, page 4, lines 5 to 19, inclusive, by striking out all of said lines.

Amend Sec. 8, page 5, lines 1 to 5, inclusive, by striking out all of said lines.

Amend Sec. 9, page 5, lines 6 to 12, inclusive, by striking out all of said lines.

Amend Sec. 10, page 5, lines 13 to 19, inclusive, by striking out all of said lines.

Amend Sec. 10, page 6, lines 1 to 5, inclusive, by striking out all of said lines.

Amend Sec. 11, page 6, lines 6 to 16, inclusive, by striking out all of said lines.

Amend Sec. 12, page 6, line 17, by striking out the figure "12" and inserting in lieu thereof "4"

Amend Sec. 12, page 6, line 18, by striking out the words "four to eleven above" and inserting in lieu thereof "two and three"

Amend Sec. 13, page 7, line 3, by striking out the figure "13" and inserting in lieu thereof "5"

Amend Sec. 13, page 7, line 4, by striking out the words "four to eleven" and inserting in lieu thereof "two and three"

Amend Sec. 14, page 7, line 7, by striking out the figure "14" and inserting in lieu thereof "6"

Amend Sec. 14, page 7, line 7, by striking out the words "and State"

Amend Sec. 14, page 7, lines 10 and 11, by striking out the words "or of this State or any other state or a territory or other jurisdiction of the United States"

Amend Sec. 14, page 7, line 13, by striking out the words "Provided That in" and inserting in lieu thereof "In"

Amend Sec. 14, page 7, line 13, by inserting after the word "any" the following "such"

Amend Sec. 15, page 7, line 16, by striking out the figure "15" and inserting in lieu thereof "7"

Amend Sec. 15, page 7, lines 18 and 19, by striking out the words "or of this State or any other state or a territory or other jurisdiction of the United States"

Amend Sec. 16, page 8, line 4, by striking out the figure "16" and inserting in lieu thereof "8"

Amend Sec. 17, page 8, lines 12 to 19, inclusive, by striking out all of said lines.

Amend Sec. 18, page 9, lines 1 to 6, inclusive, by striking out all of said lines.

Amend Sec. 19, page 9, lines 7 to 11, inclusive, by striking out all of said lines.

Amend Sec. 20, page 9, line 12, by striking out the figure "20" and inserting in lieu thereof "9"

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

COMMUNICATION AND HOUSE BILL 247 TAKEN FROM TABLE

Mr. HELM. Mr. Speaker, I move that the communication from the Governor together with House Bill No. 247, Printer's No. 49 which were laid upon the table on April 30 be taken from the table.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL 247

April 26, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor, for the purpose of further consideration, the following bill:

House Bill No. 247, Printer's No. 49.

Accordingly, the original bill is herewith returned.

JOHN S. FINE.

RECONSIDERATION OF VOTE

Mr. HELM. Mr. Speaker, I move that the vote by which House Bill No. 247, entitled:

An Act to amend the title and the act approved the sixth day of April one thousand nine hundred forty-five (P. L. 164) entitled "An act authorizing and empowering minors seventeen years of age or older to contract for and to make loans in accordance with the provisions of the act of Congress known as the "Servicemen's Readjustment Act of 1944" or any agency of the Commonwealth hereafter created and saving and relieving the parents, guardians and trustees of such minors from any liaison therefor unless joining therein" by extending the provisions to of such persons to join in the execution of certain contracts and validating the actions of minor spouses of such adults include certain adults and empowering the minor spouses in heretofore joining in the execution of any such contracts under certain conditions

passed finally be reconsidered.

Mr. KENT. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Armstrong vote on the final passage of this bill?

Mr. HELM. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Crawford vote on the final passage of this bill?

Mr. KENT. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. HELM. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. HELM. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 2, lines 1 and 2 of title, by striking out the words "extending the provisions thereof to include certain adults and".

Amend Title, page 2, line 2 of title, by striking out the word "the".

Amend Title, page 2, line 3 of title, by striking out the words "of such persons" and inserting in lieu thereof: "irrespective of age."

Amend Title, page 2, lines 3 and 4 of title, by striking out the word "certain" and inserting in lieu thereof: "such."

Amend Title, page 2, line 4 of title, by inserting after the word "contracts" the following: "whether or not the principal is a minor."

Amend Title, page 2, next to last line of title, by striking out the word "such", where it appears the first time.

Amend Title, page 2, last line of title, by striking out the words "under certain conditions".

Amend Sec. 1, (Title), page 2, line 11, by striking out the words "certain persons including".

Amend Sec. 1, (Title), page 3, line 3, by striking out the word "the" where it appears the second time in said line.

Amend Sec. 1, (Title), page 3, line 4, by striking out the words "of such persons" and inserting in lieu thereof: "irrespective of age."

Amend Sec. 1, (Title), page 3, line 4, by inserting after the word "contracts" the following: "whether or not the principal is a minor."

Amend Sec. 2, (Sec. 1), page 3, line 12, by striking out the words "persons including a."

Amend Sec. 2, (Sec. 1), page 3, line 13, by striking out the brackets before and after the word "and".

Amend Sec. 2, (Sec. 1), page 3, line 16, by striking out the words "if it exists".

Amend Sec. 2, (Sec. 1), page 4, line 3, by striking out the bracket before the word "such", where it appears the first time.

Amend Sec. 2, (Sec. 1), page 4, line 3, by striking out the following: "[any such person".

Amend Sec. 2, (Sec. 1), page 4, line 6, by inserting a bracket before the word "of", where it appears the first time.

Amend Sec. 2, (Sec. 1), page 4, line 6, by striking out the bracket before the word "minor", where it appears the second time.

Amend Sec. 2, (Sec. 1), page 4, line 6, by striking out the following: "[person".

Amend Sec. 2, (Sec. 1), page 4, line 6, by inserting after the word "age" the following: "[of any person who is eligible for guaranty or insurance of a loan pursuant to said act of Congress, whether or not such person is a minor, and regardless of the age of the spouse."

Amend Sec. 2, (Sec. 1), page 4, line 8, by inserting a

bracket before the word "such" where it appears the second time in said line.

Amend Sec. 2, (Sec. 1), page 4, line 8, by striking out the bracket before the word "minor".

Amend Sec. 2, (Sec. 1), page 4, line 9, by striking out the word "person" and inserting in lieu thereof: "a person who is eligible for guaranty or insurance of a loan pursuant to said act of Congress, and who is a minor, or whose spouse is a minor or both."

Amend Sec. 2, (Sec. 1), page 4, line 9, by inserting a bracket before the word "he".

Amend Sec. 2, (Sec. 1), page 4, line 9, by inserting after the word "spouse" the following: "l of them."

Amend Sec. 2, (Sec. 1), page 4, line 11, by inserting brackets before and after the word "his".

Amend Sec. 2, (Sec. 1), page 4, lines 11 and 12, by striking out the words "or her" and inserting in lieu thereof: "the".

Amend Sec. 2, (Sec. 1), page 4, line 12, by inserting after the word "age" the following: "of either of them."

Amend Sec. 2, (Sec. 1), page 4, line 12, by inserting brackets before and after the word "he" where it appears the first time.

Amend Sec. 2, (Sec. 1), page 4, line 12, by striking out the words "or she" and inserting in lieu thereof: "either of them."

Amend Sec. 2, (Sec. 1), page 4, line 12, by inserting brackets before and after the word "he", where it appears the second time.

Amend Sec. 2, (Sec. 1), page 4, line 13, by striking out the words "or she" and inserting in lieu thereof: "either of them."

Amend Sec. 2, (Sec. 1), page 4, line 16, by striking out the word "any".

Amend Sec. 2, (Sec. 1), page 4, line 16, by inserting brackets before and after the word "such" and inserting immediately thereafter: "any."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

SENATE MESSAGES

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON SENATE BILL No. 18

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on Senate Bill numbered and entitled as follows:

SENATE BILL No. 18.

An Act to amend Section 5 of the act approved the eleventh day of June, one thousand nine hundred forty-seven (P. L. 565), entitled "An act providing compensation to certain persons who served in the military or naval forces of the United States or of any of her allies during World War II; providing the method of making payment to representatives of persons who, because of death or incapacity, cannot personally receive compensation; imposing certain duties on the Adjutant General; making an appropriation, and providing penalties," by extending the time during which applications may be filed for veterans' compensation.

CONFERENCE REPORT ON SENATE BILL No. 18

Mr. McMILLEN. Mr. Speaker, I call up the report of the Committee of Conference on Senate Bill No. 18.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 18, entitled: "An act to amend Section 5 of the act, approved the eleventh day of June, one thousand nine hundred forty-seven (P. L. 565), entitled 'An act providing compensation to certain persons who served in the military or naval forces of the United States or of any of her allies during World War II; providing the method of making payment to representatives of persons who, because of death or incapacity, cannot personally receive compensation; imposing certain duties on the Adjutant General making an appropriation, and providing penalties,' by extending the time during which applications may be filed for veterans' compensation."

Respectively submit the following bill as our report:

SAMUEL B. WOLFE,

A. R. PECHAN,

EUSTACE H. BANE,

(Committee on the Part of the Senate)

WILLIAM R. McMILLEN,

BAKER ROYER,

GEORGE J. SARRAF,

(Committee on the Part of the House of Representatives)

An Act to amend Section 5 of the act approved the eleventh day of June one thousand nine hundred forty-seven (P. L. 565) entitled "An act providing compensation to certain persons who served in the military or naval forces of the United States or of any of her allies during World War II providing the method of making payment to representatives of persons who because of death or incapacity cannot personally receive compensation; imposing certain duties on the Adjutant General making an appropriation and providing penalties" by extending the time during which applications may be filed for veterans' compensation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 5 of the act approved the eleventh day of June one thousand nine hundred forty-seven (P. L. 565) entitled "An act providing compensation to certain persons who served in the military or naval forces of the United States or of any of her allies during World War II providing the method of making payment to representatives of persons who because of death or incapacity cannot personally receive compensation imposing certain duties on the Adjutant General making an appropriation and providing penalties" is hereby amended to read as follows

Section 5 Application for Compensation Applications for compensation shall be made to the Adjutant General on such forms and in such manner as he shall prescribe

Applicants shall state on their application whether or not they have applied for or received a bonus gratuity or compensation of a nature similar to that provided for by this act from any other state in the union

All applications shall be made (1) personally by the veteran or (2) in case of death or mental incompetency preventing the making of a personal application then by such representative of the veteran as the Adjutant General shall by regulation prescribe An application made by a representative other than one authorized by such regulation shall be held void

The Adjutant General shall not accept or consider any application filed with him after the [first day of July] thirty-first day of December one thousand nine hundred [fifty] fifty-one

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. McMILLEN. Mr. Speaker, I request that the House adopt the report of the Committee of Conference.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Amarando,	Goodling,	Maxwell,	Royer.
Andrews,	Graybill,	Mazza,	Rubin.
Banker,	Greenwood,	McConnell.	Sarraff.
Barkdoll,	Greer,	McCormack,	Sax.
Baumunk,	Guarnieri,	McCullough,	Scanlon.
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler.
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger.
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsich,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Muldowney,	Taylor,
Clapper,	Jones, G. E.,	Munley,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Murray,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Musto,	Toll,
Conway,	Jones, T. H. W.,	Najaka,	Tompkins,
Cooper,	Jump,	Naugle,	Toomey,
Corr,	Kamyk,	Needham,	VanSant,
Costa,	Keller,	Olsen,	Varallo,
Coyle,	Kent,	Penglase,	Varner,
Dalrymple,	Kline,	Peta,	Verona,
Davis,	Kohl,	Petrosky,	Wachhaus,
Dennison,	Kolankiewicz,	Pettigrew,	Wargo,
Dougherty,	Kornick,	Pfaff,	Waterhouse,
Dowling,	Kratz,	Pichney,	Watkins,
DuBois,	Kubacki,	Pitzer,	Weidner,
Duffy,	Lafore,	Polaski,	Welsh,
Dunn,	Lederer,	Polen,	Wescott,
Erb,	Leisey,	Price, H. W. Jr.,	Westrick,
Ewing,	Leonard, L.,	Price, R. A.,	Whalley,
Fenrich,	Leonard, W. C.,	Readinger,	Wheeler,
Ferster,	Leven,	Reagan,	White,
Filip,	Light,	Reese,	Williams,
Filo,	Limper,	Reidenbach,	Wilt,
Firmstone,	Loftus,	Reilly, J. M.,	Wood,
Flack,	Lopresti,	Rigby,	Yeakel,
Frost,	Lovett,	Riley, R. L.,	Yester,
Gaffney,	Lutty,	Robertson,	Yetzer,
Geer,	Lyons,	Rose,	Young,
Gibson,	Madden,	Rosen,	Ziegler,
Gleason,	Madigan,	Rovansek,	Sorg.
Good,	Markley,		Speaker

NAYS—1

Moran.

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report was adopted.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 499, entitled:

An Act to further amend section eleven of the act approved the seventeenth day of February one thousand nine hundred six (P. L. 45) entitled "An act to regulate the deposits of State funds to prescribe the method of selecting State depositories to limit the amount of State

deposits to provide for the security of such deposits to fix the rate of interest thereon to provide for the publication of monthly statements of moneys in the general and sinking funds to declare it a misdemeanor to give or take anything of value for obtaining the same and prescribing penalties for violation of this act" by further regulating the rendition of statements of moneys to the credit of the various funds in the State Treasury.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 577, entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by further regulating the security required for deposits of State moneys and to permit the designation of additional banks or trust companies as active depositories.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 678, entitled:

An Act to further amend Section 1803 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" as amended by adding subsection (h) to authorize the Department of Forests and Waters to grant certain rights of way to utility companies.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 872, entitled:

An Act authorizing certain municipal corporations of other states to acquire use encumber and dispose of real property and appurtenances attached thereto in this Commonwealth necessary to the beneficial use of certain real property in such other state defining certain of their rights and liabilities in connection therewith and validating certain acquisitions and holdings of real property and appurtenances attached thereto by such municipal corporations heretofore consummated.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 972, entitled:

An Act to further amend section seven hundred eleven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by regulating the dismissal suspension demotion reenlistment and retirement of enlisted members of the Pennsylvania State Police.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1040, entitled:

An Act authorizing the Secretary of Property and Supplies to sell and convey a tract of land situate in the Township of Cecil Washington County Pennsylvania providing for reversion to the Commonwealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1043, entitled:

An Act to further amend section 1026 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 39) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by limiting the eligibility of candidates for county superintendent of schools

And said bill have been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 103, entitled:

An Act to reenact and amend the title of Section 4 of the act approved the twenty-fourth day of May, one thousand nine hundred forty-five (P. L. 982), entitled "An act to authorize State public bodies, as defined, to aid redevelopment authorities in the elimination of blighted areas and their redevelopment by entering into contracts to furnish and by furnishing to said authorities and to any Federal governmental agency, parks, playgrounds, streets and other improvements and facilities; and by donating or lending money and making appropriations therefor; by accepting payments and exercising certain other powers and duties," by confirming authorization heretofore granted to the Commonwealth and State public bodies, to dedicate, sell, convey or lease any of its property to a redevelopment authority; and by providing for the execution of instruments therefor on behalf of the Commonwealth; and validating dedications, sales, conveyances and leases heretofore made.

And said bill have been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 216, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey a tract of land situate in the Township of Reed Dauphin County, Pennsylvania with the approval of the Governor.

And said bill have been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 329, entitled:

An Act to amend Section 3 of the act approved the twenty-eighth day of May, one thousand nine hundred thirty-one (P. L. 202), entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream, artificial or natural body of water, or non-tidal waters of any river within the Commonwealth; conferring powers and imposing duties on certain police officers and the Board of Fish Commissioners, including the enforcement of certain existing laws; and prescribing penalties," by directing the Department of Revenue to authorize local agents, which may be county officers, to issue motor boat licenses.

And said bill have been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 342, entitled:

An Act to further amend Section 4 of the act, approved the twenty-fifth day of July, one thousand nine hundred seventeen (P. L. 1209), entitled "An act to authorize the acquisition, by purchase or condemnation, of lands for a park, and the erection of a monument commemorative of Washington crossing the river Delaware, and for the appointment of a commission to acquire said lands and erect such monument; and making an appropriation for the purpose of this act," authorizing the commission to establish and maintain a museum or museums for the preservation and display of relics and reproductions relating to Washington's Crossing of the Delaware.

And said bill have been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 360, entitled:

An Act relating to habeas corpus; conferring jurisdiction upon the judges of the courts of Common Pleas; defining procedure in all cases; authorizing service to be made upon persons anywhere in the Commonwealth; providing for the imposition of costs; allowing appeals; specifying the appellate court to which appeals may be taken; and repealing inconsistent legislation including that conferring jurisdiction on courts of Quarter Sessions.

And said bill have been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 461, entitled:

An Act establishing a procedure by which the register of wills elected in counties of the first class shall execute record and file his bond to the Commonwealth and receive his commission and conferring powers and imposing duties upon the Secretary of the Commonwealth and the recorder of deeds.

And said bill have been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 52, entitled:

An Act empowering cities of the first class of the Commonwealth to make and enforce by ordinances fire prevention codes regulating the occupation and use of buildings and structures and the conduct of trades or businesses which due to the nature thereof create a fire hazard or danger to life or property by fire or explosion and providing penalties

The first, second and third sections were separately read and agreed to.

The fourth section was read.

On the question,

Will the House agree to the section?

Mr. SAX offered the following amendment:

Amend Sec. 4, page 3, line 17, by inserting after the word "Safety" the following: "Fire Department, or such department, board or commission as city council."

Amend Sec. 4, page 3, line 18, by inserting after the word "class" the following: "shall direct."

Amend Sec. 4, page 3, line 18, by inserting after the word "bureau" the following: "fire department, or such department, board, or commission, the head of the department as."

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 109, entitled:

An Act to amend section 506 of the act approved the

sixth day of April one thousand nine hundred fifty-one (Act No. 20) entitled "An act relating to the rights obligations and liabilities of landlord and tenant and of parties dealing with them and amending revising changing and consolidating the law relating thereto" by providing that an appeal or certiorari to the court of common pleas in a suit or action by a landlord to recover possession of property shall be a supersedeas

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 378, entitled:

An Act to further amend the act approved the fifteenth day of June one thousand nine hundred thirty-seven (P. L. 1743) entitled as amended "An act relating to magistrates and magistrates courts in the city of Philadelphia imposing certain duties upon and prohibiting certain practices by magistrates and fixing their compensation imposing certain duties on the city controller in regard thereto authorizing the employment by him of additional clerks and fixing their compensation regulating the practice in and defining magistrates courts the entering of bail and the issuance of discharges in criminal cases in the county of Philadelphia conferring certain powers over magistrates and magistrates courts and imposing certain duties in connection therewith upon the judges of the courts of common pleas of the county of Philadelphia the Attorney General and the District Attorney providing for the appointment and employment of stenographers to report proceedings in certain cases heard by magistrates fixing the salaries of persons employed by authority of this act providing penalties for violations of the provisions thereof and repealing certain prior acts" by making the increase in salaries of magistrates applicable to all magistrates including the additional salary of the chief magistrate for his duties as such and increasing the same and by further providing for the costs of transcripts or reports

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 517, entitled:

An Act creating the Pennsylvania State Apple Board and defining its powers and duties providing for the registration and regulation of persons engaged in the growing producing and harvesting of apples for profit and prescribing fees therefor prescribing penalties creating a special fund in the State Treasury to be known as the Apple Promotion Fund and making an appropriation

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 647, entitled:

An Act to further amend Section 4 to amend subsection (d) of Section 4.1 to add Sections 4.2 and 4.3 and to amend paragraph (1) of Section 14 of the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the ad-

ministration and the payment of such pensions" by clarifying the amount of contributions by certain pensioners and the method of computing lesser pensions changing date of completing certain payments and the age to which pension increments may be computed fixing minimum pensions and providing benefits for surviving spouse

The first section was read.

On the question,

Will the House agree to the section?

Messrs. CELLA and RUBIN offered the following amendments:

Amend Sec. 1, (Sec. 4), page 4, line 18, by striking out the word "unto" and inserting in lieu thereof the following "into"

Amend Sec. 1, (Sec. 4), page 6, line 9, by striking out the word "September" and inserting in lieu thereof the following "December"

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Messrs. CELLA and RUBIN offered the following amendments:

Amend Sec. 2, (Sec. 4.1(d)), page 6, line 18, by striking out after the word "contribution" the bracket "["]

Amend Sec. 2, (Sec. 4.1(d)), page 6, line 19, by inserting after the word "the" and before the word "same" the following "["]

Amend Sec. 2, (Sec. 4.1(d)), page 7, line 1, by inserting after the word "service" the following "average rate of pay at which he was employed during the highest salaried five years of his active service."

They were agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the House agree to the section?

Messrs. CELLA and RUBIN offered the following amendments:

Amend Sec. 3, (Sec. 4.2), page 7, line 5, by inserting after the word "pension" the following "hereafter".

Amend Sec. 3, (Sec. 4.2), page 7, line 7, by striking out the words "shall the pension payable"

Amend Sec. 3, (Sec. 4.2), page 7, line 8, by striking out the word "For" and inserting in lieu thereof the following "to".

Amend Sec. 3, (Sec. 4.2), page 7, lines 9 and 10, by striking out in line 9 the words "being paid a pension or for any per-", and in line 10 the words "son hereafter being paid" and inserting in lieu thereof the following "now or hereafter entitled to".

They were agreed to.

The section was agreed to as amended.

The fourth section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 684, entitled:

An Act providing for the observance of the 175th anniversary of the adoption of the Declaration of Independence creating a commission to cooperate with like commissions of the government of the United States and

of the City of Philadelphia in arranging ceremonies and making an appropriation

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 703, entitled:

An Act to amend subsection three of section one and section four of the act approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1210) entitled "An act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder limiting the amount of such insurance prescribing standard policy provisions and requiring notice of conversion privileges" by extending the types permitted and fixing requirements thereof

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 736, entitled:

An Act making an appropriation to the Department of Public Instruction for the training of teachers of the deaf

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMENDED

Mr. STIMMEL. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 776, entitled:

An Act to amend Section 506 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by requiring notice of dissolution of stock or mutual fire insurance companies associations or exchanges to be given to policyholders or members

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 794, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regu-

lating the procedure therein and providing for the expenses thereof" by enlarging the jurisdiction of said court in certain cases of appeals and making said jurisdiction exclusive

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 795, entitled:

An Act to further amend Section 12 of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class creating and prescribing the powers and duties of a Board of Property Assessment Appeals and Review imposing duties on certain county and city officers abolishing the board for the assessment and revision of taxes in such counties and prescribing penalties" by conferring exclusive jurisdictions on the county court of Allegheny County in cases of appeals from the Board of Property Assessment Appeals and Review

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 796, entitled:

An Act to further amend Section 616 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals by persons whose operator's license or learner's permit has been suspended or who has been deprived of the privilege of applying for an operator's license or learner's permit

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 797, entitled:

An Act to amend subsection (b) of Section 8 of the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 745) entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons

engaging in certain occupations and businesses therein providing for its levy and collection for the issuance of mercantile licenses upon the payment of fees therefor conferring and imposing powers and duties on boards of public education receivers of school taxes and school treasurers in such districts saving certain ordinances of council of certain cities and providing compensation for certain officers and employes and imposing penalties" by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from decisions of the collector in administering and enforcing the provisions of the act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 798, entitled:

An Act to further amend subsections (a) and (b) of Section 9 of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" by conferring exclusive jurisdiction on the County Court of Allegheny County in cases of appeals from the Labor Relations Board

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 826, entitled:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by redefining the term "final salary" and further providing the manner of computing employes' annuities.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 827, entitled:

An Act to further amend the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" by reducing the retirement age.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 867, entitled:

An Act transferring money from the Banking Fund to the General Fund.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 947, entitled:

An Act to amend Sections 1704 1705 and 1707 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for voting by boards of school directors establishing and maintaining joint schools or departments methods of adopting budget and employing teachers.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 960, entitled:

An Act to amend Section 8 of the act approved the first day of May one thousand nine hundred seven (P. L. 135) entitled "An act relating to the appointment of stenographers and assistant stenographers to report proceedings in the several courts of common pleas and orphans' courts courts of oyer and terminer and general jail delivery and courts of quarter sessions of the peace of this Commonwealth as well as before commissioners masters and special masters in chancery referees examiners auditors and other officers prescribing their powers and duties and when such reports shall be evidence of the facts reported prescribing their compensation and allowances for expenses when the same shall be paid by the county wherein such stenographers or assistant stenographers are employed and when by the parties to such proceedings and repealing an act entitled "An act directing the appointment of official stenographers in the several civil courts of this Commonwealth authorizing the appointment of stenographers by examiners masters referees commissioners and auditors authorizing the appointment of assistant stenographers repealing "An act to authorize

the appointment of stenographers in the several courts of this Commonwealth prescribing their duties and fixing their compensation" approved May fifteenth one thousand eight hundred and seventy-four repealing "An act to authorize the appointment of stenographers in the several courts of this Commonwealth prescribing their duties and fixing their compensation" approved May eighth one thousand eight hundred and seventy-six and repealing "An act defining the duty of court stenographers in the several counties in this State" approved June tenth one thousand eight hundred and eighty-one" approved the twenty-fourth day of May one thousand eight hundred and eighty-seven but such repeal not to revive any law repealed by the said act of twenty-fourth of May one thousand eight hundred and eighty-seven" by increasing the compensation of official stenographers for copies of stenographic notes

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 990, entitled:

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act denying the liability of an employer to pay damages for occupational disease contracted by an employee arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" by amplifying the provisions thereof as to persons entitled to such payments.

The first section was read.

On the question,

Will the House agree to the section?

Mr. MORAN offered the following amendments:

Amend Sec. 1, page 2, lines 3 to 9, by striking out the words "An act defining the liability of an employer to pay damages" in line 3 and all of lines 4 to 9, inclusive.

Amend Sec. 1, page 3, lines 1 to 5, by striking out all of lines 1 to 4, inclusive, and the word "penalties" in line 5 and inserting in lieu there "A supplement to the act, approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled as amended 'An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder and prescribing penalties,' as reenacted and amended providing for the payment of compensation to volunteer firemen or their dependents"

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. MORAN offered the following amendments:

Amend Title, page 1, lines 3 to 8 inclusive, of Title, by striking out all of said lines.

Amend Title, page 2, lines 1 to 7 of Title, by striking out all of lines 1 to 6, inclusive, and the words "ing penalties" in line 7 and inserting in lieu thereof "A supplement to the act, approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled as amended 'An act defining the liability of an employer to pay damages for injuries received by an employ in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder and prescribing penalties,' as reenacted and amended providing for the payment of compensation to volunteer firemen or their dependents"

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1020, entitled:

An Act transferring money from the Manufacturing Fund to the General Fund

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1022, entitled:

An Act to amend section 1 and 7 of the act, approved the twenty-ninth day of May, one thousand nine hundred thirty-five (P. L. 244), entitled "An act creating a Local Government Commission to study and report on functions of local government; their allocation and elimination; the cost of local government and means of reducing it; and the consolidation of local government; and making an appropriation," by providing for the expenditure of any biennial appropriation made to the local Government Commission.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1023, entitled:

An Act making an appropriation to the Local Government Commission to continue its work

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 82, entitled:

An Act to further amend Sections 202, 401 and 1311 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative

departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," by changing the name of the Pennsylvania Soldiers' Orphan School.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 127, entitled:

An Act to further amend section 15 and to amend section 29 of the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" by regulating the transfer of excess insurance funds to the expense and other funds and providing for the consolidation of any society's funds further regulating reports of valuation of death benefit fund obligations regulating reserves and contributions for benefits

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 128, entitled:

An Act to amend subsections (d) and (f) of section 211.1 and to further amend section 212 and subsection (a) of section 301 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by further regulating assessments made by the Insurance Commissioner against life insurance companies to defray certain expenses providing for reciprocity with other states in assessing taxes and fees on insurance companies permitting foreign companies to write workmen's compensation insurance in Pennsylvania limiting the basis for

valuation of reserve liability of life insurance companies organized in foreign countries

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 136, entitled:

An Act to amend Section 1 Clause (8) of Section six and Section nine of the act approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1210) entitled "An act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder limiting the amount of such insurance prescribing standard policy provisions and requiring notice of conversion privileges" by further defining policies of group life insurance limiting the amount of an individual policy issued to a person entitled thereto and changing the premium basis and rate of interest thereon.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 140, entitled:

An Act to further amend the act approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus; and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further regulating investments of insurance companies.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection,

Senate Bill No. 247, Printer's No. 140, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 305, entitled:

An Act to facilitate vehicular traffic across the Commonwealth by providing for the construction operation and maintenance of a turnpike from a connection with the Eastern Extension of the Pennsylvania Turnpike System at such point as the Pennsylvania Turnpike Commission may decide is most feasible and practicable to a point on or near the Delaware River between the Commonwealth of Pennsylvania and the State of New Jersey and authorizing the Pennsylvania Turnpike Commission to construct operate and maintain either alone or in conjunction with the New Jersey Turnpike Authority or to contract with the New Jersey Turnpike Authority for the construction operation and maintenance of a bridge across the Delaware River or to acquire the use of a bridge heretofore or hereafter constructed for the further extension of the Pennsylvania Turnpike System and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance

of turnpike revenue bonds notes or other obligations of the Commonwealth payable solely from revenues of the commission including tolls or from such funds as may be available to the commission for that purpose to pay the cost of such turnpike and bridge providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds notes or obligations and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds notes or other obligations exempt from taxation constituting such bonds legal investments in certain instances requiring suits against the commission to be brought in Dauphin County prescribing conditions on which such turnpike shall become free providing for grade separations grade changes relocations restorations and vacation of public roads and State highways affected by the turnpike providing for the purchasing or condemnation of land and procedure for determining damages in condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission and authorizing the issuance of turnpike revenue refunding bonds

The first to twelfth sections inclusive were separately read and agreed to.

The thirteenth section was read.

On the question,

Will the House agree to the section?

Mr. ROYER offered the following amendment:

Amend Sec. 13, page 27, line 14, by inserting after the word "bondholders" the following: "or holders."

It was agreed to.

The section was agreed to as amended.

The fourteenth to twenty-second sections inclusive and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 320, entitled:

An Act to further amend subsection (a) of Section 621.1 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and existing laws" by further defining and regulating group accident and health insurance.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 341, entitled:

An Act to further amend Section 2 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 685) entitled "An act designating certain life insurance companies as limited life insurance companies, and further describing the powers thereof," further describing the powers of limited life insurance companies.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection,

Senate Bill No. 374, Printer's No. 186, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 432, entitled:

An Act to amend the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county board of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing for nominations and elections of county officers in counties about to undergo a change in classification and imposing certain duties upon county commissioners county boards of elections and others

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

The SPEAKER. The Chair is informed that Senate Bills 80 and 81 which were passed on first reading on Wednesday, May 2, in error were not placed upon today's calendar. The bills should properly have been placed on the second reading calendar. If there is no objection, they will be passed over and appear on the second reading calendar tomorrow.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 731, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by providing for the appointment of boards of health and health officers prescribing their powers and duties permitting the enforcement of the administration of health laws by such board and officers providnig for a president and secretary of such boards imposing duties on the Secretary of Health and providing for payments of expenses by townships

The General Assembly of the Commonwealth of Pennsylvania enacts as follows

Section 1 The act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relatig thereto" as reenacted amended and revised by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) is hereby further amended by adding after Article XIX thereof a new article to read as follows

Article XIX A

Board of Health

Section 1901 A Establishment of Board of Health Health

Officers The township supervisors may in their discretion appoint a board of health or a health officer or officers for the purpose of administering and enforcing the health laws of the township

Where the township supervisors elect to appoint a health officer or officers the said health officer or officers shall have the same powers and duties and exercise the same authority as is prescribed for boards of health in townships All health officers whether appointed by boards of health or by the township supervisors shall have had some experience or training in public health work in accordance with rules and regulations established by the Advisory Health Board of the State Department of Health Such health officers shall not enter upon the performance of their duties until they are certified so to do by the State Department of Health

Section 1902 A Member of Board of Health Where the township supervisors decide to appoint a board of health said board shall be composed of five members at least one of whom shall be a reputable physician of not less than two years experience in the practice of his profession The members of the board shall be appointed by the township supervisors At the first appointment one member shall be appointed to serve for one year one for two years one for three years one for for years and one for five years and thereafter one member shall in like manner be appointed each year to serve for five years The members of the board shall serve without compensation but if any member of the board shall be elected to the office of secretary he shall be entitled to receive a salary fixed by the board for that office

Section 1903 A Oaths of Members Secretary and Health Officer The members of the board shall severally take and subscribe to the oath prescribed by section five hundred one of this act and shall annually organize by electing a president from among the members of the board a secretary who may or may not be a member of the board and a health officer who shall not be a member of the board The secretary and the health officer shall receive such salary as may be fixed by the board and ratified by the township supervisors and shall serve for a period of one year or until such time thereafter as their successors may be elected and qualified They shall severally give bond to the township in such sums as may be fixed by ordinance for the faithful discharge of their duties and shall also take and subscribe to the oath required of members of the board

Section 1904 A Duties of Secretary The secretary of the board shall keep the minutes of the proceedings of the board shall keep accurate accounts of the expenditures of the board shall draw all requisitions for the payment of moneys on account of the board of health from appropriations made by the supervisors to the board and shall present the same to the president of the board for his approval shall render statements of the expenditures to the board at each stated meeting or as frequently as the board may require shall prepare under the directions of the board the annual report to the township supervisors together with the estimate of appropriation needed for the ensuing year He shall report to the State Department of Health at the end of each week and for the fraction of each week occurring at the end of month the cases of communicable disease reported to the board of health on the form provided for that purpose by such department and shall also make an annual report to such department and shall make such other reports and perform such other duties as the board may require

Section 1905 A Powers and Duties of Health Officer It shall be the duty of the health officer to attend all stated and special meetings of the board of health and at all times be ready and available for the prompt performance of his official duties He shall placard and quarantine all premises upon which cases of communicable disease exist which have been reported to the board of health or of which he or the board of health may have knowledge which are required by law or by regulation of the State Department of Health or of the local board of health to be placarded and quarantined and shall disinfect such

premises upon the expiration of the quarantine period and the recovery of the last person therein suffering from such disease He shall serve written notice on teachers and persons in charge of public parochial Sunday and other schools requiring the exclusion from school of children who are suffering from or who reside in the same premises with other persons who are suffering from communicable diseases and shall make sanitary inspections and shall execute the orders of the board of health and shall in the performance of his duties have the power and authority of a policeman

Section 1906 A Powers of Board of Health The board of health shall have the power and it shall be its duty to enforce the laws of the Commonwealth the regulations of the State Department of Health and to make and enforce such additional rules and regulations to prevent the introduction and spread of infectious or contagious diseases by the regulation of intercourse with infected places by the separation of infected persons and persons who shall have been exposed to any infectious or contagious disease and by abating and removing all nuisances which the board shall deem prejudicial to the public health to mark infected houses or places to prescribe rules for the construction and maintenance of house-drains wash-pipes soil-pipes and cesspools and to make all such other rules and regulations as shall be deemed necessary for the preservation of the public health The board shall also have power with the consent of the township supervisors in case of a prevalence of any contagious or infectious disease to establish one or more emergency hospitals and to make provisions and regulations for the maintenance and management of the same

The board shall also have the power to make enforce and cause to be published all necessary rules and regulations not inconsistent with law for carrying into effect the powers and functions with which they are invested by law and the power and authority relating to the public health conferred on the townships Such rules and regulations when approved by the township supervisors and when advertised in the same manner as ordinances shall have the force of ordinances of the township and all penalties or punishment prescribed for the violation thereof as well as the expenses actually and necessarily incurred in carrying such rules and regulations into effect shall be recoverable for the use of the township in the same manner as penalties for violation of the ordinances of the township and subject to the like limitations as to the amount thereof

Section 1907 A Entry Upon Premises The board of health shall have the power as a body or by committee as well as the health officer together with their assistants subordinates and workmen under and by order of the said board to enter at any time upon any premises in the township upon which there is suspected to be any infectious or contagious disease or nuisance detrimental to the public health for the purpose of examining and abating the same

Section 1908 A Inspections Abatement of Nuisances The board of health may inspect house-drains waste and soil-pipes cesspools water-closets slaughter-houses hog-pens stables stable-yards and any conditions or places whatsoever in the township which may constitute a nuisance or a menace to public health and whenever any condition or place in the township is found by the board to be a nuisance or a menace to the health of the people of the township it shall issue a written order of abatement directed to the owner or agent of the owner of the premises stating that the conditions specified therein constitute a nuisance or a menace to health and ordering an abatement thereof within such time as may be specified by them in such order In case such order of abatement is not obeyed within the time specified therein the board shall thereupon issue a further written order to the health officer directing him to remove or abate the same which order shall be executed by him and his subordinates and workmen and the expense thereof shall be recoverable from the owner of the premises upon or from which the

nuisance or menace to health is abated or removed in the same manner as debts of like character are now collected by law or the said board of health may proceed to enforce such other remedy or inflict such penalty as may be provided by ordinance of the township

Section 1909 A Estimates of Expenditures Report It shall be the duty of the board of health or appointed health officer or officers to submit annually to the supervisors before the commencement of the fiscal year an estimate of the probable expenditures of the board during the ensuing year and the supervisors shall then proceed to make such appropriations as may be deemed necessary The board of health health officer or officers shall in the month of January of each year submit a report in writing to the supervisors of its appropriation and expenditures for the preceding year together with such other information as subjects relative to the sanitary conditions or requirements of the township as may be necessary and the supervisors shall publish the same in their official journal

Section 1910 A Cooperation With Other Units Any township may cooperate with the county or with any city borough or township as well as with the State Department of Health in the administration and enforcement of health laws

Section 1911 A Powers of Secretary of Health Whenever in the opinion of the Secretary of Health conditions found by him to exist in any township shall constitute a menace to the lives and health of people living outside the corporate limits of such township or if it be known to him that any township is without an existing or efficient board of health he or his agents may enter and take full charge of and administer the health laws regulations and ordinances in such township and may continue in charge thereof until he shall decide that a competent and efficient board of health has been appointed and qualified for such township and is ready able and willing to assume and carry into effect the duties imposed upon it by law

Section 1912 A Expenses of Board or Secretary of Health All expenses incurred by any local board of health its officers or employees in the performance of the duties imposed upon it by law and all expenses incurred by the Secretary of Health or his agents in accordance with the provisions of this article shall be paid by the township wherein such duties are performed in the same manner as other expenses of such township are paid

Section 1913 A Failure to Pay Expenses Incurred by State Secretary Whenever expenses incurred by the Secretary of Health or his agents in the administration of health laws in any township in accordance with the provisions of this article shall remain unpaid by said township for a period over three months after a statement of such expense has been rendered by him to such township and demand for payment by him made he shall with the approval of the Governor institute in the name of the Commonwealth as plaintiff an action of assumpsit against such township for the collection of such expense from the township in the same manner as debts of like amount are collected by law Provided however That upon the trial of any such action of assumpsit the reasonableness of the expenditures made by the Secretary of Health shall be submitted to the jury for its determination

Section 1914 A Disposition of Collected Funds All expenses incurred by the Secretary of Health in the administration of health laws in any township when paid to him by such township or when collected by him shall be returned by him to the State Treasurer who shall credit the amount so received to the appropriation made to the Department of Health

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Amarando,	Greenwood,	Mazza,	Royer,
Andrews,	Greer,	McConnell,	Rubin,
Banker,	Guarnieri,	McCormack,	Sarra,
Barkdoll,	Gutendorf,	McCullough,	Sax,
Baumunk,	Guthrie,	McDermitt,	Scanlon,
Bear,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Blair,	Hamilton, R. K.,	McKinney,	Scott,
Bloom,	Hamilton, W. H.,	McMillen,	Seyler,
Boles,	Harney,	McNally,	Shoemaker,
Bolton,	Haudensfield,	Metz,	Shotwell,
Bomberger,	Headlee,	Mihm,	Smith,
Boorse,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Brelsich,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Byrne,	Hunter,	Monroe,	Stoner,
Cella,	Jenkins,	Moore, C. E.,	Swartz,
Clapper,	Johnson,	Moore, H. A.,	Swope,
Clendening,	Jones, G. E.,	Moran,	Tahl,
Cochran,	Jones, J. M.,	Muldowney,	Taylor,
Conway,	Jones, P. F.,	Munley,	Thompson, E. F.,
Cooper,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Corr,	Jump,	Najaka,	Toll,
Costa,	Kamyk,	Naugle,	Toomey,
Coyle,	Keller,	Needham,	VanSant,
Dalrymple,	Kent,	Olsen,	Varallo,
Davis,	Kline,	Penglase,	Varner,
Dennison,	Kohl,	Peta,	Verona,
Dougherty,	Kolankiewics,	Petrosky,	Wachhaus,
Dowling,	Kornick,	Pettigrew,	Wargo,
DuBois,	Kratz,	Pfaff,	Waterhouse,
Duffy,	Kubacki,	Pichney,	Watkins,
Dunn,	Lafore,	Pitzer,	Weidner,
Erb,	Lederer,	Polaski,	Welsh,
Ewing,	Lelsey,	Polen,	Wescott,
Fenrich,	Leonard, L.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leonard, W. C.,	Price, R. A.,	Whalley,
Filip,	Leven,	Readinger,	Wheeler,
Filo,	Light,	Reagan,	White,
Finnstone,	Limper,	Reese,	Williams,
Flack,	Loftus,	Reidenbach,	Wilt,
Frost,	Lopresti,	Reilly, J. M.,	Wood,
Gaffney,	Lovett,	Rigby,	Yeakel,
Geer,	Lutty,	Riley, R. L.,	Yester,
Gibson,	Lyons,	Robertson,	Yetzer,
Gleason,	Madden,	Rose,	Young,
Good,	Madigan,	Rosen,	Ziegler,
Goodling,	Markley,	Rovanssek,	Sorg,
Graybill,	Maxwell,		Speaker

NAYS—5

Beaver,	Bucchin,	Musto,	Tompkins,
Berkstresser,			

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 769, entitled:

An Act to further amend clause (a) of section one thousand eight hundred three and clause (e) of section one thousand eight hundred six of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the

several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by further regulating the leasing and sale of State forest and park lands by the Commonwealth and defining the powers and duties of the Department of Forests and Waters and the rights of lessees with respect to such leased lands

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMENDED

Mr. TOMPKINS. Mr. Speaker, I move that this bill be recommitted to the Committee on Game and Forestry for the purpose of amendment.

The motion was agreed to.

BILL PASSED OVER

There being no objection

House Bill No. 971, Printer's No. 237 was passed over at the request of the SPEAKER.

SENATE MESSAGES

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 538.

An Act to amend section one thousand one hundred fifty-four of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the payment of salaries of professional and temporary professional employes in cases of sickness or death.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Section 1, page 2, line 11, by striking out after the word "illness" the words "or physical incapacity".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,

Blair,	Hamilton, R. E.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weldner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Fillip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 788.

An Act providing for the construction and equipping of the Pennsylvania School for Mental Defectives providing for the acquisition of land providing for the care maintenance and control of inmates imposing duties and conferring powers on the Department of Welfare and the Department of Property and Supplies.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend the title, page 1, lines 1 and 2 by striking out the word "In- stitution" and inserting in lieu thereof the word "School".

Amend Section 2, page 2, line 12, by striking out the word "Institution" and inserting in lieu thereof the word "School".

Amend Section 3, page 3, by striking out all of lines 5, 6, and 7; line 8 by striking out the words "three as amended" and inserting in lieu thereof the words "the manner provided by law".

Amend Section 4, page 3, line 12, by striking out after

the word "of" the words "one thousand nine hundred twenty-nine"; page 4, by striking out on lines 1, 2 and 3 the following: "The Commonwealth shall be reimbursed for such expenditures by the respective counties from which such inmates were committed".

Amend Section 5, page 4, line 4, by striking out after the word "Pennsylvania" the word "Institution" and inserting in lieu thereof the word "School"; by inserting after line 7 the following "and institutions for mental defectives and epilepsy".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weldner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Fillip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REPORT FROM COMMITTEE

Mr. EDWIN F. THOMPSON from the Committee on

City and County—First Class, reported as committed, House Bill No. 568, entitled:

An Act to further amend section one of the act approved the twenty-fourth day of May one thousand eight hundred ninety-three (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same" by further prescribing for the management administration application and regulation of such fund in cities of the first class.

RESOLUTIONS

Mr. GEER offered a resolution which was filed with the Clerk.

CONGRATULATIONS

Messrs. OLSEN and LUTTY offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, May 7, 1951.

Over three score and ten years ago there was born in Belgium a baby, Louis Leonard, destined to imprint his personality and vitality upon the Commonwealth of Pennsylvania.

As an immigrant boy, he sought employment in the coal mines where he learned first hand the hazards and the meager returns of a precarious vocation during the tragic era preceding the great reformation of employer-employee relations.

Actual contact with the deplorable working conditions of years ago and a painful intimacy with the perils and the uncertainties of mining coal became a fertile soil for the new ideas of trade unionism that were coming to the fore in the liberal thought concerning industrial conditions.

Mr. Leonard has proudly carried a union card for fifty-five years. He is a member of the Amalgamated Association of Iron, Steel and Tin Workers and served as their international Secretary-Treasurer. He also is personnel manager at The Flannery Manufacturing Company.

Resolved, That this House of Representatives extend to Mr. Louis Leonard its heartiest congratulations on his reaching his seventy-first milestone along the rugged path of life and its wish that the happy occasion will bring a shower of gifts and delitations from everyone, and be it further

Resolved, That this House of Representatives express its devout hope that political honors, prestige, continued health, increasing happiness and affluence will be his lot for many, many more years.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Leonard.

Mr. LOUIS LEONARD. Mr. Speaker, my age has nothing to do with my throat at the present time. I have heard the reading of the Resolution and I wish to thank my Allegheny County colleagues for presenting it and my friends in the House for adopting it.

ANNOUNCEMENT

The SPEAKER. The Chair wishes to announce that the special order of business for the day, House Bill No. 1951, will be taken up after adjournment, at the American

Legion Home, and hopes to see all the Members in attendance.

PERMISSION TO ADDRESS HOUSE

Mr. MORAN asked and obtained unanimous consent to address the House.

Mr. Speaker, a few moments ago we voted on the Conference Committee report on Senate Bill 18. Probably I had a lapse of memory; I thought it was House Bill 18 which was defeated April 2. I thought somebody had resurrected it. However, I did not want to vote against the Conference Report; I wanted to vote for it. I would like to be accorded permission of the House as voting "aye" on the Conference Report on Senate Bill 18, Printer's No. 174.

The SPEAKER. The remarks of the gentleman will be spread upon the Journal. For the information of the gentleman, the message has already been conveyed to the Senate.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. TOLL asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

COMMITTEE MEETINGS

Agriculture and Dairy Industries, Mr. Madigan, Chairman, Room 331, Tuesday, May 8, at 9:00 a. m. EST.

Cities—Third Class, Mr. Dalrymple, Chairman, Room 521, Tuesday, May 8, at 10:30 a. m. EST.

Counties, Mr. Guthrie, Chairman, Room 323, Tuesday, May 8, at 9:30 a. m. EST.

Education, Mr. Sollenberger, Chairman, Room 324, Tuesday, May 8, at 10:30 a. m. EST.

Judiciary, Mr. McKinney, Chairman, Room 520, Tuesday, May 8, at 10:00 a. m. EST.

Military Affairs, Mr. McMillen, Chairman, Room 323, Tuesday, May 8, at 9:30 a. m. EST.

Motor Vehicles, Mr. Dennison, Chairman, Room 522, Tuesday, May 8, at 9:30 a. m. EST.

Professional Licensure, Mr. Flack, Chairman, Room 325, Tuesday, May 8, at 10:30 a. m. EST.

Welfare, Mr. Haudenshield, Chairman, Room 330, Tuesday, May 8, at 10:00 a. m. EST.

The Legislative Service Club will hold its usual weekly meeting in the Cafeteria Dining Room, Tuesday morning, 7:30 a. m. All service club members are invited to attend, Sam Dennison, Sec't.

ADJOURNMENT

Mr. THOMAS H. W. JONES. Mr. Speaker, I move that this House do now adjourn until Tuesday, May 8, 1951 at 11:00 a. m. EST.

The motion was agreed to, and (at 4:48 p. m. EST) the House adjourned.

Legislative Journal.

Session 1951.

139th of the General Assembly.

Vol. 32.

HARRISBURG, PA., TUESDAY, MAY 8, 1951.

No. 45.

SENATE

TUESDAY, May 8, 1951.

The Senate met at 2:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

PRAYER

The Chaplain, Rev. HARWOOD C. BOWMAN, JR., Pastor of St. Paul's Episcopal Church, Kittanning, Pennsylvania, offered the following prayer:

Observing the affairs of this Senate as your Chaplain, I have come to the same belief held by William Penn, who said, "Government seems to me a part of religion itself, a thing sacred in its institution and its end, and if it does not directly remove the cause, it crushes the effect of evil, but that is only the evil doers. Government itself being otherwise as capable of kindness, goodness and charity as a more private society. They weakly err that think there is no other use of government than correction, which is the coarsest part of it. Daily experience tells us that care and regulation of many other affairs more soft and daily necessary make up the greatest part of government." With this in mind, let us pray.

Almighty God, Who in Thy love ever toileth for us in making Pennsylvania our home and Who didst send Thy Son to be a public servant, grant that we may preserve the dignity of political service. When we are weary, comfort us with the remembrance that we have not shirked, when we are ill rewarded, keep us from bitterness and keep us ever mindful that in serving the individual citizen, our respective districts and our State as a whole, we are also serving Thee. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. MALLERY, further reading was dispensed with, and the Journal was approved.

PUPILS FROM MIFFLINBURG HIGH SCHOOL PRESENTED TO SENATE

Mr. WOLFE. Mr. President, I am happy to have as my guests this afternoon a group of the High School Freshmen from Mifflinburg. They are headed by three of their

teachers, Professor Henry F. Haney, an instructor of history and athletic coach, Mr. William Ruhl, their science teacher, and Mr. David Johnson, a teacher of English. I am happy to present them to you this afternoon.

The PRESIDENT. Will the guests of Senator Wolfe please rise in place and take a bow?

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on May 8, 1951.

Mr. KEPHART. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 8, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the dates shown:

To compute from date of confirmation

ALLEGHENY COUNTY

George DuMontier, Carnegie.

BERKS COUNTY

Marvin L. Marks, Kenhorst, Reading.

DELAWARE COUNTY

Edward L. Donnelly, Lansdowne.

ERIE COUNTY

W. B. Stollatis, Erie.

LACKAWANNA COUNTY

John Dano, Scranton.

LANCASTER COUNTY

Mrs. D. Jean Groff, Quarryville.

LUZERNE COUNTY

Earl W. Gardner, Wilkes-Barre.

MONTGOMERY COUNTY

Mrs. Eva W. Fry, Lower Merion Twp., Wynnewood.
E. Foster Yerger, Royersford.

NORTHUMBERLAND COUNTY

Albert O. Brown, Sunbury.

PHILADELPHIA COUNTY

Mrs. Sylvia Espen, 1735 Commercial Trust Bldg.
Francis J. Reilly, 5991 Ogontz Ave.
Mrs. Mildred F. Wildrick, 2099 N. 63rd St.

WASHINGTON COUNTY

Miss Jean Harpula, Burgettstown.

YORK COUNTY

Mrs. Ruth Stewart, York.

To compute from dates set opposite their names

ERIE COUNTY

Foster E. Davis, Corry, 5-8-51.

DAUPHIN COUNTY

Mrs. Alma H. Neff, Harrisburg, 5-12-51.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. KEPPHART,

That the Senate to advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Snowden,
Barr,	Hare,	McPherson, Jr.,	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Tcole,
Blass,	Kessler,	Pechan,	Wade,
Byrne,	Lane,	Peelor,	Wagner,
Chapman,	Leader,	Probert,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,
Dent,	Mahany,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Scarlett,	Wood,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,			

NAYS—0

Two-third of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

ALDERMAN

EIGHTH WARD, CITY OF ALLENTOWN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 2, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate G. Harry Graver, 743 North Eleventh Street, Allentown, Lehigh County, for appointment as Alderman in and for the Eighth Ward of the City of Allentown, Lehigh County, until the first Monday of January 1952, vice William H. Schellhamer, deceased.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 8, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Arthur M. Bartholomew, 150 South Main Street, Richlandtown, Bucks County, for appointment as Justice of the Peace in and for the Borough of Richlandtown, Bucks County, until the first Monday of January 1952, to fill a vacancy.

JOHN S. FINE.

HOUSE MESSAGES

HOUSE BILL FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bill of the House, as follows:

House Bill No. 731, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103) entitled "The Second Class Township Law," by providing for the appointment of boards of health and health officers, prescribing their powers and duties; providing for the enforcement of the administration of health laws by such board and officers; providing for a president and secretary of such boards; imposing duties on the Secretary of Health and providing for payment of expenses by townships.

Which was committed to the Committee on Local Government.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 538

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 538, entitled:

An Act to amend section one thousand one hundred fifty-four of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled, "Public School Code of 1949," by providing for the payment of salaries of professional and temporary professional employees in cases of sickness or death.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 788

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 788, entitled:

An Act providing for the construction and equipping of the Pennsylvania Institution for Mental Defectives providing for the acquisition of land providing for the care maintenance and control of inmates imposing duties and conferring powers on the Department of Welfare and the Department of Property and Supplies

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 18

He also informed the Senate that the House has adopted the report of Committee of Conference on Senate Bill No. 18, entitled:

An Act to amend Section 5 of the act approved the eleventh day of June one thousand nine hundred forty-seven (P. L. 565) entitled "An act providing compensation to certain persons who served in the military or naval forces of the United States or of any of her allies during World War II providing the method of making payment to representatives of persons who because of death or incapacity cannot personally receive compensation imposing certain duties on the Adjutant General making an appropriation and providing penalties" by extending the time during which applications may be filed for veterans' compensation

BILLS SIGNED

The President (Lieutenant-Governor Lloyd H. Wood) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 18, entitled:

An Act to amend Section 5 of the act approved the eleventh day of June, one thousand nine hundred forty-seven (P. L. 565), entitled "An act providing compensation to certain persons who served in the military or naval forces of the United States or of any of her allies during World War II; providing the method of making payment to representatives of persons who, because of death or incapacity, cannot personally receive compensation; imposing certain duties on the Adjutant General; making an appropriation, and providing penalties," by extending the time during which applications may be filed for veterans' compensation

House Bill No. 513, entitled:

An Act to amend section 2 of the act approved the first day of June, one thousand nine hundred forty-five (P. L. 1340) "Motor Vehicle Safety Responsibility Act," by providing that certain appeals may be taken to the court of common pleas of the county in which the aggrieved person resides.

House Bill No. 681, entitled:

An Act to further amend the title and Section 1 of the act, approved the twenty-eighth day of June, one thousand nine hundred thirty-five (P. L. 477), entitled as amended "An act providing for the payment of the salary, medical and hospital expenses of policemen and firemen by cities, boroughs, towns, and townships who are injured in the performance of their duty; and providing that absence during such injury shall not reduce any usual sick leave period," by extending the provisions thereof to park guards.

Whereupon,

The President (Lieutenant-Governor Lloyd H. Wood) in the presence of the Senate signed the same.

REPORTS FROM COMMITTEES

Mr. BLASS from the Committee on Judiciary General, reported as amended, Senate Bill No. 533, entitled:

An Act concerning contributions among joint tortfeasors; defining the rights and duties of contribution in such cases; making uniform the law with reference thereto and repealing certain acts.

He also, from the Committee on Judiciary General, reported as amended, Senate Bill No. 520, entitled:

An Act to further amend Section 3 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled as amended "An act relating to the support of indigent persons providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" by providing proceedings for support shall not be on petition of indigent person imposing duty to first ascertain financial responsibility of nearest relatives and making such orders enforceable in any county of this Commonwealth.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 508, entitled:

An Act to amend Sections 1 and 2 of the act, approved the eighteenth day of April, one thousand nine hundred forty-five (P. L. 253, No. 114), entitled "An act relating to suits by shareholders against officers or directors in a corporation, domestic or foreign, to enforce a secondary right because the corporation refuses to enforce rights, which may be asserted by it, requiring that plaintiff be a shareholder at the time of the transaction of which he complains, or that his shares thereafter devolved upon him by operation of law; requiring security for defendant's expenses, including attorneys' fees; and providing for the assessment and recovery of such expenses, including attorneys' fees," by extending the provisions thereof to corporations having no capital stock; and authorizing corporations to indemnify directors, officers and other persons against certain expenses.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 603, entitled:

An Act prescribing the persons who may administer the oath of office to the Governor and the Lieutenant-Governor.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 60, entitled:

An Act authorizing the court in any proceeding to establish paternity, to order the parties therein to submit to blood grouping tests, and prescribing the conditions under which such evidence may be admitted.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 363, entitled:

An Act to amend the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" by further prescribing the nature and kind of investments which may be made and retained by fiduciaries

Mr. ROBINSON from the Committee on Labor and Industry, reported as committed, House Bill No. 439, entitled:

An Act to further amend the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 566), entitled "A supplement to the act, approved

the second day of June, one thousand nine hundred and fifteen (P. L. 736), entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," as re-enacted and amended, providing for the payment of compensation to volunteer firemen or their dependents," by extending the provisions thereof to certain persons who extinguish forest fires; and further defining compensation in the case of self employers.

He also, from the Committee on Labor and Industry, reported as committed, Senate Bill No. 611, entitled:

An Act creating the Pennsylvania Public Safety Commission as a commission providing for the appointment of a director of Public Safety, setting forth the powers and duties of the commission, and the director, defining the scope of existing safety agencies; and making an appropriation.

He also, from the Committee on Labor and Industry, reported as amended, Senate Bill No. 457, entitled:

An Act to add clause (m) to Section 108 of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 566), entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine controverted medical issues; establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases; making an appropriation; and prescribing penalties," by including tuberculosis within the meaning of the term occupational disease in the case of nurses.

Mr. WADE from the Committee on State Government, reported as committed, Senate Bill No. 423, entitled:

An Act to further amend section four hundred fifty-two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for an reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," as amended, by further changing the provisions relating to the maximum compensation of the State Civil Service Commission.

BILL RE-REFERRED

Mr. WADE from the Committee on State Government, re-reported as committed, Senate Bill No. 219, entitled:

An Act to provide for the coverage of certain officers and employes of the Commonwealth and its political subdivisions under the old-age and survivor insurance provisions of Title II of the Federal Social Security Act as amended creating the State-Federal Social Security Board and conferring powers and imposing duties upon the Board authorizing the Board to enter into agreements with the Federal Security Administrator and with political subdivisions under certain terms and conditions providing for the Commonwealth's contribution under agreements with the Federal Security Administrator and for the collection and payment of employer and employe contributions authorizing interstate cooperation in certain cases creating a Contribution Fund and making appropriations.

which was re-referred to the Committee on Appropriations.

REPORTS FROM COMMITTEES

Mr. WAGNER from the Committee on State Government, reported as committed, House Bill No. 24, entitled:

An Act to amend Section 304 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof, and the administrative departments, boards, commissions, and officers thereof, including the board of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments boards commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by increasing the membership of the Pennsylvania Historical and Museum Commission.

REPUBLICAN LADIES FROM DELAWARE COUNTY PRESENTED TO SENATE

Mr. WATKINS. Mr. President, it gives me a great deal of pleasure today to introduce to this wonderful body here a group of thirty-seven Republican ladies from Delaware County. These ladies are great friends of mine, naturally, for I would not have been here if it had not been for the ladies, and I would like to emphasize that they are my personal friends. These ladies also are accompanied by Mrs. Mary Talbot, of Upper Darby, Pennsylvania, and also, I should say, that they are the guests of Mrs. Eleanor Evans, our Secretary of Public Assistance.

It gives me a great deal of pleasure, and I hope they will come to see us again.

The PRESIDENT. Will the guests of Senator Watkins please rise in place and take a bow?

REMARKS OF THE MINORITY FLOOR LEADER

Mr. DENT. Mr. President, I want to thank the gentleman for introducing thirty-seven Republican women at one time. Coming from Westmoreland County, we never see that many Republican women at one time.

BILL INTRODUCED AND REFERRED

Mr. BYRNE read in his place and presented to the Chair Senate Bill No. 614, entitled:

An act to amend Section 9 of the act, approved the twenty-sixth day of May, one thousand nine hundred forty-nine (P. L. 1828), entitled "An act concerning the investment powers and duties of guardians, committees, trustees, and other fiduciaries, except personal representatives, and prescribing the nature and kind of investments which may be made and retained by such fiduciaries," by making full paid stock of building and loan associations incorporated under the laws of the Commonwealth of Pennsylvania legal for investment of funds of fiduciaries.

Which was committed to the Committee on Judiciary General.

PERMISSION TO ADDRESS SENATE

Mr. ROBINSON asked and obtained unanimous consent to address the Senate.

Mr. ROBINSON. This bill is designed to protect the Commonwealth, its roads and its people, against overloaded vehicles, and to give Pennsylvania business efficient highway transportation.

This bill doesn't increase the maximum gross weight for trucks. It doesn't increase the length, height, or width of trucks. It doesn't raise the maximum load now permitted on any one truck axle.

What this bill does is this:

First, it takes the profit out of overloading with a penalty clause which hits the owner of an overloaded truck with a heavy fine, and impounds the overloaded vehicle until the fine is paid. A fine is also placed on the owner who permits a single axle to be loaded beyond the 20,000 pound maximum, a feature which does not exist in the present law.

Next, it looks after the safety and convenience of other highway users by requiring that a truck be able to make a reasonable uphill speed, and that it be equipped with brakes which provide a square inch of brake surface for every 55 pounds of weight.

Third, it increases the trucks' share of highway costs by raising the price of their license plates.

Fourth, it permits industry, agriculture, commerce and the national defense, to get maximum service out of existing trucks by giving dump trucks, coal trucks, concrete mixers, and the like, the right to carry such loads as the 20,000 pound axle load now in effect would permit; and by allowing single and tandem axle semi-trailers to carry loads more nearly in line with their capacities—still within the 20,000 pound axle load limitations. The semi-trailer with one rear axle will, under this bill, thus be permitted to carry a 48,000 pound gross load, instead of the 45,000 pounds now allowed, and the semi-trailer with two rear axles in tandem, will be permitted a gross of 60,000 pounds. This is a full ton under the 62,000 pound maximum now set by Pennsylvania law.

Fifth, Pennsylvania industry will be facilitated by bringing Pennsylvania more nearly in line with the weight limits of the surrounding states, although most nearby states have axle load provisions in excess of Pennsylvania's.

We feel that this bill will help to bring order out of the chaotic motor truck weight situation, correct certain

conflicts in the existing laws of this State, and give Pennsylvania and the nation a better motor transportation system for the national defense.

On behalf of my colleague, Senator Dent, and myself, I read in place and present to the Chair the following bill.

BILL INTRODUCED AND REFERRED

Messrs. ROBINSON AND DENT read in place and presented to the Chair, Senate Bill No. 615, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways, of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds;" by increasing annual registration fees for certain commercial motor vehicles, truck tractors, trailers and semi-trailers; prescribing additional equipment requirements for certain vehicles; increasing the maximum gross weights and axle loads allowed for certain vehicles; changing the requirements for weighing vehicles and removal of excess loads; and prescribing and changing penalties.

Which was committed to the Committee on Highways.

PERMISSION TO ADDRESS SENATE

Mr. KEPHART asked and obtained unanimous consent to address the Senate.

Mr. KEPHART. Mr. President, early in the Session, Senate Bills 73 and 75 were introduced concerning adoption, and came to the Committee on Judiciary General. Since that time I have been deluged with mail criticizing the Committee and me in particular for undemocratic, autocratic, highhanded, arbitrary action in not doing anything on those bills. As a matter of fact, very shortly after their introduction we held a meeting on those bills and they were considered at a subsequent meeting two weeks later. We spent the whole period of time discussing those bills and hearing arguments from the sponsors of the bills. At a later date, two weeks after that, Judge Cox, who is a former member of this body, was given permission to address the Committee and did so for over an hour, and shortly after that the Committee met and decided that something should be done to amend the adoption laws, but that we did not wish to establish and set up a new bureau in the Department of Welfare, which the Secretary of Welfare estimates would cost a million and a half dollars per biennium, and upwards, and that the evils that we

felt existed in the adoption system could be cured by a much less expensive method.

As a result, a subcommittee was appointed and that subcommittee has been working since that time, and this bill that I now introduce, on behalf of Senator Meade, Senator Barr and myself, is the result of the study and work of that subcommittee, and the accusations of the people that nothing has been done are wholly unfounded.

Mr. President, I read in place, on behalf of Senator Meade, Senator Barr and myself, the following bill.

BILLS INTRODUCED AND REFERRED

Messrs. KEPHART, MEADE and BARR read in place and presented to the Chair Senate Bill No. 616, entitled:

An Act to further amend the act approved the fourth day of April, one thousand nine hundred twenty-five (P. L. 127), entitled "An act relating to Adoption," by reducing the period during which an abandonment must have existed; eliminating certain consents necessary to an adoption; empowering orphans' courts and in counties of the first class municipal courts to establish investigative staffs with respect to adoptions; requiring all persons, societies, agencies, institutions or similar organizations or corporations receiving or placing children for adoption to make certain reports to the court; conferring jurisdiction upon orphans' courts, and in counties of the first class municipal courts, to determine the custody of certain children; providing for acknowledgments, judicial determination and consents relating to paternity and fixing the status of the parties concerned; prohibiting the receipt of compensation for the placement of children for adoption and prescribing penalties.

Which was committed to the Committee on Judiciary General.

Mr. DIEHM read in his place and presented to the Chair Senate Bill No. 617, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety, regulating the use of highways, and the operation of vehicles; tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," by providing for official inspection stations and official inspections for certain motorcycles.

Which was committed to the Committee on Highways.

Mr. STEVENSON read in his place and presented to the Chair Senate Bill No. 618, entitled:

An Act to amend Sections 515 and 525 of the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1242), entitled "An act relating to roads, streets, highways, and bridges; amending, revising, consolidating, and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto," by changing the provisions governing openings in the surface of highways in boroughs, incorporated towns and cities.

Which was committed to the Committee on Highways.

Mr. TOOLE read in his place and presented to the Chair Senate Bill No. 619, entitled:

An Act to amend Section 469 of the act, approved the twelfth day of April, one thousand nine hundred fifty-one (Act No. 21), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages, amending, revising, consolidating and changing the laws relating thereto, regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages, and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option and repealing existing laws," by increasing the fees for the transfer of liquor licenses.

Which was committed to the Committee on Law and Order.

He also read in his place and presented to the Chair Senate Bill No. 620, entitled:

An Act to amend Section 405 of the act, approved the twelfth day of April, one thousand nine hundred fifty-one (Act No. 21), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages, amending, revising, consolidating and changing the laws relating thereto, regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond holding in storage, traffic in, and use of alcoholic liquors alcohol and malt and brewed beverages, and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option and repealing existing laws," by changing the fees prescribed for club liquor licenses.

Which was committed to the Committee on Law and Order.

He also read in his place and presented to the Chair Senate Bill No. 621, entitled:

An Act to further amend section 2 of the act, approved the first day of June, one thousand nine hundred thirty-three (P. L. 1172), entitled "An act establishing certain streets in boroughs and incorporated towns of State Highways, and providing for their construction and maintenance at the expense of the Commonwealth," by adding a new route in Luzerne County.

Which was committed to the Committee on Highways.

Mr. WATSON on behalf of Mr. MEADE read in his place and presented to the Chair Senate Bill No. 622, entitled:

An Act requiring all buildings under construction which are over fifty feet in height to be equipped with an elevator for the use of building construction workmen; imposing duties upon building inspectors; and providing penalties.

Which was committed to the Committee on Labor and Industry.

Mr. SILVERT read in his place and presented to the Chair Senate Bill No. 623, entitled:

An Act to promote free enterprise in trade, commerce and manufacturing within the Commonwealth of Pennsylvania; imposing certain duties upon the Attorney General and district attorneys; and providing penalties.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 624, entitled:

An Act to repeal the act, approved the fifth day of June, one thousand nine hundred thirty-five (P. L. 266), entitled "An act to protect trade-mark owners, distributors, and the public against injuries and uneconomic practices in the distribution of articles of standard quality under a distinguished trade-mark, brand or name."

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 625, entitled:

An Act to repeal the act, approved the eleventh day of August, one thousand nine hundred forty-one (P. L. 900), entitled "An act defining and prohibiting unfair sales, providing remedies for violations thereof, and establishing penalties therefor."

Which was committed to the Committee on Judiciary General.

Mr. HALUSKA read in his place and presented to the Chair Senate Bill No. 626, entitled:

An Act to amend Clause (11) of section 493 of the act, approved the twelfth day of April, one thousand nine hundred fifty-one (Act No. 21), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages, amending, revising, consolidating and changing the laws relating thereto, regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage traffic in, and use of alcoholic liquors, alcohol and malt and brewed beverages, and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option and repealing existing laws," by removing certain restrictions on servants, agents and employees of licensed clubs.

Which was committed to the Committee on Law and Order.

Mr. McMENAMIN read in his place and presented to the Chair Senate Bill No. 627, entitled:

An Act providing for automatic promotion of members of the Pennsylvania State Police.

Which was committed to the Committee on State Government.

PETITIONS AND REMONSTRANCES

Mr. HOLLAND. Mr. President, yesterday we had in the Senate Caucus Room a hearing by the Senate Finance Committee. There we heard the spokesman for the manufacturers, who by the way does not speak for the majority of the manufacturers in the State, and it seems to me that in a great deal of his talk he was speaking as a National Committeeman of the Republican Party, and we heard a Democrat, Mr. Greenfield, representing the Chamber of Commerce of Philadelphia. Both of these men were in accord in one thing, that the estimates of the Budget were underestimated and considerably so. Unfortunately, the Committee could not be reached over the week end, and other people wished to appear at this hearing and give their advice. Among these was Mr. Price, President of Westinghouse Electric and Manufacturing Company, and David J. McDonald, Secretary-Treasurer of the United Steel Workers of America.

Mr. President, I have been asked by Mr. McDonald to read to the Senate today his statement regarding increasing the taxes and after careful study that he had with some of the manufacturer's, these are his suggestions on how to avoid this extra tax at this Session.

I now quote from Mr. McDonald's statement which was supposed to be presented to the Finance Committee:

"For anyone to appear before this Committee and state he was given an accurate picture of the financial affairs of our great Commonwealth would be a falsehood. The same would be true of any member of the General Assembly or any representative of business, the Chamber of Commerce, or a representative of any other group of taxpayers, for he can only give a cursory opinion of the financial conditions of the State government.

"However, in a study of published reports of the financial conditions of corporations, for the past several years, they show a healthy and substantial growth in their earnings as well as the market values of their securities.

"This increase in the income and the value growth of our corporations is somewhat higher on the average than the increase reflected in the budget estimates from Corporate Net Income Tax and the taxes on Capital Stock, both for the biennium of 1951 to 1953 and that of the previous biennium. I am not going to take any more of your time than is necessary, but I am going to cite figures to prove this point.

"Point 1. In the Economic Report made by the President of the United States in January of this year, the President stated, among other things, pertaining to the economic strength of the nation, the following, and I quote from page 24 of that document:

"Profits of American business, before taxes, exceeded all records in 1950 reaching 40.2 billion dollars or 46% above the level of 1949. They attained a peak annual rate of 48.0 billion dollars in the 4th quarter. The previous peak rate was 35.3 billion in the 3rd quarter of 1948. The higher profits reflected increased output, greater sales and higher prices."

"Point 2. I now quote from the April 19th, 1951 issue of the Wall Street Journal regarding the net income report by about a dozen corporations for the 1st quarter of 1951—and these figures mind you are after all taxes—local, State and Federal. This appears on page 1 of that paper:

"EARNINGS—

Quarter, Feb. 28	Net Income 1951	Net Income 1950
Douglas Aircraft Co.	\$ 1,681,581	\$ 931,319
Quarter, March 31		
America Airlines, Inc.	2,914,610	1,331,285
Chesapeake & Ohio Rwy.	6,831,000	961,374
Conde Nash Publications	691,000	607,085
Driver-Harris Co.	230,737	94,608
Eaton Mfg. Co.	3,286,257	2,776,869
Gamble-Skogmo, Inc.	1,115,749	240,190
Gillette Safety Razor	4,473,917	3,725,963
Johns-Manville Corp.	6,292,995	3,928,551
Udylite Corp.	569,348	272,987
Westinghouse Electric	16,692,898	11,890,377

"Point 3. Now, as to the rise of market value of corporate stocks which is a substantial factor in determining the base of the tax on capital stock—let me again quote from the Wall Street Journal of April 19, 1951. On page 17 of that paper the following were the closing average prices known as the Dow and Jones Averages:

"For industrial companies the averages were as follows:

	High	Low
1946	\$212.50	\$163.12
1947	186.85	163.21
1948	193.16	165.39
1949	200.52	161.60
1950	235.47	196.81
1951 (First Quarter)	256.18	238.99

And as of today this average is running at about \$263.00

"For railroad stock averages, the rise seems about the same as for industrials. In 1946 the low was \$44.69 and the high was \$68.31, while in 1951 the low is running at \$78.36 and the high at \$90.08.

"I have furnished these figures for you to use in your deliberations to secure an estimate on what the Corporate Net Income for the 51-53 Biennium, as well as what the income on the Capital Stock Tax will be.

"To bring this closer home, I want to give you an example as to what this means in actual tax monies as paid by corporations in our own Commonwealth. I have secured from one of our steel corporations what they have paid to the State on Capital Stock Tax as well as the tax on the Corporate Net Income. I believe these figures will convince you that you should have a very large surplus on May 31st when your fiscal year ends from the returns from both of these taxes.

Year	Capital Stock Tax	Net Income Corporate Tax
1946	\$100,969	361,294
1947	558,151	442,047
1948	510,540	681,176
1949	476,657	526,512
1950	558,062	1,250,000

"This bears out the figures I have been trying to give you based on the Economic Report of the Federal Government, and the Wall Street Journal Report. In other words, in 1950 this steel corporation will pay 137% more in Corporate Net Income Tax than it paid in 1949. Gentlemen, I think you will agree with me that income derived from

Corporate Net Income this year will provide this State with a very substantial surplus. Although the Capital Stock Tax will not be as great a surplus; it still will amount to a fair size figure. This increase of 137% which I quoted will be about the same throughout all the steel industry of our State and shall be reflected in the corporate net profits in both big and small diversified industries.

"Gentlemen, in my capacity as Secretary and Treasurer of the United Steelworkers, I am in close touch with the industrial life of Pennsylvania. With the increased production and the letting of large governmental orders for military purposes, you can rest assured that your Corporate Net Income Tax for the biennium 51-53 shall again double what it was in this biennium just closed. This is not merely my prediction, but also that of the official of the steel corporation from whom I secured the above figures of their taxes paid.

"I have tried my best to pick out two taxes to use as an example of what could be expected in increases of income to the State. But these increases also hold good in all other taxes. Pennsylvania is going to enjoy the greatest employment era that we have seen for some time within the next two years. Gross Receipts of Utilities should go up as their rates have gone up; the Cigarette Tax, the Liquor Tax shall show an increase; the Malt Beverage Tax will also show an increase; for with full employment comes greater spending.

"Gentlemen, you have now been in Session since early in January. A few more months does not mean very much in comparison to the time you have already spent here, and I am not saying this in a spirit of criticism, for I realize you have been divided regarding this tax problem, but I do believe that the General Assembly is in no position to pass on a budget or a tax program without first having the expert opinion of one who is familiar with the economic conditions of the times as well as the running of the State government, and I am going to suggest to you for, I hope, your favorable consideration, that you secure the services of some outside corporation that will not only study taxes, but also study and make audits of the gigantic corporation that you are serving as Board of Directors.

"No business corporation would conduct business without having audits made by outside auditors from time to time. I have been informed that no audit has been made of State government affairs since 1927 under Governor Fisher. At this time the Main and Company made a thorough check on government expenditures. The budget in 1929 was only \$267,394,643.87 and today your budget is \$1,400,000,000.00—not mentioning another half billion that the State guarantees in General Authority expenditures. This is about 500% more than it was when the last private audit was made. Do you not think that if a careful audit were made by a responsible corporation you would regain some of the confidences of the people in State government? I need not tell you Gentlemen that confidence in government today—on all levels—is at a new low and there is only one way that confidence can be regained—that is by you Gentlemen making the public a partner in this great enterprise of government.

"I am one who believes that men elected to public office are willing to do as good a job as they can do. I am firmly convinced that if this Session of the Legislature shall

agree first to engage the services of certified public accountants who will start in immediately to examine and investigate each department, and second to start immediately to study the economic trends of the times, securing the best information that can be had in business index from the sources available, that you will find no new taxes are necessary. The increases from the present taxes shall more than meet every commitment made by your General Assembly and you will be able to carry out all the programs you have started. Men seeking public office speak a great deal about securing efficiency and economy in government. You can regain the confidence of the people if you put into action the many promises along these lines that have been made in campaign speeches.

"I want to sincerely thank you Gentlemen for giving me the opportunity of appearing before your Committee and being able to express my views on our fiscal policy."

Unfortunately, he was unable to add this last paragraph as he did not appear.

Mr. President, I will see that a copy of this presentment is put into each of the boxes of the Senators, and I hope that they will make a careful study of these figures before next Monday.

PERMISSION TO ADDRESS SENATE

Mr. YOSKO asked and obtained unanimous consent to address the Senate.

Mr. YOSKO. Mr. President, I received a letter from an old gent that is on Public Assistance from up in Coalport, Pennsylvania. This letter to me is dated April 4, 1951, and he enclosed in that letter a newspaper clipping dated May 2, 1951, that discusses the relief situation, the Joint State Government Commission Report, bills introduced by Senator Hare and myself, as well as the report of the American Association of Social Workers. There are a couple of paragraphs quoted here from the report of the Social Workers which reads as follows:

"The rate of turnover among Public Assistance Staff Workers, whose primary responsibility is the determining of eligibility, is so high as to impair seriously the efficient and economic operation of the program. Regardless of how qualified or how well trained staff members may be, it can hardly be expected that the Public Assistance Program can be efficiently conducted when seventy-eight per cent of the visitors have less than two years experience."

Mr. President, I want to disagree with the report of the American Association of Social Workers, and in my opinion I do not believe that the turnover of the personnel in the Department of Public Assistance would reflect the sixteen million dollar overpayment to relief chislers on the Public Assistance rolls.

Mr. President, one of the primary reasons, as I stated in my previous remarks, for the inability of the visitors to perform the duties for which they were employed is the fact that they are burdened with too much paper work and too many rules of eligibility developed from time to time by the bureaucrats in the Department of Public Assistance. I call your attention to the fact that on page 103 of the Report of the Joint State Government Commission, we have the rules of eligibility in brief and concise form in connection with general assistance, old

age assistance, aid to dependent children and aid to the permanently and totally disabled. Those rules of eligibility are on one page here (indicating), but this (indicating) is what the bureaucrats developed from that one page and I show it to you here, and the title of this book is "Rules and Regulations for Determining Eligibility for Assistance and Making Payments." How on earth can any visitor absorb all of this? I understand that from day to day they get changes in these rules and regulations made by those bureaucrats over in the Department of Public Assistance, and I might add there are twenty-nine bureaus over these, twenty-nine, each developing rules of eligibility; they send these on to the county offices and these visitors have got to take one page out and put another page in, and they have got to famaliarize themselves with the changes. Certainly, if they are burdened with all this paper work, they cannot make their regular visits and it is no wonder that I learned from several visitors that they are now making the rounds for September. In other words, they have not made a visit for a period of five or six months.

Mr. President, with reference to the two year period for training personnel, I can say from my own experience that if these rules and regulations were cut down to brief, concise form, it should not take more than one month to train any visitor, and any high school boy with some good common sense would make a first class visitor. This idea of two years training is a lot of hokum; they are just looking for an "out" for their negligence and for permitting the Commonwealth to be robbed of sixteen million or more dollars, and I say here and now that if the new Secretary of Public Assistance will ge rid of some of those bureaus over there, re-organize the Department, cut down this procedure and eliminate the paper work for the visitors, they will be able to do a good, first class job. I want to say, too, at this time, Mr. President, that I am not opposed to relief to those who are entitled to it, to the blind, to the disabled, to the aged and to others entitled to it, but I certainly am opposed to giving relief, giving public assistance, State money, the taxpayers' money to lazy people who do not want to work.

Mr. President, I also want to say at this time that my remarks are not directed at Mrs. Evans, as some people think they are. She was appointed by the Governor, she was confirmed by the Senate, and I believe in giving everybody an opportunity to show what they can do. I believe she is trying to do a good job, and I think that with the help of this Legislature she will do a good job.

Mr. President, in that connection I present the following resolution and move its immediate adoption:

RESOLUTIONS

REQUESTING THAT THE SECRETARY OF THE DEPARTMENT OF PUBLIC ASSISTANCE REVIEW THE RULES AND REGULATIONS WITH A VIEW OF REDUCING SAME

Mr. YOSKO offered the following resolution which was twice read as follows:

In the Senate, May 8, 1951.

Whereas, The visitors of the Department of Public Assistance are unable to discharge the obligations of their office with dispatch and thoroughness because of the repeated changes in the rules for eligibility,

Whereas, The paper work necessitated by said changes in the rules for eligibility has become burdensome to such an extent that the visitors of the Department of Public Assistance are needlessly delayed in making investigations as to eligibility for assistance; therefore be it

Resolved, That the Secretary of the Department of Public Assistance be directed to review the rules and the regulations for determining eligibility with a view to reducing said rules and regulations to a simple and concise procedure, to eliminating a large portion of the paper work now required of the visitors, and to limiting assistance payments to those lawfully entitled thereto.

REQUEST THAT RULE 39 BE SUSPENDED

Mr. YOSKO. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDENT. Is there objection?

Mr. WALKER. Mr. President, I object.

The PRESIDENT. The resolution is referred to the Committee on Public Health and Welfare.

APPRECIATION OF THE SENATE EXTENDED TO THE HONORABLE OSCAR L. CHAPMAN, SECRETARY OF THE INTERIOR, IN APPEARING BEFORE SUB-COMMITTEE ON THE INDEPENDENCE HALL MALL

Messrs. CHAPMAN, MEADE and STIEFEL offered the following resolution which was twice read, considered and agreed to:

In the Senate, May 8, 1951.

Whereas, The Independence National Historical Park in Philadelphia is a project of the National Park Service of the Department of the Interior of the United States conceived as a means of reclaiming some of the neighborhood of the old State House now a decaying commercial area as well as conserving such historic buildings located therein as the First Bank of the United States, the Merchants' Exchange, the Bishop White and Dilworth-Todd-Moylan Houses and the Old Custom House, and

Whereas, The custody (but not title) of Independence Hall, together with Congress Hall, the old City Hall and the Square was transferred in January, 1951, by the City of Philadelphia to the National Park Service, and

Whereas, The Congress of the United States appropriated in 1948 and 1949 initial sums of money and authorized contracts to the extent of about four million dollars for the purchase of land supplementing same in 1951 with appropriations now pending in Congress, and

Whereas, The Honorable Oscar L. Chapman, Secretary of the Interior, pursuant to an invitation extended to him by the Joint State Government Commission of Pennsylvania, appeared in Harrisburg before its sub-committee on the Independence Hall Mall on Tuesday, May 1, 1951, to delineate the progress of the work at the Independence National Historical Park, and

Whereas, The information thus gathered by the sub-committee on the Independence Hall Mall will be of great value in the preparation of its report pertaining to the acceleration of the completion of the Independence Hall Mall, now therefore

Be It Resolved, That the Senate of the General Assembly of Pennsylvania express its appreciation to Honorable Oscar L. Chapman, Secretary of the Interior, for his cooperation in appearing before the sub-committee on the Independence Hall Mall of the Joint State Government Commission and offering thereto valuable, helpful and informative material; and be it further

Resolved, That the Secretary of the Senate be, and he is hereby directed to forward a copy of the instant resolution to Honorable Oscar L. Chapman, United States Secretary of the Interior.

FORMER SENATOR WILLIAM B. ROGERS PRESENTED TO SENATE

The PRESIDENT. The Chair has been advised that a distinguished former member of this body, representing the Fortieth Senatorial District, the Honorable William B. Rodgers, is present. Will he please rise and take a bow?

BILL INTRODUCED AND REFERRED

Mr. MEADE. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MEADE read in his place and presented to the Chair Senate Bill No. 628, entitled:

A Joint Resolution proposing an amendment to section ten, article one of the Constitution of the Commonwealth of Pennsylvania by limiting the prohibition on proceeding by information to certain cases.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON from the Committee on Executive Nominations reported with a favorable recommendation the following nomination, made by His Excellency, the Governor:

ALDERMAN

EIGHTH WARD, CITY OF ALLENTOWN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 2, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate G. Harry Garver, 743 North Eleventh Street, Allentown, Lehigh County, for appointment as Alderman in and for the Eighth Ward of the City of Allentown, Lehigh County, until the first Monday of January 1952, vice William H. Schellhamer, deceased.

JOHN S. FINE.

CONSIDERATION OF EXECUTIVE NOMINATION

Mr. WATSON asked and obtained unanimous consent for immediate consideration of the nomination read by the Clerk.

EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. MALLERY,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nomination reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. WATSON and Mr. LETZLER,

That the Senate do advise and consent to the nomination reported.

On the question,
Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Snowden,
Barr,	Hare,	McPherson, Jr.,	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Toole,
Blass,	Kessler,	Pechan,	Wade,
Byrne,	Lane,	Peelor,	Wagner,
Chapman,	Leader,	Probert,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,
Freed,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Scarlett,	Wood,
DiSilvestro,	McGinnis,	Silvert,	Yosko,
Fleming,			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. CROWE. Mr. President, I second the motion.

The motion was agreed to.

INTERROGATION

Mr. YOSKO. Mr. President, I desire to interrogate the distinguished Chairman of the Committee on Executive Nominations, Senator Watson.

The PRESIDENT. Will the gentleman from Bucks, Mr. Watson, permit himself to be interrogated?

Mr. WATSON. I will, Mr. President.

Mr. YOSKO. Senator Watson, on two previous occasions I had asked you whether the Governor's Secretary, Mr. McCallum, had delivered to you answers to questions submitted to Milo F. Draemel, Secretary of Forests and Waters, and your answers were in the negative. I ask you now, did the Governor's Secretary deliver that data to you?

Mr. WATSON. Mr. President, Admiral Draemel delivered it to me.

Mr. YOSKO. Have you read the answers?

Mr. WATSON. I have not, Mr. President.

Mr. YOSKO. Will you submit the data to the Committee on Executive Nominations?

Mr. WATSON. I will, Mr. President.

Mr. YOSKO. When will that Committee meet?

Mr. WATSON. Mr. President, tomorrow morning at 10:45.

Mr. YOSKO. Thank you very much, Mr. President.

CALENDAR

THIRD READING CALENDAR

BILL ON THIRD READING AND
FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 14, as follows:

An Act to amend clause (c) of Section 3 of the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 359) entitled "A supplement to the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 299) entitled 'An act providing for the establishment in counties of the second class of the lot and block plan for the registration of land titles for the accumulation of county tax liens and for the enumeration of the parcels of real estate to be assessed for county city borough township school and institution district taxation providing for the incurring of indebtedness for the installation thereof and imposing duties upon the county controller and the deed registrar in each of such counties providing for the use in counties of the second class of the lot and block descriptive number in the making of assessments in the preparation of tax bills and tax receipts in the filing of liens for delinquent taxes and in the sale of real estate for taxes and imposing duties upon certain county officials in second class counties and upon treasurers tax collectors and solicitors of cities boroughs towns townships and school districts in said counties' by further providing for the contents of instruments to be received for recording by the recorder of deeds and imposing duties on him relating thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (c) of Section 3 of the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 359) entitled 'A supplement to the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 299) entitled 'An act providing for the establishment in counties of the second class of the lot and block plan for the registration of land titles for the accumulation of county tax liens and for the enumeration of the parcels of real estate to be assessed for county city borough township school and institution district taxation providing for the incurring of indebtedness for the installation thereof and imposing duties upon the county controller and the deed registrar in each of such counties' providing for the use in counties of the second class of the lot and block descriptive number in the making of assessments in the preparation of tax bills and tax receipts in the filing of liens for delinquent taxes and in the sale of real estate for taxes and imposing duties upon certain county officials in second class counties and upon treasurers tax collectors and solicitors of cities boroughs towns townships and school districts in said counties' is hereby amended to read as follows

Section 3 The effect of the order of the Court of Common Pleas shall be as follows

* * * * *

(c) The recorder of deeds shall [not] receive for recording any deed mortgage or other instrument that shall refer to a specific parcel of real estate [unless] whether or not said deed mortgage or other instrument shall bear the certification by the custodian of the lot and block system that the lot and block system descriptive numbers incorporated in the description of the real estate described therein are correct but before transcribing any such deed mortgage or other instrument lacking the certification he shall obtain the same from the custodian of the lot and block system

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. BARR. Mr. President, I do not like to get up and talk against a bill of a friend of mine, namely, Mr. Cooper, from the House, but here in the Senate we do pass a lot of bills for lawyers, and this is a new type

of bill by which you are going to make one man the errand man for all lawyers in Allegheny County.

Mr. President, back in 1945, the General Assembly of Pennsylvania passed an act providing for the establishment in counties of the second class of what is known as the lot and block system for the registration of land titles. The reason for this bill at that time was to eliminate what is known in many recorders' offices as bad descriptions of parcels of real estate. So, under the system devised under that bill, when you were going to register a parcel in the recorder of deeds office, you first had to go to the lot and block office and have there the lot and block number put on the paper, and then take it to the Recorder of Deeds Office and register it. Under this bill as it is before us today, the system is reversed. You will go to the Recorders Office and there have your parcel recorded, and then it is up to the Recorder of Deeds to do the job the lawyer is being paid for, to go to the lot and block office and have the lot and block number put on. Well, that part may not be too bad, but the main crux of this situation is this: That the description in the parcel as he takes it to the Recorders Office may be different than that on the lot and block number as filed in the lot and block office.

Mr. President, we have spent in the County of Allegheny over one million dollars in establishing this lot and block system. This money is just being put down through the drain by the passage of this bill, because the reason for the establishment of the lot and block system was to get the correct description of these pieces of real estate in the city and in the County of Allegheny. Now, we are reversing ourselves, and if there is a bad description in the paper that the lawyer takes to the Recorders Office, it cannot be caught because he will record it and then the lot and block number will be put on the same recording.

Mr. President, I know that lawyers have very busy days, but I do not think that the Recorder of Deeds of Allegheny County was elected as the leg man for all the lawyers of the Bar of Allegheny County, and I may add, Mr. President, since the time that this bill has been passed over in the House, that I notice that the sponsor of this bill has now announced himself as a candidate on the Republican ticket for the office of Recorder of Deeds. If perchance he should be elected, I bet he will be back here two years from now asking that this bill be repealed, because I know he does not want to be the leg man for every lawyer in Allegheny County, and I will ask that my colleagues vote "no" on this bill.

Mr. WALKER. Mr. President, my very distinguished colleague is in error on two points, and if I might take them in reverse order, I know it will clarify his thinking just a bit.

Mr. President, in the first place, the sponsor of this bill has not announced himself as a candidate for Recorder of Deeds. He has announced himself as a county candidate for Register of Wills. In that, the gentleman is in error.

Mr. President, secondly this proposed bill which was in the House, and which was very carefully considered there, and which passed the House by a vote of two

hundred seven to nothing, will not affect the lot and block system which has been so successfully operated by the office of the Recorder of Deeds of Allegheny County. It is a change in the procedure which, in the opinion of the experts in this recording system, will add to the efficiency of the operation of a lot and block system. It will not destroy it in the least. I want to assure the gentleman from Allegheny that this will not pour down the drain the money that the County Commissioners have put in, and may I say to the gentleman from Allegheny, in the vein of the collateral discussion on House Bill No. 14, that those of us who are interested in efficiency in government certainly would not want to pour a million dollars of the county's money down the drain because who can tell who might be responsible for it come November?

Mr. BARR. Mr. President, I desire to interrogate the gentleman from Oakmont, Senator Walker.

The PRESIDENT. Will the gentleman from Allegheny, Mr. Walker, permit himself to be interrogated?

Mr. WALKER. It is always a pleasure, Mr. President.

Mr. BARR. Senator Walker, did I understand you to say that the lot and block system is under the Recorder of Deeds office?

Mr. WALKER. No, I said that the lot and block system as instituted in Allegheny County—

Mr. BARR. Is under the Recorder of Deeds office?

Mr. WALKER. I am sorry, I do not know what you mean.

Mr. BARR. You said in your discussion that the lot and block system was under the Recorder of Deeds office. I want to tell you that you are grossly in error.

Mr. WALKER. I am sorry, Mr. President, if I inadvertently confused the gentleman, but as I understand it the lot and block system is not under the office of the Recorder of Deeds. If I am in error, the gentleman will please correct me.

Mr. BARR. In your discussion, you so stated in error, and I want to tell you it is in the County Controllers Office. Senator Walker, as a lawyer I think you can answer this very quickly. When you take a paper to the Recorders Office to have recorded a parcel of real estate, you also take a description of the piece of property, is that not correct?

Mr. WALKER. Mr. President, I do not want to suddenly go high hat on the gentleman, but I have been a Member of the Bar for twenty-five years and after you have been a Member of the Bar for twenty years, you do not take deeds to the Recorder of Deeds Office. You send them.

Mr. BARR. Senator Walker, let me put it this way, your errand boy takes the deed to the Recorders Office, and in that there is a description of the piece of real estate. Is that correct?

Mr. WALKER. That is right, Mr. President.

Mr. BARR. Then, the deed is recorded and the number is put on. Is that correct?

Mr. WALKER. That is correct, Mr. President.

Mr. BARR. Then, under this bill, the Recorder would take it to the lot and block office which is in the County Controllers Office and there the lot and block number would be put on the same paper. Is that right?

Mr. WALKER. Well now, Mr. President, if we can refer to the bill—my memory is very short—before the bill is transcribed, as set forth in the amendment on page 4, if the certification is not placed on by the custodian of the lot and block system, then before it can be transcribed, the certification must be obtained from the custodian before it is transcribed.

Mr. BARR. Well, you certainly have made another point for me in your discussion. You are agreeing with me when I say that the description that errand boy took to the Recorders Office could be different than the description in the lot and block office.

Mr. WALKER. What the gentleman is talking about is, what he is objecting to, as I gather from his remarks, he is objecting to the fact that the bill will be permitted to be recorded without the certification of the lot and block number by the custodian, and he is objecting to the fact that the recorder of deeds, before transcription, must make certain that the certification of the lot and block member has been placed there.

Mr. BARR. That is right, Mr. President.

Now, let us revert back to the bill on page 3, section 1, line 17. Let us read the bill as it was originally. The original bill as passed says, "The Recorder of Deeds shall not receive for recording any deed mortgage or other instrument that shall refer to a specific parcel of real estate unless said deed, mortgage or other instrument shall bear the certification by the custodian of the lot and block system." Is that correct?

Mr. WALKER. That is right, Mr. President.

Mr. BARR. Now, we are just reversing ourselves with this bill. You are taking your paper and having it recorded in the Recorder of Deeds Office, and you may have a faulty description, and then the recorder has to take it over to the custodian of the lot and block system in the controllers office and have the number put on it, and that description probably will not be the same, in many cases, as the paper that you took originally to the Recorder of Deeds Office.

Mr. WALKER. That does not necessarily follow, Senator. What the amendment does is, it permits the Recorder of Deeds to receive the deed or mortgage without the lot and block number on it by the custodian, but before he can transcribe it, it must be affixed thereto.

Mr. BARR. All right, one more question. Will you agree with me that this is strictly a lawyer's bill?

Mr. WALKER. Well now, Mr. President, I would not want to say that. After all, I can only speak for one lawyer. I have no idea as to what lawyer's bill really is as distinguished from a farmer's bill, or a real estate insurance bill or a general insurance office bill or a political bill.

Mr. BARR. Thank you, Senator Walker.

Mr. President, my attention was brought to this bill by the County Commissioners of Allegheny County, who wrote me and said that this will be reversing the situation, and the money that has been spent on the lot and block system has just been spent in error if we pass this bill. If I was a lawyer, and not as successful as John, I would probably be for this bill. I would close my eyes to what it is doing to the county. This bill is simply making—although each lawyer gets a fee for

every paper he files, you are simply making the Recorder of Deeds the leg man for all the lawyers of the county bar association.

Mr. WALKER. Mr. President, may I interrogate the gentleman from Allegheny, Senator Barr?

The PRESIDENT. Will the gentleman from Allegheny, Mr. Barr, permit a reversal of the interrogation?

Mr. BARR. Certainly, Mr. President.

Mr. WALKER. Mr. President, I would like to inquire from the gentleman when he received this communication from the County Commissioners of Allegheny?

Mr. BARR. I would say well over a month ago.

Mr. WALKER. Mr. President, may I direct the gentleman's attention to the fact that the bill has been in the Committee on Local Government since February 13, and has been on the Senate calendar since May 1. I would like to ask the gentleman, did he discuss this objection with the Committee on Local Government when they were considering the bill or with the sponsor of the bill who is a member of the House?

Mr. BARR. Mr. President, I was in the Local Government Committee meeting and left that Committee—if you will just give me a minute I will remember what committee I went to, because at the meeting was Senator Fleming from our County and Senator Barrett. Then I went to another committee meeting, and if you will just give me a minute, I will be able to remember. I think it was the Finance Committee meeting last week. It was rather important that I be there, so this bill was brought out after that time.

Mr. President, I am not going to make any more of an issue. I will just ask the fellows on our side to vote against the bill.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29

Berger,	Hare,	Meade,	Stevenson,
Blass,	Kephart,	Pechan,	Wade,
Chapman,	Kessler,	Peelor,	Wagner,
Crowe,	Letzler,	Probert,	Walker,
Diehm,	Mahany,	Robinson,	Watkins,
Fleming,	Mallery,	Scarlett,	Watson,
Freed,	McPherson, Jr.,	Snowden,	Wolfe,
			Wood,

NAYS—20

Bane,	DiSilvestro,	McCreesh,	Ruth,
Barr,	Haluska,	McGinnis,	Silvert,
Barrett,	Holland,	McMenamin,	Stiefel,
Byrne,	Lane,	Neff,	Toole,
Dent,	Leader,	Rosenfeld,	Yosko,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMENDED

Mr. WALKER. Mr. President, I move that Senate Bill No. 51, on third reading, entitled:

An Act to amend Section 5 of the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1358), entitled "An act relating to chattel mortgages on any

chattel or chattels of any kind or description, including, but not limited to, livestock, poultry, farm machinery, farm equipment and crops, grown, growing or to be grown; designating the operation and effect of the lien of such mortgages; providing for the filing, indexing and docketing of such mortgages and related instruments in prothonotaries' offices; and prescribing prothonotaries' fees; providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states; regulating the assignment, release, satisfaction and extension of the lien of such mortgages; prescribing methods of foreclosure; defining defaults and violations; and fixing penalties," by providing for postponement of the lien and operation of chattel mortgages in certain cases.

be recommitted to the Committee on Judiciary General.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

(A voice vote having been taken the question was determined in the affirmative.)

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 231, as follows:

An Act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto

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Article III

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		Section 101	Short Title

This act shall be known and may be cited as "The Mental Health Act of 1951"

Section 102 Definitions

As used in this act unless the context clearly indicates otherwise the following words and phrases shall have the following meanings

(1) "Care" shall include reception detention transfer parole discharge custody care treatment maintenance support segregation education culture training discipline improvement occupation employment medical and surgical treatment and nursing food and clothing

(2) "Court" shall mean the court of common pleas or other court of record having jurisdiction or law judge thereof of the county in which the patient is or resides

(3) "Criminal" shall mean any person who has been convicted on a criminal charge and whose period of sentence has not expired or who has a criminal tendency

(4) "Criminal tendency" shall mean a tendency to repeat offenses against the law or to perpetrate new offenses as shown by repeated convictions for such offenses or tendency to habitual delinquency

(5) "Department" shall mean the Department of Welfare or such other department to which its powers and duties may be transferred

(6) "Epileptic" shall mean any person who is or is thought to be suffering from epilepsy

(7) "Inebriate" shall mean a person who is so habitually addicted to the use of alcoholic or other intoxicating or narcotic substances as to be unable or unwilling to stop the excessive use of such substances without help The term shall include "dipsomaniac" "drug addict" and "habitual drunkard"

(8) "Institution" shall mean any State or licensed place public or private for the care of patients The term shall include "mental hospital" "school" "village" and every other place by whatever name called caring for patients weather or not for compensation

(9) "Mental Defective" shall mean a person whose mental development is so retarded that he has not acquired enough self-control judgment and discretion to manage himself and his affairs and for whose welfare or that of others care is necessary or advisable The term shall include "feeble-minded" "idiot" and "imbecile" but shall not include "mental illness" "inebriate" and "senile"

(10) "Mental hospital" shall mean an institution intended primarily for the care of patients who are or are thought to be mentally ill

(11) "Mental illness" shall mean an illness which so lessens the capacity of a person to use his customary self-control judgment and discretion in the conduct of his affairs and social relations as to make it necessary or advisable for him to be under care The term shall include "insanity" "unsoundness of mind" "lunacy" "mental disease" "mental disorder" and all other types of mental cases but the term shall not include "mental defectiveness" "epilepsy" "inebriety" or "senility"

(12) "Patient" shall mean any person who is or is thought to be mentally ill mentally defective epileptic or inebriate or for whom admission to an institution is being sought or who is or has been an inmate of an institution The term shall not include a person who is "senile"

(13) "Qualified physician" shall mean a physician who has been (1) a resident of Pennsylvania for at least three years (2) licensed to practice medicine in Pennsylvania and (3) in the actual practice of medicine for at least three years or has had at least one year's experience as a physician in an institution

(14) "School" shall mean any institution for the care of mental defectives or epileptics The term shall include "village" "training school" or other institution by whatever name called for the care of such patients

(15) "Superintendent" shall mean the person in charge of the administration of an institution or person acting as such in his stead or under his direction

(16) "Transfer" shall mean the removal of a patient from one institution to another for the same kind of

patients without other procedure for admission than that prescribed by the department

(17) "Trustees" shall mean the persons organized to manage and to be responsible for an institution The term shall include "board of trustees" "board of managers" and "managers" "directors" "board of directors" The term shall not include "superintendent"

Section 103 Effective Date

The provisions of this act shall take effect on the first day of January one thousand nine hundred fifty-two except that the provisions of Article IX shall apply only to proceedings instituted on or after that date

Article II

Institutions for Patients

(a) In General

Section 201 Places for the Care of Patients

(a) In this Commonwealth patients shall be cared for

(1) In the following State institutions

Allentown State Hospital
Danville State Hospital
Farview State Hospital
Harrisburg State Hospital
Norristown State Hospital
Warren State Hospital
Wernersville State Hospital
Torrance State Hospital
Laurelton State Village
Pennhurst State School
Polk State School
Selinsgrove State Colony for Epileptics
Western State Psychiatric Institute & Clinic
Clark's Summit State Hospital
Dixmont State Hospital
Embreeville State Hospital
Hollidaysburg State Hospital
Philadelphia State Hospital
Retreat State Hospital
Somerset State Hospital
Woodville State Hospital
Mayview State Hospital
Eastern Pennsylvania Psychiatric Institute

(2) In such other institutions as may be taken over or created by the Commonwealth

(3) In such private institutions as shall have procured licenses from the department in accordance with the provisions of this act

(b) The authorities of general hospitals may set apart establish and maintain beds wards or departments for the temporary care of patients upon procuring licenses from the department in accordance with the provisions of this act

Section 202 Political Subdivisions not to Operate Institutions

No political subdivision or ward shall operate or maintain in whole or in part any institution for the care of patients except beds wards or departments in general hospitals for temporary care of patients as hereinbefore provided

(b) Private Institutions

Section 211 License Required Penalty

(a) No person shall operate an institution other than a State institution for the care of patients without having first procured from the department in accordance with the provisions of this act an annual license to operate such institution

(b) Any person who violates the provisions of this section shall upon summary conviction thereof be sentenced to pay a fine not to exceed one hundred dollars (\$100)

Section 212 Application for and Grant of License

(a) Every person other than a State institution desiring to operate an institution shall annually file with the department an application for a license

(b) The application shall be on a form prescribed prepared and furnished by the department and together with

such information as the department requires shall state

(1) The name and address of the applicant and of the trustees and superintendent of the institution and the names and addresses of all the partners or officers of a partnership or association or corporation together with the address of the principal office and state of registration organization or incorporation

(2) The location of the institution

(3) The facilities of the institution for the care of patients including sanitary and fire protection facilities

(c) Upon receipt of an application for a license the department shall make a thorough investigation of the character financial responsibility and qualifications of the applicant if the applicant is a partnership association or corporation of the officers or partners as the case may be of the trustees and superintendent of the institution the adequacy of the facilities of the institution to furnish the type of care and service specified in the application the sanitary and fire protection facilities and any other matter or thing which the department deems proper

(d) If satisfied that the applicant is qualified and responsible and that the place sought to be used as an institution is a suitable place for the care of patients and is properly equipped therefor the department shall issue a license to the applicant upon the payment of a license fee of fifteen dollars (\$15) which shall be paid into the State Treasury through the Department of Revenue Section 213 Transfer of Private Institutions to Commonwealth

Wherever the board of directors of any corporation incorporated under the laws of this Commonwealth for the purpose of the support of an institution for the care of mental defectives epileptics or mentally ill persons shall determine that it will be for the best interests of such persons then in its charge it may transfer to the Commonwealth absolute title in fee simple to all of its properties possessions and endowments real and personal together with the care of the persons then in its charge. Upon the recommendations of the Secretary of Welfare approved by the Governor the Commonwealth shall accept such transfer All moneys previously appropriated to such corporation which remain unexpended after payment of all of its debts and liabilities shall be expended by the department for the maintenance of the properties so transferred and the care of the persons housed thereon Section 214 Review of Action by Department

Any person aggrieved by any action of the department relating to his license or by rule or regulation adopted and promulgated by the department shall have the right to file a complaint with the department and to have a hearing thereon before the department Such hearings shall be conducted and the decision of the department on the issue involved shall be rendered in accordance with the provisions of the Administrative Agency Law approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) and its amendments relating to adjudication procedure Any person aggrieved by any adjudication of the department shall have the right to appeal therefrom to the Court of Common Pleas of Dauphin County and have a judicial review of such adjudication within the time and in the manner and with the same effect as is provided by the Administrative Agency Law and the Rules of Civil Procedure promulgated by the Supreme Court for judicial review of adjudication of agencies of the Commonwealth

(c) State Institutions

Section 221 Outpatient and Psychiatric Clinical Services

To promote prevention recognition and treatment of mental illness mental defect epilepsy and inebriety the department may establish extend operate maintain and provide outpatient services in conjunction with State institutions and separate psychiatric clinical services and may fix and establish charges for such services

Section 222 Relocation and Establishment of Additional Institutions

(a) The department may recommend to the Governor the establishment of new institutions for the care of

persons afflicted with any mental illness mental defect or epilepsy or the relocation of present institutions under the supervision of the department where it appears that a present institution is no longer fit for use or for reconstruction and that the conditions of its water supply sewerage location or environment justify its abandonment

(b) Upon receiving the recommendation of the department the Governor if he approves shall direct the Department of Property and Supplies to determine desirable sites within the areas recommended by the department for the erection of such institutions Such sites shall provide ample water supply and be capable of adequate sewerage and drainage Consideration shall be given to the needs for expansion over a period of fifty years The quality of soil and the acreage obtained shall be sufficient for the most productive agricultural employment of the type of persons for which the institution is planned

(c) After the Governor has approved a site from among those proposed by the Department of Property and Supplies the Department of Property and Supplies shall acquire the land and improvements thereon by purchase or by condemnation and shall proceed with the construction of necessary buildings and facilities following the recommendations of the Department of Welfare and the Governor's approval The cost of such land buildings and facilities shall be paid from appropriations made for such purpose

(d) Upon completion of the institution it shall be administered by the same board of trustees as was appointed for the institution which was relocated or in the case of a new institution by a board of trustees which shall be appointed and organized which shall conduct its affairs in accordance with the provisions of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) known as The Administrative Code of 1929 and its amendments The name for any new institution shall be selected by the department with the Governor's approval and shall be indicative of the political subdivision in or near which such institution is located

(e) Admissions and commitments to any institution established or relocated under the provisions of this section and transfer release discharge or parole therefrom shall be provided in this act

(f) The Board of Commissioners of Public Grounds and Buildings shall advertise publicly in newspapers of general circulation for offers to purchase lands and buildings no longer used by the Commonwealth for institutional purposes and may make award and execute deed of conveyance to the highest responsible bidder The board shall have the power to reject any and all bids and to postpone offer of sale from time to time The costs of sale shall be paid from the biennial appropriation for salaries and general expenses of the Department of Property and Supplies Section 223 Retransfer of Property from Commonwealth to Political Subdivisions

(a) Any property real or personal transferred to and vested in the Commonwealth in accordance with the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) and its reenactments and amendments if found unsuitable for use as a State institution or if abandoned by the Commonwealth as such an institution before substantial improvements thereto have been made shall revert to and vest in the political subdivision or ward from which transferred and the Commonwealth shall have no further claim or title thereto

(b) If any personal property originally transferred to the Commonwealth cannot be returned to the political subdivision or ward other personal property of equivalent value may be returned or the value thereof at the date of return may be paid by the Commonwealth to the political subdivision or ward from funds appropriated to the department for such purpose

Section 224 Obligation and Rights of Political Subdivisions

(a) All obligations incurred by a political subdivision or ward by reason of the erection acquisition or maintenance of an institution or of a place for the care and maintenance of indigent persons who are not patients which

were outstanding on the date that the Commonwealth took over the operation and management of such institution or place or ordered such institution or place closed in accordance with the provision of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) its reenactments and amendments shall remain the obligations of the political subdivision or ward and shall be paid in the same manner as though the operation and management still remained in the political subdivision or ward. For the payment of such obligations the authorities of such political subdivision or ward may continue to levy and collect taxes as if control and management were still vested in the political subdivision or ward.

(b) All amounts due any political subdivision or ward for the care of any patient in any institution or place for the care and maintenance of indigent persons transferred to the Commonwealth that had accrued and remained unpaid on the date that the Commonwealth took over the operation and management of the institution or place or on the date such institution or place was closed may be collected by the political subdivision or ward in the same manner as if the control and management were still vested in the political subdivision or ward.

(c) Where there is a claim against the estate of any patient both on behalf of the Commonwealth and on behalf of a political subdivision or ward and there is not sufficient in the estate to pay both claims in full payment shall be made to the Commonwealth and the political subdivision or ward in the proportion of the amount of maintenance legally recoverable by each.

Section 225 Management of Institutions Taken over from Political Subdivisions

(a) Each institution taken over by the Commonwealth from a political subdivision or ward in accordance with the provisions of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) its reenactments and amendments which the Governor has directed the department to operate and manage shall be operated and managed by the department as a State institution. The department is managing and operating any such institution shall have all the powers and perform all the duties vested in and imposed upon boards of trustees of similar State institutions by the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) and its amendments known as The Administrative Code of one thousand nine hundred twenty-nine.

(b) All patients in any institution at the time the management and operation thereof was assumed by the department shall have the same status as if originally committed or admitted to a State institution. Commitments may be made to any such institution patients may be cared for therein and transfers may be made therefrom and thereto in the same manner and in accordance with provisions of this act applying to other similar State institutions. The department shall have power to designate the counties of the Commonwealth from which commitments may be made to each institution.

Section 226 Qualifications etc of Superintendents

(a) The superintendent of every State institution shall be a physician with training or experience or both in the care of patients. In institutions for the care of female patients the superintendent shall be a woman.

(b) When adequate housing facilities exist at a State institution the superintendent shall reside there if he has a family they may reside with him. In either case the cost of maintaining the residence shall be assumed by the institution.

Section 227 Trustees' Report

The trustees of every State institution shall submit a written financial report to the Auditor General the State Treasurer and the department quarterly. The report shall contain an itemized statement of the expenses of the institution during the previous quarter. Every report shall be approved or disapproved by the department the Auditor General and the State Treasurer. If the trustees of an institution fail to submit such report or until the report

submitted by an institution is approved the State Treasurer shall not pay any money to the institution.

Section 228 Ex Officio Visitation

In addition to the visitation and inspection powers of the department the Governor the several courts of the Commonwealth and the members of the legislature shall be ex officio visitors of State institutions.

Section 229 Acceptance of Gifts

The trustees of every State institution with the approval of the department may accept grants devise or gifts of real property or any interest therein which or the income of which shall be used for the benefit of the patients of the institution or shall be devoted to the general use of the institution.

Section 230 Purposes of State Institutions

(a) The department shall mine and designate the type of patients to be admitted to and cared for in all State institutions except as otherwise provided in this section.

(b) The Farview State Hospital shall be exclusively devoted to the care of criminal patients.

(c) The Polk State School shall be exclusively devoted to the care of mentally deficient and epileptic children and shall provide separate classification for the various grades of patients.

(d) The Pennhurst State School shall be exclusively devoted to the care of mental deficient and epileptics of all ages and shall provide separate classification for the various grades of patients.

(e) The Laurelton State Village shall be exclusively devoted to the care of mentally deficient women and shall provide separate classification for the various grades of patients.

(f) The Selinsgrove State Colony for Epileptics shall be devoted exclusively to the care of epileptics.

(g) The Western State Psychiatric Institute and Clinic and the Eastern Pennsylvania Psychiatric Institute shall be devoted to study and research into the causes treatment prevention and care of the various types of nervous disorders mental illness mental defects and epilepsy. In furtherance of such purposes they shall

(1) Provide both undergraduate and graduate students studying to become general medical practitioners with a

(2) Provide regular courses of study for personnel of State institutions.

(3) Deal with the mental hygiene of the normal child in the way of study and training.

(4) Focus their activities on problems of administering mental institutions and a Commonwealth mental health program and

(5) Train and teach nurses and other personnel necessary in the care and prevention of mental illness mental defect and epilepsy.

Section 231 Special Education Training and Employment

(a) Agricultural training shall be primarily considered in the educational departments of the Laurelton State Village and the Polk State School and for male patients of the Pennhurst State School. The patients shall also be employed in agricultural pursuits directed toward the maintenance of the institutions.

(b) At the Laurelton State Village each patient shall be instructed in English and in a manual or handicraft vocation useful to her.

(c) The trustees of the Wernersville State Hospital shall provide workshops for the employment of patients and shall employ patients therein or in farm or ward work or other useful occupation directed toward the maintenance of the institution.

Article III

Admission and Commitment of Patients

(a) Voluntary Admission

Section 301 Application for Voluntary Admission

(a) Application for voluntary admission as a patient may be made

(1) By any person thought to be mentally ill to the superintendent of any mental hospital

(2) By an epileptic twenty-one years of age or older

to the superintendent of any school or institution for the care of epileptics

(3) By any inebriate to the superintendent of any mental hospital institution for the care of inebriates or of any general hospital maintaining a psychopathic department or ward

(b) Every such application shall be in writing and signed by the applicant in the presence of at least one witness

Section 302 Examination and Admission of Voluntary Patient

The superintendent receiving an application for voluntary admission shall examine the applicant. If he finds that the applicant is mentally competent to make such application and that he is in need of care and will be benefited by admission he may admit the applicant as a patient

Section 303 Admission of Inebriate Conditioned on Bond
No inebriate shall be admitted to any State institution on his voluntary application until a bond in the amount of five hundred dollars (\$500) payable to the Commonwealth conditioned on the payment of the costs of his care and maintenance at the full rate established by the Department of Revenue has been furnished to the superintendent of the institution to which he has applied for admission

Section 304 Limits of Detention of Voluntary Patients Notice to Relatives etc

(a) No person voluntarily admitted shall be detained for more than ten days after he has given written notice to the superintendent of his intention or desire to leave the institution where he is detained

(b) In any case where the superintendent finds it inadvisable to discharge a person thought to be mentally ill he shall notify the patient's friends relatives or other persons liable for his support

(b) Admission on Application etc with Qualified Physician's Certificate

Section 311 Admission by Superintendent on Application of Relative etc and Physician's Certificate

(a) Application for admission as a patient may be made in the interest of

(1) Any person who appears to be mentally ill or in such condition as to need the care required by persons who are mentally ill to the superintendent of any mental hospital or

(2) Any resident mental defective under twenty years of age and incapable of being properly educated and trained in the public schools or over twenty years of age and of such inoffensive habits as to make him a subject for classification and discipline in a school to the superintendent of any school or

(3) Any epileptic twenty-one years of age and over to the superintendent of any school or institution for the care of epileptics

(b) Application may be made by the patient's relative friend legal guardian the person having his custody or the liability for his support or by any other responsible person

(c) Every application shall be in writing on a form prescribed by the department. The applicant shall state the name sex age and residence of the patient the opinion that the patient is mentally ill mentally defective or epileptic and that the patient is a fit subject for care and will be benefited by admission the facts on which such opinions are based and any other information required by the department. If any information required is unknown to the applicant he shall so state

(d) Every application shall be accompanied by the certificate of one qualified physician in the case of a mental defective or epileptic and two qualified physicians in the case of a person thought to be mentally ill. The certificate shall not authorize the admission of the patient unless he shall be admitted within two weeks of the date thereof

(e) In the case of a person thought to be mentally ill such application and certificate shall be sworn to or affirmed before a person authorized to administer an

oath in the Commonwealth who shall certify to the genuineness of the signatures

(f) On receipt of an application and certificate the superintendent may receive and detain the person sought to be admitted as a patient

(g) The provisions of this section shall not apply to the admission of mentally defective or epileptic children sought to be admitted to any State institution from any judicial district in which there is a municipal court vested with the exclusive jurisdiction over proceedings concerning children suffering from epilepsy and nervous and mental defects

Section 312 Contents of Physician's Certificate Penalty for False Statement

(a) In every qualified physician's certificate required by this act for the admission or commitment of a patient the physician issuing the same shall state

(1) His residence

(2) That he has resided in this State for at least three years

(3) That he has been licensed to practice medicine in this State

(4) That he has been in the actual practice of medicine for at least three years or has had at least one year's experience as a physician in an institution

(5) That he is not related by blood or marriage to the patient or applicant

(6) That he is not connected in any way as medical attendant or otherwise with the institution to which application has been made for the admission of the patient

(7) That he has examined the patient with care and diligences within a week of making the certificate

(8) That in his opinion the patient is or is thought to be mentally ill mentally defective inebriate or epileptic or is in need of and will be benefited by care and the admission applied for

(9) The information relative to the patient given him by others and the facts as to the physical and mental condition and the behavior of the patient which he has observed and on which he bases his opinion and

(10) Such other information as the particular request for admission or commitment or as the department may require

(b) Any physician who falsely certifies to the mental illness mental defectiveness inebriety or epilepsy of any person or whose false certificate as to mental illness defectiveness inebriety or epilepsy of any person is proved to be the result of negligence or deficient professional skill or who signs such a certificate for pecuniary reward or promise thereof or other consideration of value or operating to his advantage other than the professional fee usually paid for such service shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not to exceed five hundred dollars (\$500) or to imprisonment not to exceed one (1) year or both

Section 313 Admission of Minor Epileptic Limit of Detention

(a) Application for admission as a patient may be made to the superintendent of any school or institution for the care of epileptics in the interest of any person under twenty-one years of age suffering from epilepsy

(b) The application shall be in writing and may be made by the epileptic's parent or guardian or other person liable for his support or by any other responsible person

(c) On receipt of the application the superintendent may receive and detain the minor epileptic as a patient. No minor epileptic so admitted shall be detained for more than ten days after the person who applied for his admission has given written notice to the superintendent of intention or desire to remove the patient

Section 314 Admission for Temporary Detention

(a) Application may be made to the superintendent of any mental hospital for admission as a patient for temporary care in the interest of any person who is or is thought to be suffering from mental illness

(b) The application shall be in writing and may be made by a relative legal guardian or friend of the person

sought to be admitted. It shall be accompanied by the certificate of at least one qualified physician which shall also state that immediate temporary care in a mental hospital is necessary for the person sought to be admitted by reason of mental illness.

(c) Upon receipt of the application and certificate which he shall retain, the superintendent may receive and detain the patient for temporary care for a period of not more than ten days.

Section 315 Examination Discharge or Further Detention of Person Temporarily Detained

(a) After admitting any person as a patient for temporary care during the ten day period of detention the superintendent shall examine such patient for further disposition.

(b) If the superintendent finds on such examination that the patient does not require such temporary care he shall either discharge him or notify the applicant for his admission to remove him.

(c) If the superintendent finds on such examination that the patient requires further care he may admit the patient on a voluntary application or he shall notify the applicant to apply for the patient's commitment by application to him or by order of court or to remove the patient.

Section 316 Admission of Violent or Dangerous Person Temporary Detention

(a) Application may be made to the superintendent of any mental hospital for admission as a patient for temporary care in the interest of any person who is violently or dangerously mentally ill or whose case is otherwise of an emergency nature.

(b) The application may be made by a relative, friend, guardian or committee of the patient and shall be evidenced by the certificate of two qualified physicians who shall also state therein that the person is violently or dangerously ill or that his case is otherwise of an emergency nature. The certificate need not be sworn to or affirmed.

(c) At the request of the applicant or one of the certifying physicians, the sheriff or a constable or police officer shall deliver the patient to the superintendent.

(d) The superintendent may admit and detain any such patient for care for a period not to exceed ten days.

Section 317 Disposition of Violent or Dangerous Person

Within ten days after the admission of any person who is violently or dangerously mentally ill or whose condition is otherwise of an emergency nature, such person shall be either:

(1) Committed by order of court of the county where the patient resides or was apprehended on application of the person who sought his temporary admission; or

(2) Admitted on his voluntary application; or

(3) Removed by the applicant for his temporary admission.

(c) Commitments Other Than Criminals Etc

Section 326 Petition for Commitment

(a) A petition may be presented to a court of the county in which a patient resides or is for the commitment of any:

(1) Person who is mentally ill to a mental hospital; or
(2) Person who is thought to be mentally ill for observation, diagnosis and treatment to a mental hospital; or

(3) Epileptic not dangerous to himself or others to an institution for the care and treatment of epileptics; or

(4) Person who by reason of epilepsy is dangerous to himself or others to a mental hospital or a State institution for epileptics; or

(5) Mental defective to a school; or

(6) Inebriate to a State or other mental hospital or institution for inebriates.

(b) The petition which shall be sworn to or affirmed may be made in the case of:

(1) A person who is mentally ill or who by reason of epilepsy is dangerous to himself or others by any responsible person; or

(2) A person who is thought to be mentally ill and in

need of observation, diagnosis and treatment by his guardian, committee, relative or friend.

(3) An epileptic not dangerous to himself or others or a mental defective by his parent or guardian or other responsible person.

(4) An inebriate by at least two citizens who shall be his spouse, parent, child, committee of the estate or next friends.

(c) Every such application or petition shall be in the form prescribed by the department. It shall state the name, sex, age and residence of the person sought to be committed, the opinion of the petitioner that such person is mentally ill, epileptic, mentally defective or inebriate, and as to whether he is a fit subject for care or needs observation, diagnosis and treatment in the type of institution to which commitment is sought, together with the facts on which such opinion is based and such other facts as the department may require. If any of the facts are unknown, the petition shall so state.

(d) Every such petition shall be accompanied by the sworn or affirmed certificate of two qualified physicians.

(e) The court shall not entertain any such petition or certificate executed more than two weeks prior to its presentation.

Section 327 Appointment of Commission by Court Powers and Duties of Commission

(a) Whenever petition is made to a court for an order for the commitment of any person thought to be mentally ill to a hospital, the court may immediately appoint a commission to inquire into and report upon the facts in the case.

(b) Such commission shall be composed of three persons: two qualified physicians and an attorney-at-law. Each member of the commission shall receive the sum of five dollars (\$5) for each day he is necessarily employed in the duty of his appointment. The attorney-at-law member shall prepare and file all necessary notices, reports and other papers and shall receive the additional sum of five dollars (\$5) for such services.

(c) The commission shall hear such evidence as may be offered or as they may require relating to the mental condition of the person sought to be committed, as well as his or his counsel's statement. If such person shall refuse to submit to an examination before the commission, the court may issue a warrant to bring him before the commission for examination.

(d) The commission shall make a written report to the court setting forth whether or not they find that the patient is in fact mentally ill and a proper subject for commitment to a hospital and the facts on which their conclusion is based.

Section 328 Hearings Commitment

(a) Upon receipt of a petition for the commitment of a patient or of the report of a commission, if one has been appointed, the court may fix a day for hearing to be held at such place as the court directs. When the hearing is to be held, the court shall notify the parties in interest. The court may require the presence of the person sought to be committed.

(b) In the case of a petition for the commitment of an inebriate, the court shall hold such hearing and shall issue its warrant for his presence before the court.

(c) If the court approves the report of a commission that the person in question is mentally ill and is a proper subject for admission to a mental hospital or is satisfied that the person sought to be committed is a proper subject for care or that the safety and welfare of the public require such commitment, the court shall make an order committing the person to the institution named in the petition and direct his removal thereto by a proper person.

(d) No order shall authorize the commitment of a patient unless he is admitted within two weeks from its date.

(e) No order shall authorize the commitment of a mental defective, inebriate or epileptic unless the superintendent or trustees of the institution to which the commitment is to be made shall approve.

(f) The order shall authorize the superintendent to de-

tain the patient until he is removed in accordance with the provisions of this act
Section 329 Detention of Inebriate

When any inebriate is committed in accordance with this act he shall remain in the institution until the superintendent certifies to the court that care is no longer beneficial or necessary to the inebriate. The court which committed him shall then order his discharge under such supervision and restriction as it may impose. No inebriate shall be detained for a period of more than one year.

Section 330 Detention of Mental Defective After Reaching Majority

When any mentally defective person has been committed to any school by a juvenile court the superintendent shall have the authority to detain such person after he reaches the age of twenty-one years. Thereafter in the discretion of the superintendent such person may be discharged or allowed a leave of absence upon the order of a court of the county in which the commitment was made.

Section 331 Disposition of Person Committed for Observation Diagnosis and Treatment

(a) Whenever the court commits a person thought to be mentally ill to a hospital for observation diagnosis and treatment it shall make such commitment for a definite period and with such limitations as it may direct.

(b) Before the expiration of the period of commitment the superintendent shall report the patient's mental condition in writing to the committing court. If the court is satisfied that he is not mentally ill it shall order his discharge. Other wise the court shall make such order for his further disposition as may seem proper.

Section 332 Copies of Application etc to Accompany Patient Filing

(a) A certified copy of every order of commitment and copies of the application or petition and certificate therefor shall accompany the patient and be given to the superintendent of the institution to which he is committed.

(b) The application certificate report of commission if any and order of the court shall be kept on file in a special docket in the court.

(d) Commitment of Criminals and Persons Charged with Crime Etc

Section 341 Commitment of Person Acquitted of Crime Because of Insanity

(a) Whenever any person charged with any crime is acquitted on the ground of insanity or having been insane at the time he committed the crime the jury shall state such reason for acquittal in its verdict.

(b) The court before which any such person has been tried may order the commitment of such person to a mental hospital on its own initiative or upon the report of a commission or for observation diagnosis and treatment in accordance with the provisions of this act for the commitment of persons who are not criminals or who have not been charged with crime.

Section 342 Commitment of Person Charged with Crime

Whenever any person charged with crime upon production or appearance before the court appears to be mentally ill or in need of care in a mental hospital the court shall designate a responsible person to apply for his commitment or for his commitment for observation treatment and diagnosis by order of such court in accordance with the provisions of this act for the commitment of persons who are not criminals or who have not been charged with crime.

Section 343 Commitment of Convicted Person in Lieu of Sentence After Report of Psychiatrist

(a) Whenever any person is convicted of a crime punishable by sentence to a penal or correctional institution the trial court may defer sentence and order a mental examination of the defendant to guide it in determining his disposition. Such action may be taken on the court's initiative or on the application of the district attorney the defendant or his counsel or other person acting in his interest.

(b) The court shall order his examination by a psychiatrist employed by the department in a State institution or otherwise. The examiner shall make a written report of his findings to the court and the report shall be available to the district attorney and counsel for the defendant. The examiner shall be paid the actual expenses incurred by him but shall receive no other compensation. The county of conviction shall pay his expenses on bills approved by the court.

(c) On the report of the examiner that the defendant is so mentally ill or defective that it is advisable for his welfare or the protection of the community that he be committed to other than a penal or correctional institution the court may commit him to a State institution for the care of such mental cases in lieu of sentence to a penal or correctional institution and direct his detention until further order of the court. If the examiner's report indicates no such mental illness or deficiency he shall be sentenced as in other cases.

(d) When a defendant is committed to an institution an appeal shall lie in the same manner and with like effect as if sentence to a penal or correctional institution had been imposed and may be taken by defendant or his counsel.

Section 344 Petition for Commitment of Prisoner or Person Released on Bail

(a) Petition for the commitment of

(1) Any person detained in any penal or correctional institution who is thought to be mentally ill or in such condition that he requires care in a mental hospital or who is thought to be a mental defective or epileptic.

(2) Any person charged with a crime and released on bail pending trial who is thought to be a mental defective or epileptic may be made to the court under the order of which such person is detained or which has jurisdiction of the charge.

(b) The application shall be in writing on a form prescribed by the department. It may be made by the superintendent warden jail physician or other executive officer of the institution in which the person sought to be committed is detained or by any responsible person whether or not he is connected with such institution.

(c) No application shall be made for the commitment of any mental defective convicted of first degree murder.

Section 345 Examination of Prisoner etc by Physicians or Commission Hearing Commitment

(a) Upon receipt of an application the court shall order and examination of the person sought to be committed by two qualified physicians or a commission. The physicians or commission shall report to the court on such examination and shall state whether the person is of criminal tendency. The report by physicians shall be by certificate and by a commission as in other cases under this act.

(b) The court may hold a hearing summon other witnesses and secure further evidence subsequent to receipt of the report of such examination.

(c) If the court is satisfied that the person sought to be committed is mentally ill mentally defective or epileptic it shall order the commitment or transfer of such person to a mental hospital or an institution for mental defectives. If the person is undergoing sentence or is found to have a criminal tendency the commitment shall be to a State hospital for the criminal insane.

Section 346 Deportation of Criminals

Whenever any person is detained in a mental hospital after having been charged with or convicted of crime and is subject to deportation from the Commonwealth under the laws of the United States the court committing such person to the mental hospital upon the petition of the superintendent of such hospital or the department may enter an order directed to the superintendent to release such person from detention into the custody of an agent of the United States for the purposes of deportation.

Section 347 Effect of Commitment on Pending Criminal Proceedings

If any person is committed while awaiting indictment or trial or has been arraigned or is being tried proceedings against him shall be stayed until his recovery. Upon

his recovery if he was previously confined in a penal or correctional institution he shall be returned upon proper order of the court to the penal or correctional institution from which he was transferred for the disposition of the charges against him. If he was committed before trial he shall be returned to the court having jurisdiction of him for trial or such other disposition of such charges as the court may make.

Section 348 Effect of Commitment on Criminal Serving Sentence

(a) If the person committed is a convict serving sentence the time during which he is committed as a patient shall be computed as part of the term for which he was sentenced.

(b) If the person committed is a convict service sentence and such sentence expires before his recovery the department may transfer him to any other institution for care until his recovery when he shall be discharged.

(c) If the person committed is a convict serving sentence and recovers before the expiration of his sentence or is found after observation not to be mentally ill mentally defective or epileptic the superintendent of the institution to which he has been committed shall certify such fact to the committing court and he shall be returned on the order of such court to the penal or correctional institution from which he was transferred.

(e) Provisions Applicable to All Commitments

Section 351 Habeas Corpus

Every commitment made under the provisions of this act may be appealed by writ of habeas corpus which may be sued out at any time by any person restrained or any one acting on his behalf.

Section 352 Superintendent of Institution to Ascertain Whether Patient Is a Veteran

(a) Whenever any person is received for care in any institution the superintendent shall endeavor to ascertain whether such person has served in the armed forces of the United States.

(b) Whenever the superintendent finds or has reason to believe that a patient received is a veteran of the armed forces of the United States he shall notify the Department of Military Affairs together with the information concerning such service.

Section 353 Commitment of Veteran to United States Veterans' Hospital

Whenever it appears that any person sought to be committed is (1) mentally ill or mentally defective (2) a veteran of any war military occupation or expedition (3) eligible for treatment in a United States Veterans' Hospital and (4) commitment to such hospital is necessary for his proper care the court may commit him to a United States Veterans' Hospital upon receipt of a certificate of eligibility from the United States Veterans' Administration.

Section 354 Superintendent Not Liable for Detention

No superintendent or other officer of any institution shall be held personally liable for the detention of any patient who has been received committed or detained in such institution in compliance with the provisions of this act.

Section 355 When Person Liable for Another's Detention

No verdict or judgment shall be entered in any action or indictment against any person who is subject to the provisions of this act and who has complied with its requirements for the detention of any person as a patient in any institution without compliance with this act unless the court after trial and verdict certifies that there was proof that the person charged acted with gross negligence or corruptly or without reasonable or probable cause or was actuated by motives other than the good of the person restrained.

Article IV

Transfer of Patients

Section 401 Transfer from One Institution to Another

(a) The department may in its discretion and for any reason which to it seems sufficient transfer any patient from any institution to which the patient has been ad-

mitted under any of the provisions of this act to any other like institution within the Commonwealth.

(b) No transfer shall be made to or from a private institution except upon the joint application of the superintendent thereof and of the legal or natural guardian or other person liable for the support of the patient.

(c) No patient under sentence by any court or committed by any court after having been charged with any crime and acquitted on the ground of insanity may be transferred without an order of such court authorizing such transfer.

(d) A voluntary patient may be transferred only if the patient has consented in writing to such transfer.

(e) Whenever any patient not a convict who has been committed by order of a court is transferred the order of commitment shall be held to apply to the institution to which the patient is transferred as though the institution had been the one to which the order of commitment had originally been made.

Section 402 Papers to Accompany Patient on Transfer

Whenever any patient is transferred certified copies of the application of the certificate of physicians or report of commission and of the order of court if any and the order of the department authorizing the transfer shall accompany the patient to the institution to which he is transferred together with a copy of all clinical records or a full abstract thereof containing all essential particulars including results of mental and physical examinations and laboratory tests relating to the patient.

Section 403 Transfer of Patient Requiring Different Care

Whenever the superintendent of any institution finds that any patient therein needs care in an institution for patients of a different kind he shall report the facts relative to the patient to the department. The department may order that application be made for the admission of the patient to any proper institution by any of the procedures provided by this act for admission of patients to such institution.

Section 404 Transfer of Non-Residents

(a) If upon investigation the department finds that any patient supported wholly or in part at the expense of the Commonwealth is not a legal resident of this Commonwealth it may by order addressed to the trustees or has been admitted return him to that State or country the superintendent of the institution to which such patient in which he has a legal residence or where he belongs.

(b) Any patient returned to another State or country shall be suitably clothed and unless he is fully competent to travel alone shall be attended by a person of his own sex who shall exercise due care over him until he has reached the destination agreed upon by the department and the proper authorities of the State or country to which he is returned. If competent to travel alone and unable to pay the costs of travel he shall be furnished with funds sufficient for sustenance and travel to the destination agreed upon.

Section 405 Interstate Agreements

The department may enter into the agreement with the authorities of other States which have legislation consistent with this act for the arbitration of disputed questions between such States and this Commonwealth respecting the residence of patients and for the return of patients to their proper residences.

Section 406 Determination of Residence by Department

Whenever any indigent patient is to be returned to the Commonwealth by the proper authorities of another State or whenever any patient is to be transferred by the department from one institution district to another the legal residence of the patient may be determined by the department and the commitment of such person shall be made in accordance with such determination. The determination of the department shall be binding unless and until changed by a court of competent jurisdiction.

Section 407 Transfer of Patient to United States Veterans' Hospital

Any veteran of any war military occupation or expedition who has been committed to an institution within the Commonwealth prior to the passage of this act who is eligible for treatment in a United States Veterans'

Hospital and who is actually confined in an institution or on parole may be transferred to a United States Veterans' Hospital by order of the superintendent of the institution in which the veteran is confined or by order of the department if such veteran is on parole or in either case by order of the court which committed the veteran

Article V

Escapes and Interstate Extradition

Section 501 Escapes

Any patient who escapes from an institution may be apprehended and returned thereto by any sheriff constable or police officer or by any officer or employee of the institution at the expense of the institution

Section 502 Application for Extradition of Escaped Patient

The Governor may upon demand deliver to the executive of any other State any patient who has escaped from an institution to which he has been admitted under the laws of such State and who may be dangerous to the safety of the public or may upon application appoint an agent to demand of the executive authority of any other State any patient who has escaped from an institution in this Commonwealth. The demand or application shall be accompanied by an attested copy of the commitment and sworn evidence of the superintendent of the institution stating that the patient demanded has escaped from the institution within six months preceding the date of the application or demand and by such further evidence as the Governor may require

Section 503 Warrant for Extradition Habeas Corpus Penalty

(a) If the Governor is satisfied that the demand conforms to law and ought to be complied with he shall issue his warrant under the seal of the Commonwealth to an officer authorized to serve warrants in criminal cases directing him at the expense of the agent who makes the demand at the time designated in the warrant to take and transport the patient to the boundary line of the Commonwealth and there deliver him to such agent. For this purpose the officer may require aid as in criminal cases

(b) No person so arrested shall be delivered to the agent of another State until he has been notified of the demand for his surrender and has had an opportunity to apply for a writ of habeas corpus if he claims the right of the officer who makes the arrest. If such writ is applied for notice thereof and the time and place of hearing shall be given to the Attorney General or district attorney for the county in which the arrest is made. Pending the determination of the court on the application for the writ the person shall be detained in custody in a suitable institution

(c) Any officer who delivers a person in his custody to an agent for extradition without having complied with the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not more than one thousand dollars (\$100)

Article VI

Discharge Leaves of Absence and Boarding Out of Patients

(a) Discharge

Section 601 Discharge by Trustees and Superintendents

(a) The trustees of any institution or the superintendent when given authority by the trustees may discharge any patient from the institution if in their or his opinion no harm will arise from the action. No patient shall be discharged until notice of the action has been given to the Department of Revenue. The following patients shall not be discharged

(1) A patient under sentence for crime or charged with crime and acquitted on the ground of insanity without an order of the court in which he was sentenced or acquitted

(2) A patient known to be homicidal or otherwise dangerous to be at large without examination by and consent of the department nor without a sufficient guar-

antee by the person liable for his support and care that the safety of the public or any individual will be safeguarded

(3) A patient whose parent guardian or friend liable for his support opposes his discharge without notice to the parent guardian or friend and an opportunity to state his reasons

(4) A mental defective or inebriate committed by order of court without the recommendation of the chief medical officer in charge and an order of the court. The provisions of this clause do not apply to a person discharged by lapse of time from leave of absence or escape or to an inebriate who has been under hospital care for one year

(5) A mental defective who prior to his transfer to an institution for mental defectives has been arraigned and convicted or in custody on a criminal charge before he might have been discharged from the penal or correctional institution from which he was originally transferred to the institution for mental defectives

Section 602 Return of Mental Defectives to Institution District

A mental defective forty-five years of age and over not having criminal tendencies and no longer requiring care in a school for mental defectives may be returned by the department upon recommendation of the superintendent and trustees to the institution district of the county to which he belongs. If committed by a court the consent of the court shall be obtained

Section 603 Discharge by Department

The department may in its discretion order and compel the discharge from any institution of any patient except a criminal under sentence or a person charged with any crime and acquitted on the ground of insanity. Before issuing such order the department shall give due notice to the trustees or superintendent of the institution wherein the patient is under care and to the person at whose instance the said patient is detained and shall give reasonable opportunity to such trustees or superintendent and person to justify further detention of the said patient

Section 604 Discharge by Order of Court

(a) Any court may order and compel the discharge of any patient committed by the court to any institution if upon hearing it appears that such discharge is for the best interest of the patient and not incompatible with the public welfare and safety

(b) Before ordering a discharge the court shall require that notice of the application be given to the Department of Revenue

(c) In making an order not in accordance with the expressed opinion of the superintendent of the institution the court shall set forth the reasons for its decision which reasons shall be part of the order. The order and reasons and the opinion of the superintendent shall be entered in the clinical record of the patient

(d) The court may in its discretion admit in evidence the sworn statement of the superintendent or the physician in charge of the patient as to the condition of the patient without requiring the appearance and personal examination of the superintendent or physician

Section 605 Discharge by Lapse of Time

(a) Any patient except a criminal under sentence or one charged with crime and acquitted on the ground of insanity who has been continuously absent with or without leave for a period of twelve months from the institution in which he was under care shall be deemed to be discharged therefrom and cannot be readmitted except as provided by this act for admission or commitment

(b) The provisions of this section shall not apply to a mental defective who is on indefinite leave of absence when away from the institution. Unless formally discharged such mental defective may be returned to the institution without a new commitment

(b) Leaves of Absence

Section 611 Leaves of Absence

(a) The superintendent of any institution in his direction may allow a leave of absence to any patient whose

condition is such as to warrant the action for a period not exceeding twelve months and upon such conditions as he may prescribe not inconsistent with the provisions for discharge of patients as provided in this act

(b) Leaves of absence may be terminated by the superintendent who may if necessary authorize the apprehension and return of the patient by any sheriff constable or police officer who shall apprehend and return the patient

(c) Boarding Out

Section 616 Boarding Out of Patients

(a) The superintendent and the board of trustees of any State institution may by contract or otherwise arrange for the boarding out of committed patients who have no criminal suicidal or homicidal tendencies who are not addicted to the use of alcohol or narcotics and who in the opinion of the superintendent and board of trustees may be otherwise suitable Such arrangements shall be made only with the approval of and subject to regulations prescribed by the department

(b) Such patients shall be considered remaining inmates of the State institution and shall be considered as on parole subject to return should the condition of the patient or other circumstances in the opinion of the superintendent and the trustees make such return necessary

(c) Subject to the approval of the department patients if physically and mentally able may earn the cost of their maintenance or a portion thereof by engaging in suitable employment

Section 617 Colonies for Mental Defectives

(a) Whenever in the judgment of the superintendent and trustees of any State institution for mental defectives there is a group of patients in such institution of such a character that their interests and the interests of the Commonwealth would be better served through their colonization in a colony outside of the institution and if such a colony can be established without damage to private property or detriment to the public welfare these facts may be brought to the attention of the department

(b) If the department approves it may authorize the superintendent with the approval of the trustees of the institution to establish a colony by the rental or purchase of suitable property

(c) The patients of the colony may be employed on and about the premises of the colony or under supervision by residents of the community Strict account shall be kept by the treasurer of the institution of the cost of administration thereof of wages of the patients and any other direct compensation paid to them and of all financial transactions of the colony The superintendent and the ment shall determine the wages of the patients the portrustees of the institution with the approval of the department of the wages to be paid the Commonwealth as maintenance reimbursement the portion to be set aside for the benefit of the patients of the institution or colony and the portion to be paid the patient

Article VII

Costs

(a) In General

Section 701 Liability for Costs of Care of Patient

Except as otherwise specifically provided in this act liability for all costs of care of any patient in any institution is hereby imposed in the following order against

- (1) The patient's real and personal property
- (2) The persons liable for the patient's support
- (3) The Commonwealth or in the case of an inebriate the county or institution district in which he resides

Section 702 Liability for Costs of Care of Convicted Criminal Patient Undergoing Sentence

(a) Liability for all costs of care of any convicted criminal undergoing sentence prior to the expiration of the term of such sentence is hereby imposed in the following order against

- (1) The county in which such patient was convicted

- (2) Such patient's real and personal property

- (3) The persons liable for such patient's support

(b) Any county paying any costs may recover the same from the patient's estate or the persons liable for his support but not from the institution district of his residence

Section 703 Court Order for Payment of Costs

(a) When any patient is committed by order of court the committing court at the time of commitment shall make an order for the payment of the costs of care of the patient

(b) When any patient is or has been admitted to any institution any court of the county in which the patient resided prior to his admission shall have power to make an order for the payment of the costs of care of the patient

(c) Before making any order the court shall take into consideration the ability to pay of the patient or the persons liable for his support

(d) Any court having the power or duty to make an order shall have the power or duty to modify or revise the order from time to time on cause shown

(e) Every order shall be entered in the prothonotary's office and shall have the effect of a judgment

Section 704 Reports of Guardians etc to Department of Revenue

(a) Every trustee committee guardian or other person nominated or appointed to take charge of the estate of any patient in any State institution or of any patient receiving public funds in any private institution within three months after his appointment shall make a report under oath to the Department of Revenue what changes if any there are in the estate

(b) Every executor or administrator of any deceased patient in any State institution or of any patient receiving public funds in any private institution within three months after letters testamentary or of administration have been issued shall make a true full and complete report under oath to the Department of Revenue of the extent and character of the estate

(c) Whenever any fiduciary shall file in any court an account of his administration of such property or estate he shall file a duplicate of his account with the Department of Revenue No account shall be confirmed except upon proof to the court of the filing of a copy with the Department of Revenue The fiduciary shall also notify the Department of Revenue when where and by whom his account will be audited No report of the auditor or final adjudication thereof by any court shall be confirmed except after proof to the court of the giving of such notice

(d) Any person failing to make any report to the Department of Revenue hereby required shall be personally liable for such amount due the Commonwealth which amount may be recovered by suit brought in the Justice in the same manner as other debts are recoverable name of the Commonwealth through the Department of Section 705 Investigation of Financial Status of Patient

Whenever any person is maintained as a patient in any institution wholly or in part at the expense of the Commonwealth the Department of Revenue may investigate the financial ability of the patient or of the person liable for his support to defray the expenses of his care in whole or in part If upon investigation by the Department of Revenue it appears that the patient's estate or the financial ability of the persons liable for his support are such that the full cost of his care or a part thereof can be paid the Department of Revenue shall require the payment of same if the patient was admitted upon voluntary application or if the patient was committed by order of court the Department of Revenue through the Department of Justice shall ask the court to revise its order so as to provide for the payment of the care in full or in part as the case may be

Section 706 Collection of Costs

(a) All moneys due the Commonwealth from the estate of a patient or the persons liable for the patient's support for his care in an institution owned and operated by the Commonwealth shall be collected by the Department of Revenue as collection agency for such institution and

shall be promptly transmitted by the Department of Revenue to the State Treasurer

(b) Where there is a claim against the estate of any indigent patient or the persons liable for his support on behalf of any political subdivision or ward for his care in any institution either owned and operated by the Commonwealth or prior to its transfer to the Commonwealth owned and operated by such political subdivision or ward the political subdivision or ward shall collect such claim from said estate

(c) Where there is a claim against the estate of any indigent patient or the persons liable for his support both on behalf of the Commonwealth and on behalf of any political subdivision or ward and there is not sufficient in the estate to pay the claim in full the same shall be paid pro rata to the Commonwealth and to the political subdivision or ward in proportion to the amount of their respective claims

(d) For amounts due the Commonwealth from the counties for the care of criminal patients in an institution owned and operated by the Commonwealth the Department of Revenue after the last day of each calendar month shall promptly transmit to the county commissioners of the several counties a certified account of the expenses of the care of such patients for the calendar month together with an order payable to the Department of Revenue drawn on the county commissioners of the county who shall accept and promptly pay same to the Department of Revenue

(b) Admission and Commitment

Section 716 Admission and Commitment Costs

Costs of admission and commitment shall include

- (1) Removal of the patient to the institution
- (2) Fees of physicians or commission
- (3) All other necessary expenses incurred in connection with such admission or commitment

Section 717 Payment of Costs of Commitment Proceedings Adverse to Petitioners

When any commission appointed by a court to report on the mental illness of any person finds that the person is not mentally ill or is not a fit subject for care in an institution or otherwise reports adversely to the petitioners for the commitment the appointing court may impose the costs of the proceedings upon the county in which such person resides

Section 718 Payment of Costs of Admission and Commitment When Patient etc Unable

Whenever the patient or persons liable for his support are unable to pay the whole or any part of the costs of his admission or commitment the institution district of which the patient is a resident shall be liable for the unpaid amount of such costs

Section 719 Patient Detained for Temporary Care

(a) Costs of admission of any person admitted to an institution for temporary care shall include those for his maintenance during the temporary period and removal if he is removed during the period The person applying for temporary detention shall be liable for the costs

(b) When any patient admitted for temporary care is committed the costs of the commitment shall include the expenses incident to his admission for temporary care

Section 720 Costs of Admission of Dangerous Person

(a) The applicant for the admission of any patient who is alleged to be dangerous or violent or whose case is otherwise of an emergency nature shall be liable for the costs of his admission or commitment

(b) If the applicant does not have the patient committed during the period of temporary detention or does not remove him and if the patient is not voluntarily admitted the applicant shall be liable for all costs incident to the care of the patient in the institution

Section 721 Costs of Commitment of Persons Charged with Crime etc Not Undergoing Sentence

(a) The costs of commitment and removal to or from a mental hospital of any person charged with a criminal offense but who is not in custody or who is arraigned or brought before the court under any other circumstances

or of any prisoner who before or during trial is found or thought to be mentally ill or in such condition as to make it necessary that he be cared for in a mental hospital shall be paid by the county in which the person or prisoner is committed

(b) Whenever any person convicted of any crime but not sentenced or charged with any crime and acquitted on the ground of insanity is committed to any mental hospital the costs of commitment and of removal to or from the hospital shall be paid by the county in which the crime was committed

(c) In any case the county may recover costs paid by it from the estate of the patient or from the persons liable for his support but not from any institution district

(c) Maintenance

Section 726 Mental Defectives and Epileptics in Schools

(a) No superintendent or any school shall accept an application for the admission of any mental defective or epileptic until the Department of Revenue has fixed the amount if any to be paid for the maintenance of the patient The amount shall be fixed according to the ability to pay of the parent of the patient or according to the value of his estate Payment of the amount so far as there is ability to pay shall be required as a condition to the admission or detention of the patient The amount may be changed from time to time by the Department of Revenue upon its receiving further information concerning ability to pay

(b) When neither the patient nor his parent has the ability to pay for his maintenance in the school his maintenance at the school shall be provided for by annual appropriations at such per capita rates as shall be appropriated by the General Assembly on the application of the trustees after submission to and approval by the department

(d) Transfer

Section 731 Costs of Transfer

Whenever any patient is transferred under the provisions of this act the cost of transfer or removal shall be paid by the patient or by the persons liable for his support if the transfer was made at the request of such person Otherwise the costs shall be paid out of the appropriations for the care treatment and removal of indigent persons made to the department

Section 732 Costs of Returning Non-Residents

The actual expenses of returning a patient who is a non-resident of the Commonwealth to the place of his residence shall include travel costs and sustenance during travel All costs shall be paid by the Commonwealth

(e) Leave of Absence and Discharge

Section 736 Costs of Return Leave of Absence

Whenever the leave of absence of any patient is terminated by a superintendent the costs incurred by any sheriff constable or police officer in apprehending and returning the patient shall be paid by the person in whose charge the patient was allowed to leave If such person is unable to pay the costs they shall be paid by the person liable for the costs of care charged to the patient

Section 737 Payment of Traveling Expenses of Certain Patients Discharged

If any patient in an institution is ordered by the department to be discharged and such patient and the persons liable for his support are financially unable to pay the costs relating to discharge the superintendent of the institution shall pay his traveling expenses to his home The institution shall be reimbursed by the Commonwealth from current appropriations

(f) Other Costs

Section 741 Expenses of Extradition

If the application for the arrest of a patient escaped from any institution in this Commonwealth to another State is granted and an agent is appointed for the purpose of returning the patient the account of the agent shall be

paid by the institution from which the patient escaped but the Governor may direct the whole or any part of the account to be paid by the Commonwealth

Section 742 Costs of Habeas Corpus Proceedings

The respondent in any writ of habeas corpus shall be liable for the costs and charges of every habeas corpus proceeding instituted on behalf of any patient unless the court certifies that there were sufficient grounds for detaining the patient

Article VIII

Miscellaneous Provisions Relating to Patients and Institutions

(a) Patients

Section 801 Rights of Patient

Every patient in any institution shall have the right

(1) To communicate with and to be alone at any interview with his counsel or representative of the department

(2) To religious freedom and to be visited by any minister of any religious denomination Religious services rendered by such minister shall be personal to the patient desiring the same and shall not interfere with the established order of religious services in the institution

(3) To be employed at a useful occupation in so far as the condition of the patient may permit and the institution is able to furnish useful employment to the patient

(4) In the discretion of the superintendent to sell articles the product of his individual skill and labor and the produce of any small individual plot of ground which may be assigned to and cultivated by him and to keep or expend the proceeds or send the same to his family

(5) To be furnished with writing materials and reasonable opportunity in the discretion of the superintendent for communicating under seal with any person outside of the institution Communications shall be stamped and mailed

(6) To be discharged as soon as he is restored to reason and competent to manage his own affairs

(7) To be visited and examined at all reasonable hours by any medical practitioner designated by him or by any member of his family or "near friend" with the sanction of a court of the county in which he resided prior to his commitment to such institution With the consent of the patient and of the superintendent the medical practitioner may attend the patient for all maladies other than mental illness in the same manner as if the patient were in his own home

Section 802 Habeas Corpus

(a) Any patient or person acting on his behalf may petition any court for a writ of habeas corpus on the grounds that the patient is unjustly deprived of his liberty The petition shall be in writing and shall be sworn to or affirmed

(b) On the petition the court shall issue a writ of habeas corpus requiring the patient to be brought before the court for a public hearing where the question of his mental illness mental deficiency epilepsy or inebriety may be determined The burden of proof shall rest upon the persons responsible for his admission or commitment

Section 803 Female Patients

(a) Whenever any female patient is to be removed to or from her home or any institution and whenever any such patient is transferred she shall be accompanied by a female attendant unless such patient is accompanied by a member of her family

(b) The court committing such patient or if such patient has not been committed by the court the persons liable for her support shall provide a female attendant for her

Section 804 Employment of Patients

(a) All inmates of any institution which is wholly or in part maintained by the Commonwealth may make manufacture or produce supplies manufactured articles goods and products for the institution or for the Commonwealth or for any political subdivision or any State institution or any educational or charitable institution receiving aid from the Commonwealth

(b) All the manufactured goods manufactured in in-

stitutions shall bear a stamp giving the full name or title of the institution wherein the goods were manufactured

(c) Supplies manufactured articles goods and products so made manufactured or produced may be sold or exchanged to or with the Commonwealth or any political subdivision or any State institution or any educational or charitable institution receiving aid from the Commonwealth In the case of State institutions the proceeds of any sales of products shall be collected by the Department of Revenue to be by it transmitted to the State Treasurer Each board of trustees shall keep an accurate record of the dates quantities and prices of all sales made hereunder which record shall at all times be subject to examination and audit by the Auditor General

(d) Any trustee or superintendent or other person connected with the management or control of any institution who violates any of the provisions of this section by permitting any supplies manufactured articles goods or products to be sold or exchanged in any other way except as herein provided shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred dollars (\$500.00)

Section 805 Effect of Admission etc to United States Veterans' Hospital

Any veteran after admission to a United States Veterans' Hospital either upon commitment or transfer under the provisions of this act shall be subject to the rules and regulations of such hospital The chief officers thereof or of any similar United States Veterans' Hospital to which the veteran may thereafter be transferred shall be vested with the same powers authorized by law to be exercised by a superintendent in this Commonwealth with reference to retention of custody or of discharge of the veteran so committed or transferred Any discharge granted by such chief officer upon a certificate of sanity shall have the same effect as that granted by a superintendent or by the department under the provisions of this act

(b) Officers of Institutions

Section 811 Statement of Officer of Institution as to Condition of Patient

Whenever the superintendent or any physician or psychiatrist of any State-owned mental hospital or manager of a veterans' administration hospital is required to appear and testify before any court or commission issued out of such court in a civil proceeding relating to the mental condition of any patient in his charge in such hospital the deposition of or sworn statement by such superintendent manager physician or psychiatrist may be admissible in evidence as to the condition of the patient in lieu of the appearance and testimony of the superintendent manager physician or psychiatrist

Section 812 Payment of Cash Balance to Patient at Discharge

Upon discharge from an institution the superintendent shall determine whether any balance to the credit of a patient shall be immediately paid over to the discharged patient or his guardian or shall be held in trust by the treasurer of the institution until such time as in the judgment of the department it would serve the best interests of the patient to pay to him or to his guardian the balance or any part thereof

(c) Penalties

Section 821 Penalty for Furnishing Liquor

Any person who delivers or causes to be delivered any alcoholic or other intoxicating or narcotic substance to any patient in any institution or psychopathic department or ward of a general hospital without tre knowledge or consent of the superintendent thereof is guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not to exceed fifty dollars (\$50) or to undergo imprisonment not to exceed three months or both

Section 822 Penalty for Furnishing Weapons

Any person who directly or indirectly sells gives or furnishes to any patient in any institution any weapon or other instrument which may be used to injure any person in such institution is guilty of a felony and upon conviction thereof shall be sentenced to pay a fine not to

exceed one thousand dollars (\$1,000) or to undergo imprisonment not to exceed five years or both

Article IX

Guardian Of The Person

(a) Appointment

Section 901 Petition for Appointment of a Guardian of the Person

(a) When any person domiciled in this Commonwealth is or is thought to be mentally ill mentally defective epileptic or inebriate any of his relatives by blood or marriage or other responsible person may petition the court of the county of his residence for the appointment of a guardian of the person for him in the interest of his safety and well-being

(b) Upon receipt of any petition after notice to the person alleged to be mentally ill mentally defective epileptic or inebriate and to such other persons as the court may direct the court shall set a day for a hearing

(c) The person for whom the guardian is requested shall be present at the hearing unless the court is satisfied by the presentation of positive testimony that he cannot be brought into court with safety to himself

Section 902 Jury Trial on Request

Any person in whose interest a proceeding for the appointment of a guardian of the person has been taken shall be entitled to a trial by a jury on the fact of his alleged mental illness mental defectiveness epilepsy or inebriety

Section 903 Appointment of Guardian Exclusiveness

(a) If the court finds after hearing or trial that the appointment of a guardian of the person is necessary for the safety and well-being of the person in whose interest the petition has been presented it shall appoint a guardian

(b) When a court has appointed a guardian of the person in accordance with this act no other court shall appoint a similar guardian within the Commonwealth

Section 904 Qualification for Appointment as Guardian

The court shall not appoint any natural person as guardian of the person who is less than twenty-one years of age or who is not qualified to have the care and custody of the ward Any institution maintaining or having the care and custody of the patient may be appointed guardian of the person

(b) Removal Discharge

Section 911 Grounds for Removal

The appointing court shall have exclusive power to remove a guardian of the person when

(1) He has failed to perform any duties imposed by law or

(2) He has been adjudged mentally ill mentally defective inebriate or epileptic or

(3) He has become unable to discharge the duties of his office because of sickness or physical or mental incapacity or

(4) He has removed from the Commonwealth or has ceased to have a known place of residence therein or

(5) For any other reason the interests of the person for whom he has been appointed guardian are likely to be jeopardized by his continuance in office

Section 912 Removal of Guardian

The court on its own motion may and on the petition of any interested person alleging adequate grounds for removal shall order the guardian to appear and show cause why he should not be removed or when necessary to protect the ward may summarily remove him Upon removal the court may appoint a new guardian of the person for the ward Any guardian summarily removed may apply by petition to have the decree of removal vacated and to be reinstated and if the court vacates the decree of removal and reinstates him it shall make any orders appropriate to accomplish the reinstatement

Section 913 Discharge of Guardian

The appointing court shall have exclusive power to discharge by appropriate order any guardian of the person

(1) Upon petition of and proof by the ward that he is

no longer mentally ill mentally defective epileptic or inebriate or

(2) Upon petition of the guardian while the ward is still mentally ill mentally defective epileptic or inebriate accompanied by a petition for the appointment of a new guardian or by proof that no new guardian need be appointed No guardian shall be discharged on his own petition until the court appoints a substitute guardian or determines that no new guardian need be appointed

(c) Duties and Authority of Guardian

Section 916 Orders for Care and Custody

When a court has appointed a guardian of the person for any one found to be mentally ill mentally defective epileptic or inebriate it may make and modify such orders for his care and custody as it deems necessary

Section 917 Filing of Inventory

If no guardian of the estate has been appointed for the ward the guardian of the person within forty days of his appointment shall file in the office of the prothonotary an inventory complete to his knowledge of all the property of the ward and shall file a supplemental inventory for any other such property which afterwards comes into his possession

Section 918 Filing Account

Whenever a guardian of the person is appointed separately from a guardian of the estate for a person mentally ill mentally deficient epileptic or inebriate he shall settle an account of his transactions as such in the office of the prothonotary whenever the appointing court so orders

(d) Costs

Section 921 Costs of Proceedings for Appointment etc of Guardian of the Person

(a) In every proceeding for the appointment of a guardian of the person under this act the appointing court shall order payment of the costs of proceeding by any of the interested parties in such proportions as it may direct

(b) Whenever in such a proceeding the court finds the petition for a guardian of the person unfounded or unnecessary it shall order payment of all costs by the petitioner

Article X

Repeals

Section 1001 Specific Repeals

The following acts and parts of acts and all amendments and reenactments thereof are hereby repealed to the extent hereinafter specified

(1) Acts Relating to Mental Health Generally

Section three seven ten and eleven of the act approved the twentieth day of April one thousand eight hundred sixty-nine (P. L. 78) entitled "An act to provide for the admission of certain classes of the insane into hospitals for the insane in this Commonwealth and their discharge therefrom" absolutely

The act approved the twenty-seventh day of April one thousand eight hundred seventy-four (P. L. 114) entitled "An act to make appropriations for the Pennsylvania State Lunatic Hospital at Harrisburg" absolutely

The act approved the twenty-third day of March one thousand eight hundred seventy-six (P. L. 8) entitled "A further supplement to an act to provide for the admission of certain classes of the insane into hospitals for the insane in this Commonwealth and their discharge therefrom approved April twentieth Anno Domini one thousand eight hundred and sixty-nine" absolutely

The act approved the eighth day of May one thousand eight hundred eighty-nine (P. L. 127) entitled "An supplement to the act of April twentieth one thousand eight hundred and sixty-nine entitled 'An act to provide for the admission of certain classes of the insane into hospitals for the insane in this Commonwealth and their discharge therefrom' fixing the amount of compensation to be paid to the commissioners appointed under section six of said act and declaring who shall be liable therefor and for the costs of proceedings under said section" absolutely

The act approved the twenty-first day of May one thousand eight hundred eighty-nine (P. L. 258) entitled "A supplement to an act 'to provide for the care and treatment of the indigent insane of the several counties of the Commonwealth in State hospitals for the insane' approved the thirteenth day of June Anno Domini one thousand eight hundred and eighty-three" absolutely

The act approved the twenty-fifth day of June one thousand eight hundred ninety-five (P. L. 270) entitled "An act to define who shall be responsible for the maintenance of patients placed in hospitals for the insane by courts and judges in the different counties of this Commonwealth" absolutely

Sections two and three of the act approved the eighteenth day of July one thousand nine hundred one (P. L. 674) entitled "An act to carry out the provisions of acts of Assembly relating to the care and treatment of the indigent insane approved the thirteenth day of June one thousand eight hundred and eighty-three and the twenty-second day of June one thousand eight hundred and ninety-one and the twenty-sixth day of June one thousand eight hundred and ninety-five and the twenty-fifth day of May one thousand eight hundred and ninety-seven and the tenth day of May one thousand eight hundred and ninety-nine and making an appropriation therefor and providing for an additional appropriation for the care and detention of chronic insane under the provisions of the act approved the twenty-second day of June one thousand eight hundred and ninety-one during the two fiscal years beginning June first one thousand nine hundred and one" absolutely

The act approved the sixteenth day of April one thousand nine hundred three (P. L. 211) entitled "An act to authorize and provide for the commitment of persons habitually addicted to the use of alcoholic drink or intoxicating drugs to a proper hospital or asylum for restraint care and treatment" absolutely

The act approved the twenty-eighth day of May one thousand nine hundred seven (P. L. 290) entitled "An act to provide for the employment of the insane feeble-minded and epileptic persons confined in institutions wholly or in part maintained by the State for the care and treatment of the insane feeble-minded and epileptic persons and providing for the distribution of the supplies manufactured articles goods and products made in State institutions for the care of the insane feeble-minded and epileptic persons" absolutely

The act approved the twentieth day of June one thousand nine hundred eleven (P. L. 1076) entitled "An act permitting in certain cases imposition of costs upon the proper county in proceedings for the commitment of an alleged insane person" absolutely

The act approved the twenty-fifth day of July one thousand nine hundred thirteen (P. L. 1306) entitled "An act to provide for the selection of a site and the erection of a State institution for the detention care and treatment of inebriates or persons habitually addicted to the use of alcoholic drink or intoxicating drugs to be called the State Institution for Inebriates and making an appropriation therefore" absolutely

Sections one through six and section eight of the act approved the fourteenth day of April one thousand nine hundred fifteen (P. L. 120) entitled "An act relating to persons habitually addicted to the use of alcoholic or drugs and providing for the care and treatment of such persons at the expense of the county and State if indigent" absolutely

The act approved the first day of June one thousand nine hundred fifteen (P. L. 661) entitled "An act relating to the maintenance of insane feeble-minded and other persons confined in the various institutions of the Commonwealth fixing liability for their support providing for the collection of the moneys due the Commonwealth therefor and for proceedings relating thereto" in so far as inconsistent with the provisions of this act

The act approved the twenty-sixth day of April one thousand nine hundred seventeen (P. L. 106) entitled "An act authorizing trustees of the insane or directors or overseers of the poor to provide a building or rooms

for the care treatment and maintenance of persons temporarily mentally deranged" absolutely

Section two of the act approved the twenty-fifth day of July one thousand nine hundred seventeen (P. L. 1212) entitled "A supplement to an act approved the twenty-fifth day of July one thousand nine hundred and thirteen entitled 'An act to provide for the selection of a site and the erection of a State institution for the detention care and treatment of inebriates or persons habitually addicted to the use of alcoholic drink or intoxicating drugs to be called the State Institution for Inebriates and making an appropriation therefor' making an appropriation and providing for the admission of patients to said institution and providing for the payment of the costs and fees of hearings and of maintenance of patients by the respective counties" absolutely

The act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 998) entitled "An act for the prevention and treatment of mental diseases mental defect epilepsy and inebriety regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics governing the transfer discharge interstate rendition and deportation of mental patients providing for the payment by individuals counties or the Commonwealth of the cost of the admission care and discharge of mental patients and imposing penalties" absolutely

The act approved the eleventh day of April one thousand nine hundred twenty-nine (P. L. 487) entitled "An act authorizing the Department of Welfare to determine the legal residence of indigent insane feeble-minded and epileptic persons returned to this Commonwealth by the authorities of another State or transferred from one poor district to another by the department and requiring the proper district to pay the costs of the care and treatment of such persons in accordance with the laws relating to indigent insane persons" absolutely

The act approved the twenty-sixth day of March one thousand nine hundred thirty-one (P. L. 8) entitled "An act empowering courts to order the release of criminal insane for deportation by the United States" absolutely

The act approved the second day of May one thousand nine hundred thirty-three (P. L. 224) entitled "An act providing for the deferring of sentences in certain cases pending the mental examination of defendants authorizing trial judges to require psychiatrists employed by the Department of Welfare or county or State mental hospitals to examine certain such defendants without additional compensation except expenses payable by counties providing for the commitment of defendants to certain institutions where the reports show the same to be advisable and providing for the payment by individuals counties or the Commonwealth of the cost of admission care and discharge of such defendants" absolutely

The act approved the fifteenth day of July one thousand nine hundred thirty-five (P. L. 1005) entitled "An act requiring authorities in charge of State State-aid or county institutions offering treatment to mental patients to furnish certain information to the Department of Military Affairs" absolutely

Section two through 8.1 inclusive of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) entitled "An act relating to institutions of counties cities and institution districts for the care maintenance and treatment of mental patients providing for the transfer of such institutions to the Commonwealth providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the retransfer of certain property to institution districts under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities and institution districts certain powers and duties prohibiting cities counties and institution districts from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws" absolutely

The act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 815) entitled "An act authorizing the Department of Welfare with the approval of the Governor to establish additional institutions or to relocate present institutions for the care and treatment of persons afflicted with mental disorders or for the detention of persons sentenced by the courts authorizing the Department of Property and Supplies to acquire by purchase or condemnation certain sites for such institutions and to improve or erect buildings thereon providing for the administration of relocated of new institutions and empowering the Board of Commissions of Public Grounds and Buildings to dispose of institutions no longer used" in so far as it relates to institutions for the care of persons afflicted with mental disorders

The act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1190) entitled "An act authorizing the transferring to the Commonwealth of the properties and possessions of corporations formed for the support of a hospital for the insane and the disposition of unexpended moneys theretofore appropriated to such corporations" absolutely

The act approved the twenty-third day of May one thousand nine hundred forty-seven (P. L. 293) entitled "An act permitting certain personnel of State-owned mental hospitals to certify as to the condition of mental patients in lieu of attendance in person before any court in certain cases" absolutely

(2) Acts Relating to the Appointment Etc of a Guardian of the Person for Persons Mentally Ill Mentally Defective Epileptic or Inebriate

Sections one through fourteen sixteen through nineteen forty-one forty-two and sixty-three through sixty-seven of the act approved the thirteenth day of June one thousand eight hundred thirty-six (P. L. 589) entitled "An act relating to lunatics and habitual drunkards" in so far as inconsistent with the provisions of this act

Section two of the act approved the sixteenth day of April one thousand eight hundred forty-nine (P. L. 663) entitled "A supplement to the act relating to lunatics and habitual drunkards to punish aldermen and justices of the peace for misdemeanor relating to arbitrations in the district court in the city and county of Philadelphia relative to deeds of assignment relative to judgments liens relating to limitation of actions and relating to liens and terre tenants and for the more effectual punishment of the crime of arson" absolutely

Section seven of the act approved the fifteenth day of April one thousand eight hundred fifty-one (P. L. 713) entitled "An act to annul the marriage contract between William Mead and Eliza his wife to the uniformed militia of Perry and Luzerne counties to the Cumberland Valley Railroad to the sale of the real estate of John Berge deceased to lunatics and habitual drunkards and to the Susquehanna Canal Company" absolutely

The act approved the eighth day of May one thousand eight hundred seventy-four (P. L. 122 (Act. No. 55)) entitled "An act limiting the time within which inquisitions of lunacy or habitual drunkenness may be traversed" absolutely

The act approved the tenth day of June one thousand eight hundred ninety-seven (P. L. 137) entitled "An act giving priority in the trial of lunacy cases traversing inquisitions of sheriff's juries in the courts of this Commonwealth" absolutely

The act approved the fifteenth day of July one thousand eight hundred ninety-seven (P. L. 301 (Act No. 234)) entitled "An act regulating applications for commissions to inquire into the lunacy or habitual drunkenness of inmates of any soldiers' and sailors' home almshouse home for the friendless or other charitable institutions" absolutely

(3) Acts Relating to the Several State Institutions

The act approved the fourth day of March one thousand eight hundred forty-one (P. L. 57) entitled "An act to establish an Asylum for the Insane of this Commonwealth" absolutely

Sections two through seventeen of the act approved the

fourteenth day of April one thousand eight hundred forty-five (P. L. 440) entitled "An act to establish an asylum for the insane poor of this commonwealth to be called 'The Pennsylvania State Lunatic Hospital and Union Asylum for the Insane'" absolutely

The act approved the eleventh day of April one thousand eight hundred forty-eight (P. L. 535) "A supplement to the act to establish an asylum for the insane poor of this commonwealth passed April fourteenth one thousand eight hundred and forty-five" absolutely

The act approved the seventh day of April one thousand eight hundred forty-nine (P. L. 462) entitled "A further supplement to the act relative to the Pennsylvania State lunatic hospital passed April fourteenth one thousand eight hundred and forty-five" absolutely

Section five of the act approved the eighth day of April one thousand eight hundred sixty-one (P. L. 248) entitled "A supplement to the several acts of Assembly relative to the Pennsylvania State Lunatic Hospital" absolutely

The act approved the twenty-seventh day of March one thousand eight hundred seventy-three (P. L. 54) entitled "An act to organize the State Hospital for the insane at Danville and provide for the government and management of the same" absolutely

Sections one two and four through twelve of the act approved the fifth day of May one thousand eight hundred seventy-six (P. L. 121) entitled "An act to provide for the selection of a site and the erection of a state hospital for the insane for the city and county of Philadelphia and the counties of Bucks Montgomery Delaware Chester Northampton and Lehigh to be called the State Hospital for the Insane for the South-eastern District of Pennsylvania and for the management of the same" absolutely

The act approved the eighth day of June one thousand eight hundred eighty-one (P. L. 83) entitled "An act to organize the state hospital for the insane at Warren Pennsylvania" absolutely

Sections one two and four through seventeen of the act approved the twenty-second day of June one thousand eight hundred ninety-one (P. L. 379) entitled "An act to provide for the selection of a site and the erection of a State asylum for the chronic insane to be called the State asylum for the chronic insane of Pennsylvania and making an appropriation therefor" absolutely

Sections one two four through ten seventeen through twenty of the act approved the third day of June one thousand eight hundred ninety-three (P. L. 289) entitled "An act to provide for the selection of a site and the erection of a State institution for the feeble minded to be called the Western Pennsylvania State Institution for the Feeble Minded and making an appropriation therefor" absolutely

Sections one two four through twelve of the act approved the eighteenth day of July one thousand nine hundred one (P. L. 737) entitled "An act to provide for the selection of a site and the erection of a State Hospital for the treatment of the insane under homeopathic management to be called the Homeopathic State Hospital for the Insane and making an appropriation therefor" absolutely

Sections one two four through nine sixteen eighteen nineteen of the act approved the fifteenth day of May one thousand nine hundred three (P. L. 446) entitled "An act to provide for the selection of a site and the erection of a State Institution for the Feeble-Minded and Epileptic to be called The Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor" absolutely

Sections one two four through thirteen of the act approved the eleventh day of May one thousand nine hundred five (P. L. 400) entitled "An act to provide for the selection of a site and the erection of a State Hospital for the treatment and care of the criminal insane to be called the State Hospital for the Criminal Insane and making an appropriation therefor" absolutely

The act approved the twentieth day of June one thousand nine hundred eleven (P. L. 1090) entitled "An act

supplementing an act approved the fifteenth day of May Anno Domini one thousand nine hundred and three entitled 'An act to provide for the selection of a site and the erection of a State Institution for the Feeble-Minded and Epileptic to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor' by abolishing the commission therein established providing for the completion of said institution regulating the powers of the board of trustees and repealing the tenth and seventeenth sections thereof" absolutely

Section one of the act approved the twelfth day of June one thousand nine hundred thirteen (P. L. 494) entitled "An act supplementing and amending an act entitled 'An act to provide for the selection of a site and the erection of a State Institution for the Feeble-Minded and Epileptic to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor' approved the fifteenth day of May Anno Domini one thousand nine hundred and three prescribing the purposes of said institution amending the ninth and thirteenth sections of said act so as to extend the powers of the trustees of said institution and provide for the method of admission to said institution and of discharge therefrom providing that the court may make orders for the payment for the care and maintenance of certain inmates providing for the payment for the care and maintenance of indigent inmates of said institution by the Commonwealth and the payment of the costs of all committals thereto by the several counties authorizing transfers of idiotic feeble-minded and epileptic persons to and from said institution and repealing the eleventh twelfth fourteenth and fifteenth sections of said act and repealing section two of an act entitled 'An act supplementing an act approved the fifteenth day of May Anno Domini one thousand nine hundred and three entitled "An act to provide for the selection of a site and the erection of a State Institution for the Feeble-Minded and Epileptic to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor" by abolishing the commission therein established providing for the completion of said institution regulating the powers of the board of trustees and repealing the tenth and seventeenth sections thereof' approved the twentieth day of June Anno Domini one thousand nine hundred and eleven" absolutely

Sections one two four through eleven of the act approved the twenty-fifth day of July one thousand nine hundred thirteen (P. L. 1319) entitled "An act to establish a State village for feeble-minded women providing for the appointment of a board of managers to select a tract of land for that purpose in the State forest reserve and to erect and furnish buildings on the same and to manage said institution and providing for the commitment thereto of feeble-minded females between the ages of sixteen and forty-five years defining the powers and duties of the board of managers and making an appropriation for the purposes aforesaid also for the expenses of maintenance until June one one thousand nine hundred and fifteen" absolutely

Sections two through fourteen of the act approved the eighteenth day of June one thousand nine hundred fifteen (P. L. 1055) entitled "An act to provide for the selection of a site and the erection of buildings for a State Hospital for the Insane to be erected west of the Allegheny Mountains and to be known as the Western State Hospital for the Insane providing for the management of the same and making an appropriation for the purchase of said site and the preparation of plans for the construction of buildings for the said hospital" absolutely

Sections two through fourteen of the act approved the twenty-fifth day of July one thousand nine hundred seventeen (P. L. 1206) entitled "An act to provide for the selection of a site and the erection of buildings for a State Hospital for the Insane to be erected east of the Allegheny Mountains and to be known as the Eastern State Hospital for the Insane providing for the management of the same and making an appropriation for the purchase of said site

and the preparation of plans for the construction of building for the said hospital" absolutely

The act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 502) entitled "A supplement to an act entitled 'An act to establish an asylum for the insane poor of this Commonwealth to be called "The Pennsylvania State Lunatic Hospital and Union Asylum for the Insane"' approved the fourteenth day of April Anno Domini one thousand eight hundred and forty-five (Pamphlet Laws page four hundred and forty)" absolutely

The act approved the fifth day of March one thousand nine hundred twenty-five (P. L. 22) entitled "An act ratifying and confirming the action of the Department of Welfare in classifying the Wernersville State Hospital as a hospital for the care and treatment of the indigent insane" absolutely

Section two of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 1199) entitled "An act for the acceptance of a site from the University of Pittsburgh and for surveys and the preparation of preliminary plans and estimates for a Western State Psychiatric Hospital providing for the erection construction and equipment of said hospital when appropriations are made available and for its management by the Department of Welfare" in so far as inconsistent

Sections one and six of the act approved the eighteenth day of April one thousand nine hundred forty-nine (P. L. 599) (Act No. 126) entitled "An act establishing within the limits of Philadelphia the Eastern Pennsylvania Psychiatric Institute as a State institution providing for a board of trustees and a medical advisory board therefor conferring powers and imposing duties upon the Department of Property and Supplies the Department of Welfare the board of trustees and the medical advisory board" in so far as inconsistent

Section one and two of the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1643) entitled "An act authorizing the Department of Property and Supplies to lease to the University of Pittsburgh the Western State Psychiatric Institute and Clinic in Allegheny County and providing for the management thereof by the University of Pittsburgh" in so far as inconsistent

Section 1002 General Repeal

All other acts and parts of acts in so far as they are inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time,
And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill on third reading?

Mr. HALUSKA. Mr. President, I desire to interrogate the gentleman from Allegheny, Senator Walker.

The PRESIDENT. Will the gentleman from Allegheny, Mr. Walker, permit himself to be interrogated?

Mr. WALKER. I will, Mr. President.

The PRESIDENT. The gentleman will proceed.

Mr. HALUSKA. Mr. President, will the gentleman from Allegheny, Senator Walker, look on page 27 before I start?

On page 27, line 18, paragraph A, reads as follows:

"The superintendent of every State institution shall be a physician with training or experience or both in the care of patients. In institutions for the care of female patients the superintendent shall be a woman."

Does that imply that a woman shall also be a physician?

Mr. WALKER. Mr. President, May I say to the gentleman from Cambria that this bill, House Bill No. 231, is a codification of the laws as they now appear on the

statute books. The mental health laws were gathered together and put into this code, which is represented by House Bill No. 231, for the purpose of effecting immediate amendments to it. If this bill is passed and sent over to the Governor for signature, and if the Governor signs the bill, it will not change the existing law one iota. This is the law as it is today.

Now the purpose of this, Mr. President, is to permit the immediate introduction of a number of amendments to the mental health code. The easiest way to do it is to amend this code so that we keep all of the mental health laws in one statute. It would be difficult to amend over and over and over the various bills that have been spread on the statute books through several generations, and it was thought more expeditious to do it this way in order to have the amendments handled easier.

Now, I am advised, Mr. President, that there are forty some amendments that are already introduced which will change this, and I am also advised, Mr. President, and I know the gentleman from Cambria will be interested, this particular phrase which he just read will be subject of one of the amendments that will come over here. That does not change any of the law as it is today. It merely codifies it so that we will be in a position to effect all of these changes which we would like to make to the mental health program.

Mr. HALUSKA. Mr. President, I fully realize this is a codification of the mental health act, but while we are passing the bill, don't you think this is the proper time to offer the amendments to amend this bill?

Mr. WALKER. Mr. President, may I say to the gentleman, that is exactly the purpose for which this is done, and it was decided by the Department of Justice that this was the easier of the two methods; that rather than start amending specific statutes that are on the books, the way to do it was to put this in toto on the Governor's desk, and then offer the amendments to this, which would then be the statute.

Now, Mr. President, I agree with the gentleman, it is somewhat of a codification departure. I have no quarrel with that statement, but this is the way it was agreed on by the Health Department, by Dr. Teagues group, and by the Department of Justice, in order to get this thing properly presented.

Mr. HALUSKA. Senator Walker, wouldn't you find yourself in the same position again after you pass this code, that you will find it requires a number of amendments, and you will find yourself in the same position you are in now?

Mr. WALKER. Except this, Senator, that you will have, instead of having to go through a number of statute books to find out the various phases of the mental health law, it will be gathered into one code and rather than amend each separate law, they felt that it would be a more concise document if they would do it this way. Now, as I said, Senator, this is a new departure in codification amendments because, if you will recall, when we had the new criminal code which was before us several times, they indicated in the code from step to step the changes that had been made in the substantive law as it now exists. They felt that this would be a better way to properly present it to the Legislature, so that the gentle-

man of the House and Senate would understand the specific amendments offered rather than have a jumbled presentation of amendments to a series of bills. Now, this was found to be the better method to handle it, and I am not defending the method because it is an experimental method, but I have no quarrel with it because I cannot point out to you that it is wrong.

Mr. HALUSKA. What assurance do we have, Senator Walker that any other bill that may be offered to amend this part of the law that I object to will be passed?

Mr. WALKER. Now, Mr. President, I asked the same question, and was assured by what we so coyly call the front office, the Department of Justice, by the Secretary of the Department of Health, the Attorney General of the Department of Justice, and by the occupants of the front office that this was the method they would like to have us follow. They assured me, they assured the Committee on Public Health and Welfare, and the Chairman of the Committee is the distinguished gentleman from Delaware, Senator Watkins, that that would be the method followed, and we were assured so that we, in turn, could assure our colleagues that these amendments would be presented.

Mr. HALUSKA. Do you have knowledge or not that William Brown, Secretary of Welfare, was opposed to this bill?

Mr. WALKER. Well, no. Now, Mr. President, if he is, it is the first I have heard of it.

Mr. HALUSKA. Well, he was.

Mr. HALUSKA. I would like to have an answer to my first question though, Senator Walker, with regard to the passage of the bill. Would the same paragraph that I read apply to female superintendents as well as male superintendents?

Mr. WALKER. I would so assume, Mr. President.

Mr. HALUSKA. And, do you have knowledge at the present time that we have people who are superintendents in State institutions who are not physicians?

Mr. WALKER. I understand that is so.

Mr. HALUSKA. And that they are hired illegally, serving illegally?

Mr. WALKER. Well, Mr. President, I would not want to say that. May I say that if they are not physicians and they are superintendents of an institution, I think it would be safe to say that is not in conformity with the statute.

Mr. HALUSKA. That is the reason why I am trying to amend this act now, since you have gone ahead and hired people to serve in that capacity who are not physicians. You are amending the code, and in the same breath you want to pass it up again, and I either have to press for the discharge of one person that I am fully aware of at Pennhurst who is not a physician, or amend the code.

Mr. WALKER. Now, Mr. President, if I can say again, and forgive the repetition, Senator, this is not amending the present law.

Mr. HALUSKA. I realize that.

Mr. WALKER. The only way, and I want to assure the gentleman that we are just as desirous of amending this particular phase of the present law as he is, and we are fully aware of a couple of situations that he is suggesting here on the floor of the Senate. Now, whether

we pass this bill or kill this bill will not affect the problem which is confronting us now. The only way we can approach it is this way, and if the gentleman will give us his cooperation, in a very few days the amendments for these particular clauses or sections of this new code will be before us.

Mr. HALUSKA. Would the gentleman object to having the bill go over in order until we see those amendments?

Mr. WALKER. Now, Mr. President, we were all through this same thing. According to the information contained in the history, the bill was introduced in the House on February 13, was reported as committed on March 21, and on April 2 it passed the House two hundred seven to nothing. It was referred to the Senate Committee on Public Health and Welfare on April 3, and it was reported as amended on April 17. Now, may I say to the gentleman from Cambria that the amendments put in there, as I understand it, were clarification amendments, printer's errors, that put in there to straighten the bill out so that it could continue its course. It has been on this calendar since April 17, and we even put it on the postponed calendar in order to give the gentlemen of the Senate the opportunity of satisfying themselves that this was not a bill that was designed to change the law.

Now, Mr. President, I do not want to be captious with the gentleman from Cambria. If he will take my word for it, this thing will be corrected in amendments. The amendments have been prepared and are ready, and the committee has been so advised, and if we delay it one more day, it just delays getting the thing amended one more day.

Mr. HALUSKA. Mr. President, I am not going to ask my colleagues to vote against this bill. We will vote for it on the basis that what the gentleman from Allegheny has just stated, but I want to draw your attention to the fact that we do have men hired now in important positions, especially at Pennhurst, where sometime ago we had a physician in charge who was a poor administrator and the place went down to the rocks. It fell apart. The Commonwealth was compelled to go out and look for the services of a businessman, and they obtained one. The man in charge now is doing a good job, but not in conformity with the law. Legally he cannot hold that position. It is my thought that now while we are passing that code, we should take care of that situation, and I am very fearful after we pass this code, that we will go out of this Session and the matter will not be corrected.

Now, Mr. President, we talk so much about penalizing the American public for doing this and doing that, and we sit here fully aware of the fact that we are doing wrong, agreeing where Departments are concerned, with a procedure by which we are going backwards instead of forward, and still they will insist on passing a bill of this type. I will vote for it because of the importance of the balance of the bill, and I trust, sincerely trust, that the gentleman from Allegheny County will give me his cooperation, and I will give him mine to make certain that we will take care of this portion of the bill in the amendments.

Mr. WALKER. Mr. President, I want to assure the

gentleman from Cambria, Senator Haluska, that hand and hand we can accomplish it.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Snowden,
Barr,	Hare,	McPherson, Jr.,	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Toole,
Blass,	Kessler,	Pechan,	Wade,
Byrne,	Lane,	Peelor,	Wagner,
Chapman,	Leader,	Probert,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,
Dent,	Mahany,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DISilvestro,	McCreesh,	Scarlett,	Wood,
Fleming,	McGinnis,	Silver,	Yosko,
Freed,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 256, as follows:

An Act to further amend Section 14 of the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 233) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the Bureau of Police in cities of the second class providing a pension fund for said employees and providing for the payment of certain dues fees assessments fines and appropriations thereto regulating membership therein creating a board for the management thereof providing the amount mode and manner of payment to beneficiaries thereof and for the care and disposition of said fund providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds organizations corporations or associations having the same or similar purposes and of such additional monies as may be necessary to carry out the provisions of this act" by fixing and changing the amount of pension payments to beneficiaries

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 14 of the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 233) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the of the Bureau of Police in cities of the second class providing a pension fund for said employees and providing for the payment of certain dues fees assessments fines and appropriations thereto regulating membership therein creating a board for the management thereof providing the amount mode and manner of payment to beneficiaries thereof and for the care and disposition of said fund providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds organizations corporations or associations having the same or similar purposes and of such additional monies as may be necessary to carry out the provisions of this act" as

amended by the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 919) is hereby further amended to read as follows

Section 14 Beneficiaries under said fund shall be rated and classified and shall be entitled to receive from the fund per month the amounts indicated in the following table to-wit

Classification	Monthly Payments	
Superintendent of Police	[\$150.00]	\$175.00
Assistant Superintendent of Police	[135.00]	\$165.00
Inspector of Police	[120.00]	\$155.00
Inspector of Traffic	[120.00]	\$155.00
Inspector of Detectives	[120.00]	\$155.00
Police Investigator of Child Delinquency	[120.00]	\$155.00
Captain of Detectives	[115.00]	\$150.00
Captain of Police	[115.00]	\$150.00
Lieutenant of Detectives	[115.00]	\$145.00
Lieutenant of Police	[110.00]	\$145.00
Lieutenant of Traffic	[110.00]	\$145.00
Lieutenant of Motorcycles	[110.00]	\$145.00
City Detective	[110.00]	\$145.00
Criminal Court Investigator		\$145.00
Sergeant of Police	[105.00]	\$140.00
Chief Identification Operator	[105.00]	\$135.00
Turnkey	[105.00]	\$135.00
Patrolman	[100.00]	\$135.00
Corneman	[100.00]	\$135.00
Motorcycle Patrolman	[100.00]	\$135.00
Morals Court Officer	[100.00]	\$135.00
Traffic Court Officer	[100.00]	\$135.00
Precinct Detective	[100.00]	\$135.00
Bertillion Operator	[100.00]	\$135.00
Radio Patrolman		\$100.00

Provided That the increases in pension payments herein provided shall be deemed cost-of-living increases and shall not be construed as a permanent and binding obligation of the pension fund which will in perpetuity entitle present and future pensioners to secure pensions predicated upon such increases Such increased pension schedule shall be subject to revision by the General Assembly in the event of a decline or a rise in the cost of living Provided That in no event shall any decrease in living costs result in decreasing the schedule of pension payments in effect prior to the passage of this amendment

The pensions for members holding positions not included in the above table shall be rated classified and determined by the board of managers in amounts proportionate to the pensions listed in the above table

No pension shall be granted or paid to any member based on the rank or position which he holds at the time of making application for pension unless he has held such rank or position for a period of one (1) year prior to the date of making such application

[The first pension payments to be made under this act shall be those for the month of October one thousand nine hundred and thirty-five which shall be payable on the third working day of November one thousand nine hundred and thirty-five] Pension payments [thereafter] hereafter shall always be payable on the third working day of each month and shall be for the preceding month

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,
Barr,
Barrett,
Berger,

Haluska,
Hare,
Holland,
Kephart,

McMenamin,
McPherson, Jr.,
Meade,
Neff,

Snowden,
Stevenson,
Stiefel,
Toole,

Blas,
Byrne,
Chapman,
Crowe,
Dent,
Diehm,
DiSilvestro,
Fleming,
Freed.

Kessler,
Lane,
Leader,
Letzler,
Mahany,
Mallery,
McCreesh,
McGinnis,

Pechan,
Peelor,
Probert,
Robinson,
Rosenfeld,
Ruth,
Scarlett,
Silvert,

Wade,
Wagner,
Walker,
Watkins,
Watson,
Wolfe,
Wood,
Yosko,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 282, as follows:

An Act to further amend Section 620 of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employees prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" by increasing the maximum amount to be set aside as reserve for contingent losses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 620 of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employees prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts of recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" as last amended by the act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 485) is hereby further amended to read as follows

Section 620 Reserve for Contingent Losses Every association shall set aside each year not less than five per centum and not more than [twenty] twenty-five per centum of its net profits for such year unless the department in writing approves the setting aside of a lesser or a greater amount as a reserve for contingent losses until the total amount of such reserve shall equal at least five per centum and not more than twenty per centum of the assets of such association unless the department in writing approves the creation of a total reserve of a lesser or a greater amount The department may at any time require any association to set aside such additional amount as the department shall deem necessary to safeguard the interests of the shareholders of such association Such reserve for contingent losses may be loaned or invested in the same manner as is authorized by this act in the case of other funds of the association

If due to a reduction of the assets of an association or due to any other cause whatsoever the reserve for contingent losses shall exceed twenty per centum of the assets of the association or if the department has au-

thorized or directed the creation of a reserve for contingent losses in excess of such twenty per centum and such reserve exceeds such amount authorized or directed by the department, the amount above such twenty per centum or such other amount as has been authorized or directed by the department shall be transferred at the next regular meeting of the board of directors to the general profit account of the association

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Baag,	Freed,	McMenamin,	Snowden,
Barr,	Haluska,	McPherson, Jr.,	Stevenson,
Berrett,	Hare,	Meade,	Stiefel,
Berger,	Holland,	Neff,	Toole,
Blass,	Kephart,	Pechan,	Wade,
Byrne,	Kessler,	Peelor,	Wagner,
Chapman,	Lane,	Probert,	Walker,
Crowe,	Leader,	Robinson,	Watkins,
Dent,	Letzler,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Scarlett,	Wood,
Fleming,	McGinnis,	Silvert,	Yosko,

NAYS—1

Mahany.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 368, as follows:

An Act relating to the practice of professional nursing providing for the licensing of nurses and for the revocation and suspension of such licenses subject to appeal and for their reinstatement providing for the renewal of such licenses regulating nursing in general prescribing penalties and repealing certain laws

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 This act shall be known and may be cited as "The Professional Nursing Law"

Section 2 When used in this act the following words and phrases shall have the following meanings unless the context provides otherwise

(1) A person engages in the "Practice of Professional Nursing" within the meaning of this act who performs any professional services requiring the application of principles of the biological physical or social sciences and nursing skills in the care of the sick in the prevention of disease or in the conservation of health

(2) "Board" means the State Board of Nurse Examiners

(3) "Approved" means approved by the State Board of Nurse Examiners

Section 3 Except as provided in Section four it shall be unlawful for (i) any person not licensed under this act (ii) any person not holding a current license issued this act or (iii) any person whose license has been suspended or revoked to practice professional nursing

Section 4 This act confers no authority to practice medicine or surgery nor does it prohibit

(1) Services rendered by practical nurses or home care of the sick by friends domestic servants nursemaids companies or household aides of any type so long as such persons do not represent or hold themselves out to be licensed nurses licensed registered nurses or registered nurses or use in connection with their names any designation

tending to imply that they are licensed to practice under the provisions of this act

(2) Gratuitous care of the sick by friends or members of the family

(3) Domestic administration of family remedies by any person

(4) Nursing services by anyone in case of an immediate emergency

(5) Nursing by a person temporarily in this State in compliance with an engagement made outside of this State which engagement requires that such person accompany and care for a patient while temporarily in this State Provided however That said engagement shall not be more than six (6) months' duration

(6) Care of the sick with or without compensation or personal profit when done in connection with the practice of the religious tenets of any church by adherents thereof

(7) Auxiliary services rendered by persons carrying out duties necessary for the support of nursing service including those duties which involve minor nursing services for patients performed in hospitals or elsewhere under the direction of licensed physicians or supervision of licensed registered nurses

(8) Nursing services rendered by a student enrolled in an approved school of nursing when these services are a part of the course of study

(9) Nursing services rendered by a graduate of an approved school of nursing in Pennsylvania or any other state working under qualified supervision during the period not to exceed one (1) year between completion of his or her course of nursing education and notification of the results of a licensing examination taken by such person and during such additional period as the Board may in each case especially permit

(10) Nursing services rendered by a person who holds a current license or other evidence of the right to practice professional nursing as that term is defined in this act issued by any other state territory or province of the United States or the Dominion of Canada during the period that an application filed by such person for licensure in Pennsylvania is pending before the Board or for a period of one (1) year whichever period first expires

(11) The practice of professional nursing within the definition of this act by any person lawfully qualified so to practice in another state territory province or country when such person is engaged in the practice of nursing as an employee of the United States or if permitted by Federal law as a citizen of a foreign country temporarily residing in Pennsylvania for a period not to exceed one (1) year for the purpose of post-graduate study and experience certified to be such by the American Nurses' Association or other appropriate agency satisfactory to the Board

Section 5 The Board shall once every year and at such other times and under such conditions as shall be provided by its regulations examine all applicants eligible for examinations to determine whether they are qualified to be licensed and shall authorize the issue to each person passing said examination to the satisfaction of the Board of a proper certificate setting forth that such person has been licensed to practice as a licensed registered nurse

Section 6 No application for licensure as a registered nurse shall be considered unless accompanied by a fee of ten dollars (\$10) Every applicant to be eligible for examination for licensure as a registered nurse shall furnish evidence satisfactory to the Board that he or she is twenty (20) years of age or over is a citizen of the United States or has legally declared an intention to become such is of good moral character has completed work equal to a standard high school course as evaluated by the Department of Public Instruction and has graduated from a school of nursing which gives at least a two (2) years' course of instruction or has received instruction in different schools of nursing and in other approved agencies with which such schools are affiliated for periods of time amounting to at least a two (2) years' course of instruction and has then graduated Such school or combination of schools of nursing must be on the approved

list issued by the Board as hereinafter provided The course of instruction shall include (1) principles of nursing based on biological physical and social sciences (2) responsible supervision of a patient involving skill in observation of symptoms and reactions and the accurate recording of the facts and carrying out of treatments and medication prescribed by a licensed physician and (3) the application of such nursing procedures as involve understanding of cause and effect in order to safeguard life and health of a patient and others

Section 7 (a) The Board may authorize the issue of a license without examination to a graduate of a school of nursing approved by the duly constituted agency in any other state territory or province of the United States or the Dominion of Canada who has completed a course of study in nursing considered by the Board to be equivalent to that required in this State at the time such course was completed and who was registered or licensed in such other state territory or province by examination and has met all the foregoing requirements as to age character citizenship and preliminary education

(b) The Board may admit to examination a graduate of a school of nursing in any other state territory or province of the United States or the Dominion of Canada which school was approved by the duly constituted agency thereof and is considered by the Board to satisfy current requirements of this State and which graduate has met all the requirements as to age character citizenship and preliminary education set forth in section six of this act

(c) The Board may admit to examination graduates of schools of nursing in other countries not mentioned above which are approved by the duly constituted agency thereof provided such persons have been licensed or registered there and can meet current requirements in Pennsylvania

(d) The Board may license persons without examination providing such persons are graduates or have graduated prior to the effective date of this act or from approved schools of nursing or of organized courses of nursing study in hospitals or schools of nursing in Pennsylvania or any other state territory or province of the United States or the Dominion of Canada which school or course at the time of graduation of such persons required the satisfactory completion of a course considered by the board to be equivalent to the minimum requirements then in effect in Pennsylvania for the preparation of registered nurses and providing further that application for such licensure shall be filed with the board by such persons on or before the thirtieth day of September one thousand nine hundred fifty-two

Section 8 Every person legally entitled to practice as a registered nurse and to use the letters "R.N." at the time this act becomes effective shall be considered as licensed to practice under this act and may continue to practice as such and use the title registered nurse and the letters "R.N." until the expiration of his or her current certificate of record and may obtain a license automatically thereafter by making application and paying the fee as herein provided for the renewal of licenses every holder of a valid license issued pursuant to the provisions of this act shall be entitled to use the title "registered nurse" or "licensed registered nurse" and the letters "R.N."

Section 9 The Board shall subject to the provisions of the Administrative Agency Law approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) and its amendments have the right and duty to establish reasonable regulations for the administration of this act Copies of such regulations shall be available to the persons who may be interested therein The Board shall have no power in any way to fix prices or control the compensation received by any licensed registered nurse

Section 10 The Board shall annually prepare and make available for public distribution lists of all schools of nursing or combinations of schools of nursing approved and classified by it the graduates of which shall be eligible for examination for licensure as licensed registered nurses

The removal of any such school from the approved list shall not make any bona fide student therein at the time of said removal ineligible for examination upon satisfactory completion of the required program

Section 11 Each person upon being licensed by the Board as a licensed registered nurse under the provisions of this act shall without additional fee therefor be given a card to evidence such license which shall be valid during the current renewal year Licenses issued pursuant to this act shall expire on the thirty-first day of October of each year or on such other annual expiration date as the Board may fix Application for renewal of a license shall annually be forwarded to each active registrant prior to the expiration date of the current renewal year The application form shall be completed and returned to the Board accompanied by the required fee of one dollar (\$1) upon approval of each application the applicant shall receive a renewal of license

The form and method of license and renewal shall be provided for by the Board in such manner as will enable it to carry into effect the purposes of this act The Board shall maintain a record of all licenses issued under this act and of all renewals as herein provided

Section 12 Except as otherwise herein provided it shall be unlawful for any person association copartnership corporation or institution to

(1) Sell or fraudulently obtain or fraudulently furnish any nursing diploma license record or registration or aid or abet therein or

(2) Practice professional nursing as defined by this act under cover of any diploma license record or registration illegally or fraudulently obtained or signed or issue any diploma license record or registration unlawfully or under fraudulent representation or mistake of fact in a material regard or

(3) While engaged in the performance of any nursing services use in connection with his or her name the words "licensed nurse" "licensed registered nurse" "registered nurse" or letters "R.N." or any designation tending to imply that he or she is a licensed registered nurse unless he or she is licensed to so practice under the provisions of this act or

(4) Otherwise violate any of the provisions of this act

Section 13 Any person or the responsible officer or employees of any corporation copartnership institution or association violating any of the provisions of this act shall upon summary conviction thereof be sentenced to pay a fine of not less than fifty dollars (\$50) for the first offense for the second and any subsequent offenses not less than one hundred dollars (\$100) nor more than two hundred dollars (\$200) and in default of the payment of such fine and costs to undergo imprisonment for a period not to exceed thirty (30) days

Section 14 The Board may suspend or revoke any license in any case where the Board shall find that

(1) The licensee is guilty of gross immorality

(2) The licensee is unfit or incompetent by reason of negligence habits or other causes

(3) The licensee has wilfully or repeatedly violated any of the provisions of this act or of the regulations of the Board

(4) The licensee has committed fraud or deceit in the practice of nursing or in securing his or her admission to such practice

(5) The licensee has been convicted or has pleaded guilty or entered a plea of nolo contendere or has been found guilty by a judge or jury of a crime or has been dishonorably discharged or discharged under circumstances amounting to a dishonorable discharge from the military forces of the United States or of any other country

(6) The licensee is an habitual drunkard or is addicted to the use of morphine cocaine or other drugs having a similar effect or if he or she has become mentally incompetent

(7) The licensee is continuing to practice nursing when such licensee knows he or she has an infectious communicable or contagious disease

(8) The licensee has been guilty of unprofessional conduct or such conduct as to require a suspension or revocation in the public interest

(9) The licensee having obtained a license upon declaration of intention to become a citizen of the United States has not become a citizen of the United States within seven (7) years after the date of such declaration of intention

Section 15 All suspensions and revocations shall be made only in accordance with the regulations of the Board and only by majority vote of the members of the Board after a full and fair hearing before the Board All actions of the Board shall be taken subject to the right of notice hearing and adjudication and the right of appeal therefrom in accordance with the provisions of the Administrative Agency Law approved the fourth day of June one thousand nine hundred forty-five (Pamphlet Laws 1388) or any amendment or reenactment thereof relating to adjudication procedure The Board by majority action and in accordance with its regulations may reissue any license which has been suspended or revoked

Section 16 The following acts or parts of acts and their amendments are hereby repealed as respectively indicated

The act approved the first day of May one thousand nine hundred nine (R. L. 321) entitled "An act to provide for State registrations of nurses to establish a State Board of Examiners in connection therewith and to provide penalties for the violation of certain provisions regarding such registration" absolutely

The act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 988) entitled "An act providing for and regulating the State registration of nurses and licensed attendants the annual recording of registration certificates and regulating the profession of nursing and repealing certain existing laws" except in so far as it applies to licensed attendants

All other acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

Section 17 The provisions of this act shall become effective immediately upon final enactment but Section three shall not become operative until the first day of November one thousand nine hundred fifty-two

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Snowden,
Barr,	Hare,	McPherson, Jr.,	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Toole,
Blass,	Kessler,	Pechan,	Wade,
Byrne,	Lane,	Peelor,	Wagner,
Chapman,	Leader,	Propert,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,
Dent,	Mahany,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Scarlett,	Wood,
Fleming,	McGinnis,	Silver,	Yosko,
Freed,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 369, as follows:

An Act to further amend Sections 202 418 and 1310 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by changing the name of the State Board of Examiners for Registration of Nurses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 As much as relates to the Department of Public Instruction of sections two hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the acts approved the ninth day of May one thousand nine hundred forty-nine (P. L. 1003) the twelfth day of May one thousand nine hundred forty-nine (P. L. 1289) and the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1717) is hereby further amended to read as follows

Section 202 Departmental Administrative Boards Commissions and Offices The following boards commissions and offices are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective administrative departments mentioned in the preceding section as follows

* * * * *

In the Department of Public Instruction
 State Council of Education
 State Real Estate Commission
 Pennsylvania State Board of Censors
 Public School Employees Retirement Board
 Board of Trustees of Thaddeus Stevens Trade School
 Board of Trustees of Pennsylvania State Oral School for the Deaf
 Board of Trustees of Pennsylvania Soldiers Orphan School
 Board of Trustees of West Chester State Teachers' College
 Board of Trustees of Millersville State Teachers' College

Board of Trustees of Kutztown State Teachers' College
 Board of Trustees of East Stroudsburg State Teachers' College
 Board of Trustees of Mansfield State Teachers' College
 Board of Trustees of Bloomsburg State Teachers' College
 Board of Trustees of Shippensburg State Teachers' College
 Board of Trustees of Lock Haven State Teachers' College
 Board of Trustees of Indiana State Teachers' College
 Board of Trustees of California State Teachers' College
 Board of Trustees of Slippery Rock State Teachers' College
 Board of Trustees of Edinboro State Teachers' College
 Board of Trustees of Clarion State Teachers' College
 Board of Trustees of Cheyney Training School for Teachers
 State Board of Medical Education and Licensure
 State Board of Pharmacy
 State Dental Council and Examining Board
 State Board of Optometrical Examiners
 State Board of Osteopathic Examiners
 Osteopathic Surgeons' Examining Board
 State Board of Nurse Examiners [for the Registration of Nurses]
 State Board of Cosmetology
 State Board of Veterinary Medical Examiners
 State Board of Chiropractic Examiners
 State Board for the Examination of Public Accountants
 State Board of Examiners of Architects
 State Registration Board for Professional Engineers
 Public Service Institute Board
 State Board of Private Academic Schools
 State Board of Private Business Schools
 State Board of Private Trade Schools
 State Board of Private Correspondence Schools

Section 2 Section 418 of said act as last amended by the act approved the second day of May one thousand nine hundred forty-nine (P. L. 781) is hereby further amended to read as follows

Section 418 State Board of Nurse Examiners [for Registration of Nurses] The State Board of Nurse Examiners [for Registration of Nurses] shall consist of the Superintendent of Public Instruction and five members who shall be registered nurses graduated from schools of nursing where practical and theoretical instruction is given in general surgical and medical nursing and who shall have been engaged in nursing in the Commonwealth of Pennsylvania for at least five years since registration

The Governor shall upon the expiration of the term of office of any member appoint a person with the above specified qualifications from a list of not less than ten names submitted to him by the board of directors of the Pennsylvania State Nurses' Association for a term of six years and until a successor is appointed and qualified Vacancies shall be filled in like manner

Three members of the board shall constitute a quorum and the board shall select from among its members a chairman and shall elect a secretary who need not be a member of the board

The board with the approval of the Superintendent of Public Instruction shall also appoint and fix the compensation of one or more State educational advisors of schools of nursing who shall have the same qualifications as the members of the board

The members of the board other than the Superintendent of Public Instruction shall receive fifteen dollars per diem when actually engaged in the transaction of official business and the secretary shall receive such reasonable compensation as shall be determined by the board with the approval of the Superintendent of Public Instruction

Section 3 Section 1310 of said act as last amended by the acts approved the twelfth day of May one thousand nine hundred forty-nine (P. L. 1289) and the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1717) is hereby further amended to read as follows

Section 1310 Professional Examining Boards The professional examining boards within the Department of Public Instruction shall respectively exercise the rights and powers and perform the duties by law vested in and imposed upon them Provided however That all certificates

and official documents of such examining boards shall be issued by the Department of Public Instruction but may be signed by the members of the appropriate board or any of them as determined by such board

Subject to the preceding provisions of this section and to any other inconsistent provision in this act contained

The State Board of Medical Examination and Licensure shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board and the Bureau of Medical Examination and Licensure in the Department of Public Instruction

The State Board of Pharmacy shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Dental Council and Examining Board shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board the State Dental Council and the Board of Dental Examiners for the Commonwealth of Pennsylvania

The State Board of Optometrical Examiners shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board and the Board of Optometrical Education Examination and Licensure

The State Board of Osteopathic Examiners shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board and the State Board of Osteopathic Examiners of Pennsylvania

The Osteopathic Surgeons' Examining Board shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Board of Nurse Examiners [for Registration of Nurses] shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board and the State Board of Examiners for Registration of Nurses

The State Board of Cosmetology shall exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Board of Veterinary Medical Examiners shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Board of Examination of Public Accountants shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Board of Examiners of Architects shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Registration Board for Professional Engineers shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

The State Board of Chiropractic Examiners shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

Section 4 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Snowden,
Barr,	Hare,	McPherson, Jr.,	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Toole,
Blass,	Kessler,	Pechan,	Wade,
Byrne,	Lane,	Peelor,	Wagner,
Chapman,	Leader,	Probert,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,
Dent,	Mahany,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Scarlett,	Wood,
Fleming,	McGinnis,	Silver,	Yosko,
Freud			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bil No. 375, as follows:

An Act to amend clause (b) of Section 1 of the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1183) entitled "An act relating to strikes by public employes prohibiting such strikes providing that such employes by striking terminate their employment providing for reinstatement under certain conditions providing for a grievance procedure and providing for hearings before civil service and tenure authorities and in certain cases before the Pennsylvania Labor Relations Board" by changing method of selecting panels for the adjustment of grievances of school district certain employes and imposing additional duties on such panels

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (b) of Section 1 of the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1183) entitled "An act relating to strikes by public employes prohibiting such strikes providing that such employes by striking terminate their employment providing for reinstatement under certain conditions providing for a grievance procedure and providing for hearings before civil service and tenure authorities and in certain cases before the Pennsylvania Labor Relations Board" is hereby amended to read as follows

Section 1 As used in this act

* * * * *

(b) The word "strike" means the failure to report for duty the wilful absence from one's position the stoppage of work or the abstinence in whole or in part from the full faithful and proper performance of the duties of employment for the purpose of inducing influencing or coercing a change in the conditions or compensation or the rights privileges or obligations of employment Provided however That nothing contained in this act shall be construed to limit impair or affect the right of any public employe to the expression or communication of a view grievance complaint or opinion on any matter related to the conditions or compensation of public employment or the betterment thereof so long as the same is not designed to and does not interfere with the full faithful and proper performance of the duties of employment nor to limit impair or affect the right of any such employe to attend meetings conferences or hearings relating to such matters so long as such attendance is not designed to interfere with the full faithful and proper performance of the duties of employment for the further purpose of equitably carrying out the provisions of this act In order to avoid or minimize any possible controversies by making available full and adequate governmental facilities for the adjustment of grievances the governmental agency involved at the request of the public employes shall set up a panel of three members one to be selected by the employes one by the governmental agency and the two so selected to select a third member The members of the panel shall be compensated for all necessary expenses by the Commonwealth or the political subdivision thereof or the authority involved The panel shall meet within fifteen (15) days If the grievance can be adjusted through negotiation and informal conferences between the various parties it shall be so adjusted if the conference negotiations do not result in rulings satisfactory to all parties concerned the panel shall afford the public employes and the governmental agency a full hearing after which the panel shall make their findings copy of which shall be sent to the Governor to the General Assembly and to the head of the agency or political

subdivision involved Upon receipt of the findings of the panel the Governor or the head of the State agency or political subdivision involved may take administrative measures to remedy the complaints If the Governor or the head of the State agency or political subdivision finds that the situation complained of can only be remedied by legislative action the Governor may refer the matter to the Legislature for correction or the head of the State agency or political subdivision may refer the matter to the proper law-making body If the members of the panel decide that legal counsel is necessary they may with the approval of the Attorney General engage local counsel to advise them on the questions involved

Provided [however] That in the case of grievances or controversies involving professional employes of the public school system of the Commonwealth the school board or Board of Public Education at the request of the employes shall set up a panel of three members one an employe of the school district to be selected by the employes one a member of the board of school directors or Board of Public Education to be selected by such body and the third shall be the State Superintendent of Public Instruction or his nominee The members of the panel shall serve without compensation but shall receive all necessary traveling expenses which shall be paid by the school district or Board of Public Education involved

In the case of grievances or controversies involving employes other than professional employes of the public school system of the Commonwealth the school board or Board of Public Education at the request of the employes shall set up a panel of three members one to be selected by the authorized representatives of such employes one to be selected by the Board of School Directors or Board of Public Education and the two so selected to select a third member the panel shall meet within fifteen (15) days and shall consider all grievances submitted to it by the authorized representatives of such employes the members of the panel shall serve without compensation but shall receive all necessary traveling expenses which shall be paid by the school district involved

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Bane,	Fleming,	McMenamin,	Silvert,
Barr,	Freed,	Meade,	Stevenson,
Barrett,	Haluska,	Neff,	Stiefel,
Berger,	Holland,	Pechan,	Toole,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Scarlett,	Yosko,
DiSilvestro,	McGinnis,		

NAYS—7

Hare,	Kessler,	Snowden,	Wood,
Kephart,	McPherson, Jr.,	Wade,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 397, as follows:

An Act to further amend Section 11 of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for retroactive service allowance of certain employees.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 11 of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1352) is hereby further amended to read as follows

Section 11 In computing the length of service of a contributor for retirement purposes under the provisions of this act full credit shall be given each contributor by the retirement board for each school year of service as an employee as defined in section one paragraph seven of this act and for each school year for which credit is not otherwise provided for in this act and during which the contributor was a member of the American Expeditionary Force in the World War or in activities connected therewith approved by the retirement board or who were either enlisted or drafted into the Army Navy Marine Corps or the Enlisted Nurses' Corps of the United States and for each school year during which the contributor was prior to the eighteenth day of July one thousand nine hundred seventeen a teacher instructor or supervisor in any state or semi-state orphan school. Under such rules and regulations as the retirement board shall adopt each employee shall file with the retirement board a detailed statement of all such service rendered by him or her. As soon as practicable thereafter the retirement board shall verify such statement as to prior service and shall issue to each employee a certificate certifying to the aggregate length of his or her prior service. Such certificate shall be final and conclusive as to his or her prior service unless thereafter modified (a) by the retirement board upon application by employee or (b) by the State Superintendent of Public Instruction upon application by the employee or by the retirement board provided such application for modification be made to said State Superintendent of Public Instruction within one year after the issuance of a certificate or a modified certificate by the retirement board. A certificate for prior service issued to a present employee shall certify the total number of completed years of prior service allowances for said present employee to and including the thirtieth day of June nineteen hundred nineteen. The time during which an employee is absent without pay shall not be counted in computing the prior service the total service or the average salary of a contributor unless allowed by the employer by whom said contributor was employed at the time said leave of absence was granted and further unless said allowance is approved by the retirement board.

Any person who is entitled to credit for service as a teacher instructor or supervisor in any state or semi-

state orphan school prior to the eighteenth day of July one thousand nine hundred seventeen under the provisions of this section and was retired prior to the fifth day of July one thousand nine hundred forty-seven shall be entitled to the benefits of such credit from the date of his or her retirement.

Section 2 The Commonwealth of Pennsylvania shall pay into the retirement fund an amount sufficient to pay the benefits resulting from the provisions of this amendment.

Section 3 The provisions of this act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Snowden,
Barr,	Hare,	McPherson, Jr.,	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Toole,
Blass,	Kessler,	Pechan,	Wade,
Byrne,	Lane,	Peelor,	Wagner,
Chapman,	Leader,	Probert,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,
Dent,	Mahany,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Scarlett,	Wood,
Fleming,	McGinnis,	Silvert,	Yosko,
Freud,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 398, as follows:

An Act to further amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the bureau of fire in cities of the second class creating a board for the management thereof providing the mode and manner of payment to beneficiaries and for the care and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created" by changing the compensation of the Secretary-treasurer of the board and changing the amounts of contributions by members to the fund and changing the amounts of payments to beneficiaries.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five of the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the bureau of fire in cities of the second class creating a board for the management thereof providing the mode and manner of payment to beneficiaries and for the care and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created" as last amended by the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2635) is hereby further amended to read as follows

Section 5 The director of the department of public

safety shall be the president of said board the chief clerk of the department of public safety shall be the secretary-treasurer of said board for the performance of which services he shall be paid the sum of [seventy-five] one hundred fifty dollars per month and the city solicitor shall be the attorney and legal counsel of said board but shall receive no additional compensation therefor. The board shall elect from among its members a vice president who shall serve without compensation and shall perform the duties of the president during his absence.

Section 2 Clause two of section nine and section twelve of said act as last amended by the act approved the thirteenth day of May one thousand nine hundred forty-nine (P. L. 1328) are hereby further amended to read as follows

Section 9 Any individual eligible to membership in such fund as aforesaid shall be required

(2) To contribute to said fund in accordance with his classification in the amounts indicated in the following schedule to-wit Chief Deputy Chiefs Battalion Chiefs and Chief of River Patrol of the Bureau of Fire and the Superintendents Chief Inspectors and Chief Wiring Inspectors of the Bureau of Electricity five per centum of the rated monthly salary or wages of the Battalion Chief of the Bureau of Fire all other classifications five per centum of his rated monthly salary or wages [which] All of said contributions from each individual shall be deducted from his salary or wages by the city controller from the payroll for the last half of each month and paid into the fund. All beneficiaries of the fund shall in addition thereto pay the sum of one dollar a month into the said fund and in the case of active members the city controller shall deduct said contribution from the payroll of the last half of each month and the secretary of the fund shall deduct the sum of one dollar from the pension paid each pensioner. The amount so collected shall be paid into the firemen's relief and pension fund and out of the funds of the firemen's relief and pension fund there shall be paid to the beneficiary of any deceased member of the fund the sum of one thousand two hundred dollars.

When any member of the fund shall resign or be dismissed from service there shall be paid to him from the fund a sum of money equal to all dues paid by him into the fund without interest. When any member of the fund shall die in active service there shall be paid from the fund a sum of money equal to all dues paid by him into the fund without interest to his widow if there be such widow or in the absence of such widow to such person or persons as he shall have designated on a form prepared and approved by the board for such purpose or in the absence of such widow and such designation to his estate. When any beneficiary shall die before he has received pension payments equal in amount to his total contributions to the fund there shall be paid a sum of money equal to the difference between the amount of his said contributions and the amount he shall have received as pension payments without interest to his widow if there be such widow or in the absence of such widow to such person or persons as he shall have designated on a form prepared and approved by the board for such purpose or in the absence of such widow and such designation to his estate. Regular employees shall serve at least fifteen days in each month and appear on both semi-monthly payrolls of said bureau of fire in said month in order to be credited for one month's service for pension under this act. In the event however that such regular employee served one or more days in any month while serving as a substitute employee prior to becoming a regular employee such regular employee shall be given a full month's credit for the day or days in every month so served as a substitute. Provided That the dues for each month so credited are paid in full.

Section 12 Beneficiaries under said fund shall be rated and classified and shall be entitled to receive from the fund per month the amounts indicated in the following table to-wit

Classification	Composed of	Monthly Payments
I Chief	Bureau of Fire	[\$150.00] \$175.00
Superintendent	Bureau of Electricity	

II Deputy Chiefs	Bureau of Fire	[\$130.00]	\$165.00
Deputy Superintendents	Bureau of Electricity		
III Battalion Chiefs	Bureau of Fire	[\$11.00]	\$155.00
Chief of River Patrol	Bureau of Fire		
Chief Inspectors	Division of Fire Prevention		
Chief Wiring Inspectors	Bureau of Electricity		
IV Training School Instructors	Bureau of Fire	[\$100.00]	\$150.00
V Captains	Bureau of Fire	[\$100.00]	\$150.00
Assistant Engineers	Bureau of Electricity		
Supervisors of Construction	Bureau of Electricity		
Fire Alarm Operators	Bureau of Electricity		
VI Lieutenants	Bureau of Fire	[\$100.00]	\$145.00
Engineers	Bureau of Fire	\$135.00	
Pumpmen	Bureau of Fire	\$135.00	
VII Drivers	Bureau of Fire	[\$100.00]	\$135.00
Electric Wiring Inspectors	Bureau of Building Inspection		
VIII Hose and Laddersmen	Bureau of Fire	[\$100.00]	\$135.00
Aides	Bureau of Fire		
Assistant Engineers	Bureau of Fire		
Fire Alarm Box Inspectors	Bureau of Electricity	[\$100.00]	\$135.00
Police Bix Inspectors	Bureau of Electricity		
Instrument Repairmen	Bureau of Electricity		
Battery Men	Bureau of Electricity		
Line Foremen	Bureau of Electricity		
Lineman	Bureau of Electricity		
Inspector	Bureau of Fire		
Inspector	Division of Fire Prevention		

The classification of any applicant for retirement or disability pension shall be determined as follows

(1) If the applicant has held the position he holds at the time of making the application continuously for one year or more prior thereto pension shall be granted as of the classification into which such position falls

(2) If the applicant has not held such position continuously for one year or more pension shall be granted as of the classification into which the last preceding position which he held continuously for one year or more falls whether such classification is higher or lower than the classification of the position held by applicant at the time of making the application

[No application to become a beneficiary of the fund shall be filed or accepted until thirty days after the effective date of this act. It is further provided that any member making such application who thereafter withdraws the same shall not be permitted to file a new application until one year after the date of the first application]

Section 3. The increases in pension payments provided by this amending act shall be deemed cost-of-living increases and shall not be construed as a permanent and binding obligation of the pension fund, which will in perpetuity entitle present and future pensioners to secure pensions predicated upon such increases. Such increased pension schedule shall be subject to revision by the General Assembly in the event of a decline or a rise in the cost of living: Provided, That in no event shall any decrease in living costs result in decreasing the schedule of pension payments in effect prior to the passage of this amending act.

Section 3 The increases in pension payments provided by this amending act shall be deemed cost-of-living increases and shall not be construed as a permanent and binding obligation of the pension fund which will in perpetuity entitle present and future pensioners to secure pensions predicated upon such increases such increased pension schedule shall be subject to revision by the general assembly in the event of a decline or a rise in the cost of living provided that in no event shall any decrease in living costs result in decreasing the schedule

of pension payments in effect prior to the passage of this amending act

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Snowden,
Barr,	Hare,	McPherson, Jr.,	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Toole,
Blass,	Kessler,	Pechan,	Wade,
Byrne,	Lane,	Peelor,	Wagner,
Chapman,	Leader,	Propert,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,
Dent,	Mahany,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Scarlett,	Wood,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 501, as follows:

An Act to further amend Section 2 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 951) entitled as amended "An act defining and providing for the licensing and regulation of private academic schools conferring powers and imposing duties on the Department of Public Instruction and imposing penalties" by exempting therefrom schools for the blind deaf and dumb receiving State appropriations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 951) entitled as amended "An act defining and providing for the licensing and regulation of private academic schools conferring powers and imposing duties on the Department of Public Instruction and imposing penalties" as amended by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 997) is hereby further amended to read as follows

Section 2 The provisions of this act shall not apply to colleges or universities schools maintained or classes conducted by employers for their own employees where no fee or tuition is charged schools or classes owned and operated by or under the authority of bona fide religious institutions or by the Commonwealth of Pennsylvania or any political subdivision thereof or schools for the blind deaf and dumb receiving Commonwealth appropriations or schools accredited by accrediting associations approved by the State Council of Education but such schools may choose to apply for a license and upon approval and issuance thereof shall be subject to the provisions of this act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Snowden,
Barr,	Hare,	McPherson, Jr.,	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Toole,
Blass,	Kessler,	Pechan,	Wade,
Byrne,	Lane,	Peelor,	Wagner,
Chapman,	Leader,	Propert,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,
Dent,	Mahany,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Scarlett,	Wood,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 525, on third reading, entitled:

An Act to further amend Section 2 of the act, approved the twenty-fifth day of June, one thousand eight hundred ninety-five (P. L. 275), entitled "An act dividing the cities of this State into three classes with respect to their population, and designating the mode of ascertaining and changing the classification thereof in accordance therewith," by providing for the regression in classification of cities upon their decrease in population.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 526, as follows:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employees prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" by further regulating the withdrawals of certain optional payment shares providing that accounts of less than a certain amount need not be credited with dividends further regulating the terms of mortgage contracts and the terms of bonds securing mortgages and the types of property upon which mortgages may be taken

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection A of Section 612 and subsections A and E of Section 618 of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and

voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employees prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" as amended or last amended by the act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 485) are hereby further amended to read as follows

Section 612 Voluntary Withdrawals A Any shareholder may upon giving written notice to the association withdraw any shares whether full-paid optional payment or installment which are not pledged to the association as security for a mortgage loan granted by it The secretary or other officer designated by the by-laws of the association shall endorse on the written notice of an intention to withdraw required by this section the date of its receipt by the association and shall record such notice and the date of its receipt by the association in a book to be used solely for the recording of notices of withdrawals Optional payment shares issued under a Christmas club vacation club or other similar plan whereby they are to be withdrawn no later than fifteen months after the date of issuance shall be automatically listed for withdrawal as of the end of the effective period of the plan and such listing shall be considered to have the same effect as if written notice of withdrawal was given the association by the shareholder thirty days prior to the end of such period

Section 618 Dividends on Shares Undivided Profits A The rate of cash dividend paid on full-paid shares during any dividend period shall not exceed the rate of dividends credited during such period to optional payment shares of the association and the rate of dividends credited to optional payment shares during any dividend period shall not exceed the rate of dividends credited during such period to installment shares Provided however That unless the by-laws otherwise provide an association shall not be required to credit dividends on accounts with a balance of less than twenty-five dollars (\$25) on a dividend declaration date or to optional payment shares issued under a Christmas club vacation club or other similar plan whereby they shall automatically be listed for withdrawal no later than fifteen months after the date of issuance

* * * * *

E All shares of the same type standing on the books of an association at the close of a dividend period including shares for which notices of withdrawal have been given but which have not been paid shall participate with all other shares of the same type equally in dividends pro rata to the average amount including previously credited dividends standing to the credit of each share during the dividend period [However the] Provided however That unless the by-laws otherwise provide an association shall not be required to credit dividends on accounts with a balance of less than twenty-five dollars (\$25) on a dividend declaration date or to optional payment shares issued under a Christmas club vacation club or other similar plan whereby they shall automatically be listed for withdrawal no later than fifteen months after the date of issuance The board of directors may fix a date in each month for determining the date of investment of share payments in which event such share payments received by the association on or before such determination date shall receive dividends as though invested for the entire month and such share payments received subsequent to such determination date shall receive dividends as though invested during the next succeeding month Provided however That the board of directors may permit investments of one hundred dollars (\$100) or more to receive dividends calculated from the date of actual receipt by the association in any event And provided further That in the case of installment shares upon which fines are

charged for arrearages all payments of dues may for dividend purposes be considered as having been paid when due

Section 2 Clause (2) and (4) of subsection A and subsections B and D of Section 903 of said act subsections A and D of which were last amended by the act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 485) and subsection B of which was last amended by the act approved the twentieth day of April one thousand nine hundred forty-nine (P. L. 656) are hereby further amended to read as follows

Section 903 Security for Mortgage Loans A An association shall grant mortgage loans to its shareholders or to any person intending to become a shareholder upon the following security only

* * * * *

(2) The bond of the borrower secured by the transfer and pledge to the association of one direct reduction loan share in such association which belongs to the borrower and further secured by a mortgage upon real property which belongs to the borrower such mortgage being for at least the full amount of the loan [Provided That an association may accept and hold additional collateral of any kind if the loan meets all of the requirements of this act and could have been legally made without the additional collateral] That mortgage contract shall provide for monthly payments starting not later than sixty days after the advance of the loan Provided however That on any mortgage loan granted to finance new construction an association may postpone the first monthly payment until completion of the improvement but not later than twelve months after the date of the first advance made on the loan A loan secured in this manner shall be known as a direct reduction mortgage loan and the mortgage securing such loan as a direct reduction mortgage

* * * * *

(4) The bond of the borrower secured by a mortgage upon real property which belongs to the borrower without monthly amortization for a term not exceeding ten years Provided That the loan except as hereinafter provided does not together with any other loans held by such association upon such property exceed fifty per centum of the fair market value of such property And provided further That if such a loan is made for a term not exceeding one year and for the purpose of financing new construction it may be made in an amount not to exceed eighty per centum of the fair market value of a one to four family property or seventy per centum of the fair market value of a five or six family property And provided further That the aggregate amount of all all loans [so] made pursuant to the provisions of this subsection to all persons and corporations shall not exceed fifteen per centum of the total assets of such association

B An association shall not grant any mortgage loan unless the mortgage securing such loan (1) is a first lien upon unencumbered improved real property the improvement being a dwelling for not more than [four] six families which is used or to be used in whole or in part for residential purposes or upon real property upon which such a building is in the process of construction situated anywhere within the Commonwealth or within fifty miles of a boundary thereof or where it is not a first lien upon such property every equal or prior lien is owned by the association and (2) does not together with any other lien held by such association upon such property exceed eighty per centum of the fair market value of [such real property plus] a one to four family property or seventy per centum of the fair market value of a five or six family property Provided however That any mortgage loan may be increased by the withdrawal value upon the day of the granting of such loan of shares to be assigned or pledged to the association by the borrower or by any other shareholder as additional security for such loans [Provided however That shares of the association owned by any shareholder may be] Any additional shares assigned or pledged as additional collateral security for the mortgage loan [and in such event the mortgage loan

granted upon such property may be increased by the withdrawal value of the additional pledged shares to an amount not to exceed a maximum total mortgage loan of ninety per centum of the fair market value of such real property and the association may release this additional collateral] by the borrower or any other shareholder may be released by the association whenever the mortgage loan otherwise meets all of the requirements of this act and could be legally made at the time of release without the requirement of additional collateral. Provided also That an association may accept and hold additional collateral of any kind if the loan meets all of the requirements of this act and could have been legally made without such additional collateral. An association shall not take any lien upon real property as security for a mortgage loan if such lien is in status equal to any lien owned by any other corporation or person.

Without regard to the limitations set forth in this subsection an association may grant any mortgage loan which is insured or guaranteed in whole or in part by the United States or any instrumentality thereof or if there is a commitment to so insure or guarantee. Provided That the real estate security therefor shall be a building used or to be used in whole or in part for residential purposes situated within the Commonwealth or within fifty miles of a boundary thereof.

The provisions of this subsection shall not be construed to apply to a purchase money mortgage taken by an association upon real property owned by it nor to the readjustment or refinancing in any other manner of a mortgage loan owed to the association upon the effective date of this act.

D An association shall not [upon the security of any one piece of real property] grant mortgage loans totaling more than [twenty] twenty-five thousand dollars upon the security of any one to four family property or forty thousand dollars upon the security of any five or six family property.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Freed,	McMenamin,	Snowden,
Barr,	Haluska,	McPherson, Jr.,	Stevenson,
Barrett,	Hare,	Meade,	Stiefel,
Berger,	Holland,	Neff,	Toole,
Blass,	Kephart,	Pechan,	Wade,
Byrne,	Kessler,	Peelor,	Wagner,
Chapman,	Lane,	Probert,	Walker,
Crowe,	Leader,	Robinson,	Watkins,
Dent,	Letzler,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Scarlett,	Wood,
Fleming,	McGinnis,	Silver,	Yosko,

NAYS—1

Mahany,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 702, on third reading, entitled:

An Act to further amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by further regulating the affairs of boroughs and revising amending and changing the law relating thereto

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

SECOND READING CALENDAR

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 122, on second reading, entitled:

An Act to further amend paragraph (8) of subsection A and subsection B or section 1208 section 1209 and subsection C of section 1210 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers directors trustees shareholders attorneys and other employees of all such corporations employees' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts probotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for authorized investments and limitations on loans and discounts of savings banks

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 123, on second reading, entitled:

An Act to re-enact and amend the title and the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 796) entitled "An act providing for the preservation of the records of banks bank and trust companies trust companies savings banks and private banks and imposing penalties for violations" by extending the provisions thereof to national banking associations making photostatic film reproductions or photographic or photostatic copies of original records admissible in evidence equally and with the same force and effect as such original records providing a means for the final adjustment and settlement of despositors' accounts and saving certain parts of acts from repeal

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 124, on second reading entitled:

An Act to further amend subsection A of Section 1006 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defining the rights powers duties liabilities and immunities

of such corporations of existing corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers directors trustees shareholders attorneys and other employees of all such corporations employees' mutual banking association or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and limitations upon powers of banks and banks and trust companies

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 125, on second reading, entitled:

An Act to further amend subsection E of section nine hundred eight of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers directors trustees shareholders attorneys and other employees of all such corporations employees' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commission and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and limitations on powers of corporations authorized to engage in the banking business

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 242, on second reading, entitled:

An Act to amend the act approved the fifteenth day May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers directors trustees shareholders attorneys and other employees of all such corporations employees' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of

fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commission and officers imposing penalties and repealing certain acts and parts of acts" by further providing for establishment of branch offices agencies and facilities and the approval thereof by the Department of Banking

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 327, on second reading, entitled:

An Act to further amend clause four of subsection A of Section 1001 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers directors trustees shareholders attorneys and other employees of all such corporations employees' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commission and officers imposing penalties and repealing certain acts and parts of acts" by further regulating the making of installment loans

be recommitted to the Committee on Banking.

Mr. WOOD. Mr. President, I second the motion.

The motion was agreed to.

HOUSE MESSAGES

HOUSE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, presented an extract from the Journal of the House of Representatives, which was twice read, considered and agreed to:

EXTENDING INVITATION TO REPUBLICAN NATIONAL COMMITTEE TO HOLD ITS 1952 CONVENTION IN CITY OF PHILADELPHIA

In the House of Representatives, May 8, 1951.

Whereas, Philadelphia is truly a national shrine where our American liberty was conceived and attained;

Whereas, Philadelphia is intimately identified with the earliest beginning of our colonial era in which the stirring qualities of tolerance, good will, and peaceful living became dominant;

Whereas, Philadelphia has builded upon said colonial background a great metropolitan area, characterized with adequate facilities for transporting, housing and feeding thousands of visitors;

Whereas, Philadelphia offers rich rewards in culture, art, recreation and entertainment to its countless visitors who seek esthetic enjoyment or healthful relaxation;

Whereas, Philadelphia by virtue of its geographical site and historical lore, has become the epitome of American democracy; therefore be it

Resolved, That this House of Representatives (if the

Senate concur) extend to the Republican National Committee at Tulsa, Oklahoma, its most cordial invitation to hold its 1952 convention for the nomination of president and vice-president in Philadelphia and express its assurance that every convenience and comfort shall be available for the delegates in the discharge of their privileged duties.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN SENATE BILL No. 140

He also returned to the Senate, Senate Bill No. 140, entitled:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further regulating investments of insurance companies

with the information that the House has passed the same without amendments.

SECOND READING CALENDAR

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 370, on second reading, entitled:

An Act relating to adverse claims to bank deposits prescribing the manner in which such claims must be supported to be entitled to recognition and limiting the effect to attachments or restraining orders against banking institutions having branch officers

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 381, entitled:

An Act to further amend Section 1146 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing revised minimum salaries for certain part-time teachers and supervisors of general extension education classes and activities

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WAGNER offered the following amendments:

Amend Sec. 1, (Sec. 1146), page 2, line 16, by striking out the word "and"; amend Sec. 1, (Sec. 1146), page 2, line 16, by inserting after the word "supervisors" the

following: "and directors"; amend Sec. 1, (Sec. 1146), page 3, line 1, by inserting brackets before and after the word "and"; amend Sec. 1, (Sec. 1146), page 3, line 1, by inserting after the word "supervisors" the following: "and directors"; amend Sec. 1, (Sec. 1146), page 3, line 4, by striking out the word "and"; amend Sec. 1, (Sec. 1146), page 3, line 4, by inserting after the word "supervisors" the following: "and directors"; amend Sec. 1, (Sec. 1146), page 3, line 6, by striking out the word "and"; amend Sec. 1, (Sec. 1146), page 3, line 6, by inserting after the word "Supervisors" the following: "and Directors"; amend Sec. 1, (Sec. 1146), page 3, line 10, by striking out the word "and"; amend Sec. 1, (Sec. 1146), page 3, line 10, by inserting after the word "supervisors" the following: "and Directors"; amend Sec. 1, (Sec. 1146), page 3, line 12, by striking out the word "and" and inserting in lieu thereof: "Leaders"; amend Sec. 1, (Sec. 1146), page 3, line 12, by inserting after the word "Supervisors" the following: "and Directors"; amend Sec. 1, (Sec. 1146), page 3, line 16, by striking out the word "and" and inserting in lieu thereof: "Leaders"; amend Sec. 1, (Sec. 1146), page 3, line 16, by inserting after the word "Supervisors" the following: "and Directors"; amend Sec. 1, (Sec. 1146), page 3, line 20, by striking out the word "and" and inserting in lieu thereof: "Leaders"; amend Sec. 1, (Sec. 1146), page 3, line 20, by inserting after the word "Supervisors" the following: "and Directors"; amend Sec. 1, (Sec. 1146), page 4, line 2, by striking out the words "field of"; amend Sec. 1, (Sec. 1146), page 4, line 10, by inserting after the word "years" the following: "and."

They were agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. WAGNER offered the following amendment:

Amend Title, lines 6, 7, and 8 of Title, by striking out the words "by providing" in line 6, all of lines 7 and 8, and inserting in lieu thereof the following: "by establishing minimum salaries for leaders and directors of general extension education schools and classes; revising minimum salaries for teachers and supervisors employed in such programs and prescribing teacher and leader loads in certain cases."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILLS OVER IN ORDER

Mr. WAGNER. Mr. President, I ask unanimous consent that Senate Bill No. 381, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 383, on second reading, entitled:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by permitting employes to make up back payments to the retirement system from the time they entered school service and securing to such employes the full benefits of the retirement system from the time they entered school service

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 531, on second reading, entitled:

An Act to amend the last paragraph of subsection E of section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled "An act empowering cities of the second class of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitation for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" by providing an effective date for tax levies on persons subjects businesses transactions or privileges within two or more political subdivisions when another such political subdivision has previously levied such tax

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 592, entitled:

A Supplement to the act approved the twelfth day of June one thousand nine hundred thirty-one (P. L. 575) entitled "An act providing for joint action by Pennsylvania and New Jersey in the development of the ports on the lower Delaware River and the improvement of the facilities for transportation across the river authorizing the Governor for these purposes to enter into an agreement with New Jersey creating The Delaware River Joint Commission and specifying the powers and duties thereof including the power to finance projects by the issuance of revenue bonds transferring to the new Commission all the powers of the Delaware River Bridge Joint Commission and making an appropriation" authorizing the Governor on behalf of the Commonwealth of Pennsylvania to enter into a supplemental compact or agreement with the State of New Jersey amending Articles I II IV XI and XII of and adding a new article

to the compact and agreement between the Commonwealth of Pennsylvania and the State of New Jersey authorized and made pursuant to the act herein supplemented by changing the name of The Delaware River Joint Commission to The Delaware River Port Authority and the method of appointment of commissioners removing the present Pennsylvania members of the commission extending the jurisdiction powers and duties of the Delaware River Port Authority and defining such additional jurisdiction powers and duties to take effect upon the enactment of substantially similar legislation by the State of New Jersey embodying the supplemental agreement between the two States in this act set forth and authorizing the Governor to apply on behalf of the Commonwealth to the Congress of the United States for its consent thereto

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING

Mr. WALKES. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. SCARLETT. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 24, entitled:

An Act to amend Section 304 of the act, approved the ninth day of April, one thousand nine hundred twenty-three (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions; and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by increasing the membership of the Pennsylvania Historical and Museum Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 60, entitled:

An Act authorizing the court in any proceeding to establish paternity to order the parties therein to submit to blood grouping tests and prescribing the conditions under which such evidence may be admitted.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 363, entitled:

An Act to amend the act approved the twenty-sixth day of May, one thousand nine hundred forty-nine (P. L. 1828), entitled "An act concerning the investment powers and duties of guardians, committees, trustees, and other fiduciaries, except personal representatives, and prescribing the nature and kind of investments which may be made and retained by such fiduciaries," by further prescribing the nature and kind of investments which may be made and retained by fiduciaries.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 423, entitled:

An Act to further amend section four hundred fifty-two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers, providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," as amended, by further changing the provisions relating to the maximum compensation if the State Civil Service Commission.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 439, entitled:

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "A supplement to the act approved the second day of June one thousand nine hundred and fifteen (P. L. 736) entitled as amended 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties' as reenacted and amended providing for the payment of compensation to volunteer firemen or their dependents" by extending the provisions thereof to certain persons who extinguish forest fires and further defining compensation in the case of self employers

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 457, entitled:

An Act to add clause (m) to Section 108 of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining

the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" by including tuberculosis within the meaning of the term occupational disease in the case of nurses in hospitals and sanitarium.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 508, entitled:

An Act to amend Sections 1 and 2 of the act, approved the eighteenth day of April, one thousand nine hundred forty-five (P. L. 253, No. 114), entitled "An act relating to suits by shareholders against officers or directors in a corporation, domestic or foreign, to enforce a secondary right because the corporation refuses to enforce rights, which may be asserted by it, requiring that plaintiff be a shareholder at the time of the transaction of which he complains, or that his shares thereafter devolved upon him by operation of law; requiring security for defendant's expenses, including attorneys' fees; and providing for the assessment and recovery of such expenses, including attorneys' fees," by extending the provisions thereof to corporation having no capital stock; and authorizing corporations to indemnify directors, officers and other persons against certain expenses.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 520, entitled:

An Act to further amend Section 3 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled as amended "An act relating to the support of indigent persons providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons; providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" by providing proceedings for support shall not be on petition of indigent person imposing duty to first ascertain financial responsibility of nearest relatives and making such orders enforceable in any county of this Commonwealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 533, entitled:

An Act concerning contributions among joint tortfeasors defining the rights and duties of contribution in such cases making uniform the law with reference thereto and repealing certain acts

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 603, entitled:

An Act prescribing the persons who may administer the oath of office to the Governor and the Lieutenant-Governor

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 611, entitled:

An Act creating the Pennsylvania Public Safety Commission as a commission providing for the appointment of a director of Public Safety, setting forth the powers and duties of the commission, and the director, defining the scope of existing safety agencies; and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL SIGNED

The President (Lieutenant-Governor Lloyd H. Wood) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

Senate Bill No. 140, entitled:

An Act to further amend the act approved the seven-teenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus; and the regulation and supervision of insurance carried by such companies, associations and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further regulating investments of insurance companies.

Whereupon,

The President (Lieutenant-Governor Lloyd H. Wood) in the presence of the Senate signed the same.

ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Wednesday, May 9, 1951, at 10:00 o'clock, a. m., Eastern Standard Time.

Mr. KEPHART. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:30 o'clock, p. m., Eastern Standard Time, until Wednesday, May 9, 1951, at 10.00 o'clock, a. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, May 8, 1951

The House met at 11:00 a. m. EST.

The SPEAKER (Herbert P. Sorg) in the Chair.

PRAYER

The Chaplain, Reverend William Hugh Fryer, offered the following prayer:

O God, Creator, Preserver, Saviour of mankind, bestower of salvation and giver of spiritual grace; send down Thy blessing upon these Thy servants, that fortified with heavenly might, they may preserve unblemished faith, steadfast hope and fervent charity, and so with a clear vision of the task to which they have been called they may perform it with steadfastness and strength, through Jesus Christ our Lord. Amen.

JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Monday, May 7, 1951? If not, and without objection, the Journal is approved.

BILLS INTRODUCED AND REFERRED

By Messrs. ROYER and ANDREWS.

HOUSE BILL No. 1167.

An Act to provide for the expenses of the Joint State Government Commission of the General Assembly for the two fiscal years beginning June first, one thousand nine hundred and fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and fifty-one.

Referred to the Committee on Appropriations.

By Mr. GLEASON.

HOUSE BILL No. 1168.

An Act to amend subsection (b) of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens; encumbrances, and legal claims; registration of certain vehicles, and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties, providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by requiring registration plates to contain the words "Keystone State."

Referred to the Committee on Motor Vehicles.

By Messrs. DALRYMPLE and SCHMIDT.

HOUSE BILL No. 1169.

An Act to repeal sections 662, 663, and 664 of the act, approved the twenty-fourth day of June, one thousand

nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," which relate to the penal provisions imposed for the interference with railroad employes and for the abandonment of trains and refusal to move cars or discharge other duties by railroad employes in the furtherance of or aid to any strike.

Referred to the Committee on Railroads and Railways.

By Mr. BOLTON. HOUSE BILL No. 1170.

An Act to further amend subsection (a) of Section 1201 of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, ad garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by authorizing the bringing of informations for violations of the summary provisions of this act occurring on a highway dividing two municipalities before the nearest available magistrate in either one of said municipalities.

Referred to the Committee on Motor Vehicles.

By Messrs. DALRYMPLE and CLAPPER. HOUSE BILL No. 1171.

An Act to further amend the act, approved the first day of June, one thousand nine hundred thirty-one (P. L. 299), entitled "An act requiring retail dealers in liquid fuels to state the rate of the liquid fuels tax, separately from the price of such liquid fuels, on liquid fuel price display signs; and imposing a penalty," by requiring the posting of signs on liquid fuels dispensing devices, stating the brand, quality and price of liquid fuels; prohibiting the posting of signs not conforming to prescribed standards; and increasing penalties.

Referred to the Committee on Motor Vehicles.

By Mr. LOFTUS. HOUSE BILL No. 1172.

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia.

Referred to the Committee on Appropriations.

By Messrs. BANKER and CLAPPER. HOUSE BILL No. 1173.

An Act to amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amendinf, revising, consolidating and changing the law relating thereto," by authorizing the Pennsylvania Game Commission to issue special permits to certain disabled veterans with service conected disabilities and permitting them to hunt under Commission regulations from automobiles.

Referred to the Committee on Game and Forestry.

By Mr. TOMPKINS. HOUSE BILL No. 1174.

An Act to repeal the act, approved the twentieth day of May, one thousand eight hundred seventy-one (P. L. 1037), entitled "An act to limit the power and authority of the borough authorities of the borough of Emporium, in the county of Cameron, over the streets therein, and to authorize the setting out of shade trees along the streets."

Referred to the Committee on Boroughs.

By Mr. WILBUR H. HAMILTON. HOUSE BILL No. 1175.

An Act to further amend Section 105 of the act, approved the second day of June, one thousand nine hundred fifteen (P. L. 736), entitled, as amended "An act defining the liability of an employer in the course of employment; establishing an elective schedule of compensation thereunder; and prescribing penalties," by excluding from the term "contractor" and contractor or subcontractor who has insured payment of compensation to his own employes or has been exempted from obtaining insurance.

Referred to the Committee on Workmen's Compensation.

By Messrs. SCOTT and GEER. HOUSE BILL No. 1176.

An Act to further amend the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by providing for the payment of the outstanding indebtedness of the respective political subdivisions, when proceedings are being had for the incorporation of a borough out of a township or for the annexation of a part of the territory of a township to a borough, or for the detachment of a part of the territory of a borough and its annexation to a township.

Referred to the Committee on Municipal Corporations.

By Messrs. GEER and COOPER. HOUSE BILL No. 1177.

An Act to add Section 16.2 of the act, approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," authorizing the board of revision or the county commissioners to compromise delinquent taxes, interest and penalties when approved by the county solicitor.

Referred to the Committee on Counties.

By Mr. COSTA. HOUSE BILL No. 1178.

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum, Philadelphia.

Referred to the Committee on Appropriations.

By Messrs. EWING and BEECH. HOUSE BILL No. 1179.

An Act to amend Section 330.17 of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by authorizing the as-

signment of county police to inside or special duties in certain cases and prescribing the manner in which such assignments shall be made.

Referred to the Committee on Cities and County—
Second Class.

By Mrs. VARALLO and Mr. COSTA.

HOUSE BILL No. 1180.

An Act to further amend clause (9) of Section 1 of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employees, defining the uses and purposes thereof and the manner or payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employees serve; excepting annuities, allowances, returns, benefits, and rights from taxation nad judicial process; and providing penalties," by further defining term "original member" so as to include members of the present General Assembly.

Referred to the Committee on State Government.

By Mr. BOORSE (By Request).

HOUSE BILL No. 1181.

An Act to add Section 1207.1 to the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by granting jurisdiction to magistrates in summary proceedings, in certain cases where minors are charged with violations of said act.

Referred to the Committee on Motor Vehicles.

By Messrs. GOODLING and SHOEMAKER.

HOUSE BILL No. 1182.

An Act to further amend Section 20 of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by prescribing penalties for violations of closed seasons.

Referred to the Committee on Judiciary.

By Messrs. WELSH and TOLL.

HOUSE BILL No. 1183.

An Act regulating the arrest, hearing, detention, identification, evidence and privilege of persons under arrest;

imposing penalties for violations of act and providing for compensation for innocent persons convicted of crime.

Referred to the Committee on Judiciary.

By Messrs. KENT and RAY L. RILEY.

HOUSE BILL No. 1184.

An Act to amend the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 349), entitled "An act requiring political subdivisions to refund taxes and license fees erroneously and inadvertently paid thereto, and giving a right of action against such political subdivision for the recovery of such taxes and fees upon their failure to make such refunds; making the provisions of the act retroactive; and repealing existing laws," by requiring the refunding of and giving the right to recover such taxes and fees in every case where paid when not lawfully due and owing.

Referred to the Committee on Municipal Corporations.

By Mrs. MARKLEY and Mr. SCOTT.

HOUSE BILL No. 1185.

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by authorizing school directors in districts of the third class to elect an associate superintendent in lieu of a district superintendent, prescribing his powers and duties and fixing his compensation.

Referred to the Committee on Education.

By Messrs. McCORMACK and McNALLY.

HOUSE BILL No. 1186.

An Act authorizing the Pennsylvania Liquor Control Board to issue special temporary permits for the retail sale of malt or brewed beverages at baseball parks under certain circumstances.

Referred to the Committee on Liquor Control.

By Mr. BOLTON.

HOUSE BILL No. 1187.

An Act to amend the title and Sections 1, 2, 5 and 6 of the act, approved the thirtieth day of June, one thousand nine hundred forty-seven (P. L. 1161), entitled "An act to provide for the prompt, peaceful and just settlement of labor disputes between public utility employers engaged in furnishing electric, gas, water and steam heat services to the public and their employees which cause or threaten to cause strikes, lockouts, slowdowns or similar work stoppages and consequent interruptions in the supply of a public utility service on which a community served is so dependent that severe hardship would be inflicted on a substantial number of persons by a cessation of such service; providing procedures for the adjustment and settlement of such disputes; declaring that the public policy of the Commonwealth requires the continuation, without cessation, of such public utility services; and providing means, including regulations, affecting the rights, powers and privileges of employers and employes for the enforcement of such public policy, engaged in furnishing urban passenger transportation to and providing penalties," by bringing within the provisions of this act public utility employers and employes the public; making editorial corrections, and making the provisions thereof effective as to presently existing labor disputes and work stoppages.

Referred to the Committee on Labor Relations.

By Mr. SMITH.

HOUSE BILL No. 1188.

An Act making an appropriation to the Women's Medical College of Pennsylvania, East Falsl, Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. SMITH.

HOUSE BILL No. 1189.

An Act making an appropriation to the Department of Forests and Waters to be used by the Navigation Commission of the Delaware River and its Navigable Tributaries for the removal of sunken wrecks from the tideway of the Delaware River and its navigable tributaries, and providing for reimbursement to the Commonwealth.

Referred to the Committee on Appropriations.

By Messrs. FILIP and KOHL. HOUSE BILL No. 1190.

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by ishing of free transportation or board and lodging and further providing in third class districts for the furn- Statre reimbursements therefor, and exceptions to compulsory attendance.

Referred to the Committee on Education.

By Mr. NAUGLE.

HOUSE BILL No. 1191.

An Act to amend the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 565), entitled "A supplement to the act, approved the second day of June, one thousand nine hundred and fifteen (P. L. 736), entitled, as amended "An act defining the liability, of an employer to pay damages for injuries received by an employee in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," as reenacted and amended, to exempt domestic servants and agricultural workers from the provisions thereof, except in certain cases," by providing that the purchase of Workmen's Compensation insurance shall be the exclusive means of electing to accept the provisions of the Workmen's Compensation Act of 1915, in certain cases.

Referred to the Committee on Workmen's Compensation.

By Messrs. SARRAF and WILBUR H. HAMILTON.

HOUSE BILL No. 1192.

An Act to further amend Section 1 of the act, approved the twenty-first day of March, one thousand nine hundred forty-five (P. L. 51), entitled "An act defining and regulating the practice of Chiropody and providing penalties," by further defining Chiropody.

Referred to the Committee on Professional Licensure.

By Mr. FERSTER.

HOUSE BILL No. 1193.

An Act to add Section 10.1 to the act approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain said funds; imposing powers and duties upon the headds of departments in which State employees serve;

excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by providing for credit for years of service for certain former employees of State schools and colleges.

Referred to the Committee on State Government.

By Mr. FERSTER.

HOUSE BILL No. 1194.

An Act to add Section 12.2 to the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employees; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by providing for the furnishing of information and the transfer of certain moneys by the board of the State Employees' Retirement Fund.

Referred to the Committee on State Government.

By Mr. WELSH, Mrs. MONROE and Mr. TOLL.

HOUSE BILL No. 1195.

An Act to further amend subsection (a) of Section 3 of the act, approved the twenty-fifth day of July, one thousand nine hundred thirteen, (P. L. 1024), entitled "An act to protect the public health and welfare, by regulating the employment of females in certain establishments, with respect to their hours of labor and the conditions of their employment; by establishing certain sanitary regulations in the establishments in which they work; by requiring certain abstracts and notices to be posted; by providing for the enforcement of this act by the Commissioner of Labor and Industry and others; by prescribing penalties for violations thereof; by defining the procedure in prosecutions; and by repealing all acts and parts of acts inconsistent with the provisions thereof," by prohibiting the working of women for more than six consecutive days without at least one day of rest.

Referred to the Committee on Labor Relations.

By Mr. SMITH.

HOUSE BILL No. 1196.

An Act to amend clause (15) of the second paragraph of Section 493 of the act, approved the twelfth day of April, one thousand nine hundred fifty-one (Act No. 21), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages, amending, revising, consolidating and changing the laws relating thereto, regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in, and use of alcoholic liquors, alcohol and malt and brewed beverages, and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State Liquor stores, for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option and repealing existing laws," by making the cashing of Public Assistance checks by licenses of the Pennsylvania Liquor Control Board an unlawful act.

Referred to the Committee on Liquor Control.

By Messrs. LUTTY, OLSEN and LOUIS LEONARD.

HOUSE BILL No. 1197.

An Act to amend Section 815 of the act, approved the

first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by requiring all motor vehicles to be equipped with an outside mirror.

Referred to the Committee on Motor Vehicles.

By Messrs. LUTTY and OLSEN. HOUSE BILL No. 1198.

An Act to add section 1.1 to the act, approved the twenty-second day of May, one thousand nine hundred thirty-three (P. L. 851), entitled "An act fixing the pay and mileage of jurors and witnesses," by requiring employers to make certain payments to employes when on jury duty.

Referred to the Committee on Labor Relations.

By Messrs. OLSEN and HUNTER.

HOUSE BILL No. 1199.

An Act to amend Section 8.1 and further amend Section 13 of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 626), entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; creating and prescribing the powers and duties of a Board of Property Assessment, Appeals and Review; imposing duties on certain county and city officers; abolishing the board for the assessment and revision of taxes in such counties; and prescribing penalties," by making new buildings subject to assessment for taxation.

Referred to the Committee on Municipal Corporations.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. GEER and PAUL F. JONES.

RESOLUTION No. 45.

In the House of Representatives, May 7, 1951.

The care and treatment of delinquent and neglected children is one of the most important functions of a State.

The responsibility of the State in this regard is to rehabilitate these young citizens and provide the mwith the training and standard of moral values, necessary to live the life of a good citizen and enjoy the full advantages of this land of freedom and opportunity.

The responsibility of the State, is the responsibility of its Legislature, and that responsibility can be discharged only with complete fulfillment of its purpose; therefore be it

Resolved, That the Joint State Government Commission be instructed to investigate the conditions in every institution in this Commonwealth in which delinquent and neglected children are placed, with particular regard

to living conditions, discipline, educational facilities, and the effect which institutionalization has upon such children; and be it further

Resolved, That the Joint State Government Commission make a report of its findings and recommendations to the next General Assembly.

Referred to the Committee on Rules.

REPORTS FROM COMMITTEES

Mr. MAXWELL, from the Committee on Professional Licensure, reported as committed, House Bill No. 35, entitled:

An Act providing temporarily for the grant without examination of certificates of licensure to practice medicine and surgery to certain persons who become members of the armed forces of the United States; and suspending inconsistent laws.

Mr. BROWN, from the Committee on Welfare, reported as committed, House Bill No. 444, entitled:

An Act to protect the blind and incapacitated pedestrians on public street and highways; requiring vehicles to come to a full stop in certain cases; restricting the use of certain colored canes by other pedestrians; and imposing penalties.

Mr. SHOEMAKER, from the Committee on Cities—Third Class, reported as committed, House Bill No. 859, entitled:

An Act to amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising and consolidating the law relating thereto," by making drivers of fire-fighting apparatus or ambulances for certain volunteer fire companies eligible to the city pension fund.

Mr. KAMYK, from the Committee on Welfare, reported as committed, House Bill No. 834, entitled:

An Act to amend Section 1 of the act, approved the nineteenth day of June, one thousand nine hundred eleven (P. L. 1070), entitled "A further supplement to an act, entitled 'An act relative to Berks County Prison, and to discharged convicts,' approved the eighth day of April, Anno Domini one thousand eight hundred and forty-eight," by increasing the compensation for expenses of members of the board of inspectors.

Mr. COSTA, from the Committee on Education, reported as amended, House Bill No. 871, entitled:

An Act to amend subsection (a) of Section 921 and Sections 924 and 1025 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by further providing for terms of office of county school directors; changing certain payments made to them by the Commonwealth and certain items of procedure at conventions to elect county superintendents.

Mr. LOUIS LEONARD, from the Committee on Welfare, reported as committed, House Bill No. 1112, entitled:

An Act to amend the title of and the act, approved the twenty-eighth day of April, 1887 (P. L. 63), entitled "An act in relation to the imprisonment, government and release of convicts in the Pennsylvania Industrial Reformatory at Huntingdon," by correcting the name of said institution and of the governing board thereof, and changing the age limit of persons who may be committed to and detained therein.

Mr. McMILLEN, from the Committee on Education, reported as committed, House Bill No. 1151, entitled:

An Act to amend sections one thousand seventy-one and one thousand seventy-two of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto" by further providing for the appointment of district and assistant district superintendents.

Mr. PAUL F. JONES, from the Committee on Judiciary, re-reported as committed, House Bill No. 350, entitled:

An Act to amend Section 699.4 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by authorizing the production and performance of civic opera between certain hours on Sundays

Mr. HAROLD G. MILLER, from the Committee on Cities—Third Class, re-reported as amended, House Bill No. 839, entitled:

An Act to further amend sections one and two of the act approved the twenty-fifth day of June one thousand eight hundred ninety-five (P. L. 275) entitled "An act dividing the cities of this State into three classes with respect to their population and designating the mode of ascertaining and changing the classification thereof in accordance therewith" by classifying cities into five classes changing the time when a change in class becomes effective in certain cases and providing for the government of cities of the third class A.

Mr. DuBOIS, from the Committee on Military Affairs, reported as committed, Senate Bill No. 264, entitled:

An Act to amend Section 1412 of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by setting forth the duties of the Deputy Adjutant General in Charge of Veteran Affairs.

Mr. MIKULA, from the Committee on Cities—Third Class, reported as committed, Senate Bill No. 121, entitled:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by authorizing the classification of real estate into buildings on land and land exclusive of the buildings for city assessment and tax-levying purposes at separate and different rates.

Mr. CORR, from the Committee on Judiciary, reported as amended, Senate Bill No. 209, entitled:

An Act to further amend Section 1 of the act, approved the eleventh day of June, one thousand eight hundred seventy-nine (P. L. 147), entitled "An act fixing the compensation of persons called to service as coroner's jurors in this Commonwealth," by increasing the compensation of coroner's jurors.

Mr. LOFTUS, from the Committee on Municipal Corporations, reported as amended, Senate Bill No. 244, entitled:

An Act to further amend the act, approved the twelfth day of May, one thousand nine hundred forty-three (P. L. 259), entitled as amended "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies, to the treasurers of the several cities, boroughs, towns and townships, and for the payment thereof into police pension funds, and in certain cases into the Municipal Employees' Retirement System, and for Pension Annuity Contracts, and in certain other cases into the State Employees' Retirement Fund, for certain purposes," by redefining Pension Annuity Contract vesting certain (equities benefits dividends or) rights under pension annuity contracts in the municipality or in the policemen (or their dependents) providing for deductions to defray expenses for auditing providing for return of funds if not used within a certain time by the various political subdivisions.

Mrs. VARALLO, from the Committee on Education, reported as committed, House Bill No. 471, entitled:

An Act to further amend subsection (b) of Section 1376 and subsection (b) of Section 1377 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by authorizing payments by the Commonwealth for tuition and maintenance at hearing centers, and for instruction of parents of certain deaf children in caring for such children.

Mr. TOLL, from the Committee on Elections and Apportionment, reported as committed, House Bill No. 711, entitled:

An Act to further amend subsections (a) and (b) of section 16 of the act approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by further providing for hours of registration, and removing certain obsolete provisions.

Mr. LOPRESTI from the Committee on Elections and

Apportionment, reported as committed, House Bill No. 712, entitled:

An Act to further amend subsections (a) and (b) of section 17 of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, elections officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties, and repealing existing legislation," by further providing for hours of registration.

Mr. PENGLASE from the Committee on Motor Vehicles, reported as amended, House Bill No. 1059, entitled:

An Act to further amend subsections (a) and (b) of Section 411 and to amend Section 506 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds" by providing for the transfer of registration of motor vehicles, trailers, and semi-trailers involving a husband and wife and the assignment of registration plates in such cases.

Mr. BLOOM from the Committee on Banking and Building and Loan Associations, reported as committed, Senate Bill No. 170, entitled:

An Act to further amend sections one and two of the act, approved the thirty-first day of May, one thousand eight hundred ninety-three (P. L. 188), entitled "An act designating the days and half days to be observed as legal holidays, and for the payment, acceptance and protesting of bills, notes, drafts, checks and other negotiable paper on such days," authorizing bank holidays in the event of public calamities and permitting banking institutions at their option to engage in banking transactions on certain holidays.

Mr. HERSCH from the Committee on Banking and Building and Loan Associations, reported as committed, Senate Bill No. 171, entitled:

An Act to further amend subsection B of section one thousand nine of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled, as amended, "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers and employees' mutual banking associations; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, or private bankers and employees' mutual banking associations, and of the officers, directors, trustees, shareholders, attorneys, and other employees of all such corporations, employees' mutual banking associations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further providing for the powers and duties and limitation on powers of corporations authorized to engage in a banking or fiduciary business.

Mr. McCORMACK from the Committee on Elections and Apportionment, reported as committed House Bill No. 896, entitled:

An Act to further amend the act approved the thirtieth day of March one thousand nine hundred and thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by further changing the provisions of said act as to the registration of electors before certain elections the correction of registers and the preparation of street lists.

Mr. PENGLASE from the Committee on Elections and Apportionment, reported as committed, House Bill No. 1092, entitled:

An Act to amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by providing for the filing of nomination petitions of candidates for district councilmen in cities of the first class and of nomination papers in electoral districts newly created.

BILLS ON FIRST READING

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent for House Bill No. 896 to be read for the first time.

The SPEAKER. Will the House give its unanimous consent to reading House Bill 896 for the first time? Is there objection?

Mr. ANDREWS. Mr. Speaker, without desiring to create a precedent as to the reading of bills the first time when reported from committee, we have no objection to this particular bill.

The SPEAKER. The Chair hears no objection, and consent is granted.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 896, entitled:

An Act to further amend the act approved the thirtieth day of March one thousand nine hundred and thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers department and bureau police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by further changing the provisions of said act as to the registration of electors before certain elections the correction of registers and the preparation of street lists.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Mr. PENGLASE asked and obtained unanimous consent for House Bill No. 1092 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1092, entitled:

An Act to amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election contests; creating and defining membership of county boards of elections; imposing and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by providing for the filing of nomination petitions of candidates for district councilmen in cities of the first class and of nomination papers in electoral districts newly created.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. BOWER asked and obtained permission for the Committee on Elections and Apportionment to meet during the session of the House.

Mr. COOPER asked and obtained permission for the Committee on Banking and Building and Loan Associations to meet during the session of the House.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 168.

An Act to amend the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" by further regulating the sales made upon order of court and extending the time limit when certain properties must be sold.

SENATE BILL No. 362.

An Act to further amend the act, approved the twenty-sixth day of June, one thousand nine hundred thirty-one (P. L. 1379), entitled "An act creating in counties of the third class a board for the assessment and revision of taxes; providing for the appointment of the members of such board by the county commissioners; providing for their salaries, payable by the county; abolishing existing boards; defining the powers and duties of such board; regulating the assessment of persons, property, and occupations for county, borough, town, township, school, and poor purposes; authorizing the appointment of subordinate assessors, a solicitor, engineers, and clerks; providing for their compensation, payable by such counties; abolishing the office of ward, borough, and township assessors, so far as the making of assessments and valuations for taxation is concerned; and providing for the acceptance of this act by cities," by authorizing the payment of additional compensation to subordinate assessors by the boroughs, townships and school districts in which he makes assessments.

SENATE BILL No. 394.

An Act to further amend section eight hundred six of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act

concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by eliminating the provision making it unlawful to carry unloaded rifles and shotguns in or on any vehicle or conveyance unless said rifles and shotguns are in cases or securely wrapped, and also eliminating the provision making it unlawful to possess cartridges or shells for hunting in vehicles or conveyances unless they are in unbroken original cartcons, or securely wrapped.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

sideration of House Bill No. 513, entitled:

An Act to amend section 2 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by providing that certain appeals may be taken to the court of common pleas of the county in which the aggrieved person resides

HOUSE BILL No. 681.

An Act to further amend the title and Section 1 of the act, approved the twenty- eighth day of June, one thousand nine hundred thirty-five (P. L. 477), entitled as amended "An act providing for the payment of the salary, medical and hospital expenses of policemen and firemen by cities, boroughs, towns, and townships who are injured in the performance of their duty; and providing that absence during such injury shall not reduce any usual sick leave period," by extending the provisions thereof to park guards.

With information that the Senate has passed the same without amendment.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, May 2, 1951.

Resolved (if the Senate concur), That the following bills recalled from the Governor on the 3rd day of April, 1951, be returned to the Governor without amendment:

House Bill No. 30, Printer's No. 83, entitled "An act to add clause (5) to section two thousand five hundred forty-one of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending, revising, consolidating and changing the laws relating thereto' by providing for

payments on account of pupil transportation where school buses are used for purposes of better graduation."

House Bill No. 42, Printer's No. 153, entitled "An act to amend subsection (b) of Section 921 and Section 922 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools, amending, revising, consolidating and changing the laws relating thereto' by changing the tenure of members and officers of county boards of school directors."

House Bill No. 96, Printer's No. 47, entitled "An act to reenact sections one to nine, inclusive, of the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2803) entitled 'An act providing a method of annexation of townships of the first class and parts thereof to cities and boroughs and regulating the proceedings pertaining thereto' by making the same applicable in counties of the second class and repealing inconsistent laws excepting as to proceedings now pending."

House Bill No. 175, Printer's No. 211, entitled "An act authorizing and directing the Pennsylvania Fish Commission to make a comprehensive study of the migratory habits of fish, particularly shad and the sticking and tagging of shad below and above the Safe Harbor Dam, the Holtwood Dam and the Conowingo Dam, and to cooperate with the Federal government and the Joint State Government Commission in connection therewith and prescribing powers and duties."

House Bill No. 187, Printer's No. 202, entitled "An act to further amend Article XIV of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled 'An act concerning townships of the first class amending revising consolidating and changing the law relating thereto' by authorizing the appointment of special school police and defining their powers and duties."

House Bill No. 484, Printer's No. 73, entitled "An act to further amend subsection (a) of section 704 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled 'An act concerning game and other wild birds and wild animals and amending, revising, consolidating and changing the law relating thereto' by permitting the use of semi-automatic shotguns for the hunting and killing of small game predators and unprotected birds."

House Bill No. 655, Printer's No. 108, entitled "An act to amend Section 508 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' by requiring a record vote of school directors on the adoption of the annual budget."

House Bill No. 59, Printer's No. 22, entitled "An act to further amend section 15 of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207) entitled 'An act providing when, how, upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates, sewer rates and lighting rates for the procedure upon claims filed therefor, the methods for preserving such liens and enforcing payment of such claims, the effect of judicial sales of the properties liened, the distribution of the proceeds of such sales, and the redemption of the property therefrom, for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed within six months before the passage of this act, and for the procedure on tax and municipal claims filed under other and

prior acts of Assembly' changing the procedure in reviving municipal claims and reinstating the lien of certain claims."

House Bill No. 276, Printer's No. 71, entitled "An act to further amend the act approved the fifth day of June one thousand nine hundred forty-seven (P. L. 458) entitled as amended 'An act creating as bodies corporate and politic "Parking Authorities" in cities of the first, second, second A and third classes prescribing the rights, powers and duties of such authorities authorizing such authorities to acquire, construct, improve, maintain and operate parking projects to conduct research of the parking problem and to establish a permanent coordinated system of parking facilities, and to borrow money and issue bonds therefor, providing for the payment of such bonds and prescribing the rights of the holders thereof, conferring the right of eminent domain on such authorities empowering such authorities to enter into contracts with and to accept grants from the Federal Government State political subdivisions of the State, or any agency thereof, exempting the property and securities of such parking authorities from taxation and conferring exclusive jurisdiction on certain courts over rates' by extending the provisions of the act to boroughs and townships of the first class."

SENATE MESSAGES

CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, May 7, 1951.

Resolved (if the Senate concur), That House Bill No. 719, Printer's No. 114, entitled "An act making a deficiency appropriation to the Department of Welfare to reimburse State-aided hospitals for part of the cost of training student nurses in approved schools of nursing," which was recalled from the Governor, April 26, 1951, be returned to the Governor without amendment.

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 7, 1951.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday, May 14, 1951, at two o'clock p. m., Eastern Standard Time; and when the House of Representatives adjourns this week, it reconvene on Monday, May 14, 1951, at three thirty o'clock p. m., Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 513.

An Act to amend section 2 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to

make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by providing that certain appeals may be taken to the court of common pleas of the county in which the aggrieved person resides.

HOUSE BILL No. 681.

An Act to further amend the title and Section 1 of the act, approved the twenty-eighth day of June, one thousand nine hundred thirty-five (P. L. 477), entitled as amended "An act providing for the payment of the salary, medical and hospital expenses of policemen and firemen by cities, boroughs, towns, and townships who are injured in the performance of their duty; and providing that absence during such injury shall not reduce any usual sick leave period," by extending the provisions thereof to park guards.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair is pleased to welcome to the House a former Member from Allegheny County, Honorable Thomas J. Heatherington.

QUESTION OF PERSONAL PRIVILEGE

Mr. ROYER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. ROYER. Mr. Speaker, in the Legislative Journal, Volume 32, No. 35, of April 10th on page 1465, I have been recorded as voting in the negative on House Bill 48. This is in error as I was not in attendance due to illness. Had I been present I would have voted in the affirmative.

DARBY JUNIOR HIGH SCHOOL PUPILS WELCOMED

The SPEAKER. The Chair is pleased to welcome to the House the seventh grade class of the Darby Junior High School, Delaware County, accompanied by Misses Alice Tiffany and Evelyn Reed and Mr. Charles E. Adams, teachers. They are here as guests of the gentlemen from Delaware, Messrs. W. C. Leonard, Glendening, Bloom and Robertson.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. SCHMIDT asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

ANNOUNCEMENT

The SPEAKER. There will be a caucus of the Republican Members in the new House Caucus Room and of the Democratic Members in the old House Caucus Room immediately upon the calling of the recess. The Members are requested to proceed promptly to their respective meeting places.

RECESS

The SPEAKER. If there is no objection, the Chair will

declare a recess for one hour and a half. The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Herbert P. Sorg) in the Chair.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair welcomes to the House a former Member, the gentleman from Cameron, Honorable John Schwab.

ST. BASIL'S HIGH SCHOOL PUPILS WELCOMED

The SPEAKER. The Chair is pleased to welcome to the House the senior class of St. Basil's High School, Dushore, Sullivan County, under the direction of Sister Mary Basil and Sister Willemyn. They are here as the guests of the gentleman from Sullivan, Mr. Baumunk.

HARRISBURG CATHOLIC HIGH SCHOOL PUPILS WELCOMED

The SPEAKER. The Chair welcomes to the House the Senior class of the Harrisburg Catholic High School, under the direction of Sister Maria Consilia, Mother Superior, and Sister Mary Phillip. They are here as the guests of the gentlemen from Dauphin, Messrs. Dowling and Zeigler.

ALLENTOWN CENTRAL CATHOLIC HIGH SCHOOL PUPILS WELCOMED

The SPEAKER. The Chair also welcomes to the House thirty-five pupils of the Allentown Central Catholic High School, under the direction of Sister Stella Frances and Sister Alma Patricia. They are here as the guests of the Members from Lehigh, Mrs. Markley and Messrs. Van Sant and Stimmel.

BILLS INTRODUCED AND REFERRED

By Mr. DUNN.

HOUSE BILL No. 1200.

An Act to amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," by requiring that vehicles on four lane highways travel in the extreme right lane of traffic; re-

quiring the posting of signs on such highways; imposing duties on the Secretary of Highways and local authorities in counties, cities, boroughs, incorporated towns and townships and prescribing penalties.

Referred to the Committee on Motor Vehicles.

By Messrs. WATKINS and STANK.

HOUSE BILL No. 1201.

An Act regulating and restricting the redemption and sale of certain real property heretofore or hereafter purchased by any political subdivision at a tax sale.

Referred to the Committee on Municipal Corporations.

By Messrs. WATKINS and STANK.

HOUSE BILL No. 1202.

An Act to amend the title and Sections 1, 2 and 3 of the act, approved the twenty-eighth day of July, one thousand nine hundred forty-one (P. L. 536), entitled "An act authorizing counties, cities, except cities of the first class, boroughs, towns, townships, school districts, poor districts and institution districts at any sale of real property for the nonpayment of taxes or municipal claims to take title jointly in proportion to their tax claims; providing for the management of such real property and for the resale and conveyance of their interests to a purchaser," by extending the provisions of said act to include real property heretofore purchased at tax sales by a political subdivision, and to real property containing minerals and oil beneath or upon the surface, and further regulating the resale of property held by the political subdivisions.

Referred to the Committee on Municipal Corporations.

By Messrs. CLENDENING and WATKINS.

HOUSE BILL No. 1203.

An Act to select and adopt the Great Dane as the official State dog of Pennsylvania.

Referred to the Committee on State Government.

By Mr. McMILLEN.

HOUSE BILL No. 1204.

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by clarifying the procedure in reference to rating of professional employees and temporary employees; and designating the persons authorized to do the same.

Referred to the Committee on Education.

By Messrs. ROSE and SARRAF.

HOUSE BILL No. 1205.

An Act defining clinicopathologic laboratory; regulating the operation of the same; requiring such laboratories to obtain permits and to be operated under the direct supervision of a duly licensed physician or other qualified persons; imposing certain duties upon the Department of Health, and providing penalties.

Referred to the Committee on Public Health and Sanitation.

By Mr. KRATZ.

HOUSE BILL No. 1206.

An Act to further amend the act, approved the fourth day of June, one thousand nine hundred thirty-seven (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employees retire-

ment system in counties of the third class; and imposing certain charges on counties," by further defining "final salary"; authorizing the transfer from the one one-hundred-twentieth (1-120) to the one one-hundredth (1-100) class of members contributions at option of the board and adjusting the county annuity on superannuation retirement upon such transfers and providing for minimum retirement allowance in certain cases.

Referred to the Committee on Counties.

By Messrs. READINGER and ROBERT A. PRICE.
HOUSE BILL No. 1207.

An Act to add Section 607.1 to and to amend Section 610 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," by requiring applicants for renewal of operator's license on and after reaching age sixty to take a reexamination every fifth year for the renewal thereof and requiring age to be stated on operator's license card.

Referred to the Committee on Motor Vehicles.

By Mr. WEIDNER. HOUSE BILL No. 1208.

An Act to further amend Section 1156 of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by further prescribing permit requirements and penalties for public utility workings involving township roads; providing for payment of fees therefor into the township treasury; and imposing duties on the supervisors.

Referred to the Committee on Highways.

By Messrs. TOMPKINS, SCHMIDT and READINGER.
HOUSE BILL No. 1209.

An Act relating to marriage and amending, revising, consolidating and changing the law relating thereto.

Referred to the Committee on Judiciary.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, I crave the privilege of offering a discharge resolution. Before doing this, I desire to make a preliminary statement.

We will move to discharge the Committee on Agricul-

ture and Dairy Industries from one of the oleo bills, House Bill 16.

There has been some comment in the public press that various members of the majority party desire to lead the revolution or insurrection or whatever you call it as far as oleo legislation is concerned. So, Mr. Speaker, if there is any member of the majority party who desires to carve himself a niche in the Hall of Fame by sponsoring this particular discharge resolution, I will gladly yield to him and give one member or as many members of the majority party as there may be who desire to sponsor a resolution bringing oleo legislation on the floor of the House. Going! Going!! Gone!!! No takers.

I, therefore, yield, Mr. Speaker, to the gentleman from Westmoreland, Mr. Petrosky.

RESOLUTION

DISCHARGING COMMITTEE

Messrs. PETROSKY and McNALLY offered a resolution which was read by the Clerk as follows:

In the House of Representatives, May 8, 1951.

Resolved, That the Committee on Agriculture and Dairy Industries be discharged from further consideration of House Bill No. 16, Title: "An Act regulating the manufacture, sale and advertising of oleomargarine, butterine, or other similar products, imposing certain powers and duties upon the Department of Agriculture and imposing penalties and repealing certain statutes."

Said bill having been referred to the Committee on Agriculture and Dairy Industries, on February 5, 1951.

On the question,

Will the House adopt the resolution?

Mr. PETROSKY. Mr. Speaker, under Rule 40, of the House, I am offering this discharge resolution, not with the thought of pride of sponsorship in mind upon House Bill 395, which myself and two of my colleagues on this side introduced; but to take the first bill that was introduced which would allow the sale of colored oleo in the state of Pennsylvania.

I do not intend to speak upon the merits of the bill. I simply want to present this discharge resolution in behalf of the many, the great numbers I should say, of people who desire such legislation, due to the fact that this is the only possible way, it seems, from the action that has been taken in the Senate and the House for the past several months, the only opportunity for you and me to count our votes as being for colored oleo sales or against colored oleo sales.

This discharge resolution is being offered in a bi-partisan spirit. We do not want to think that precedent would be broken by the passage of a discharge resolution; we simply want to say to the people of Pennsylvania: "We are now voting on oleo legislation; we are now voting on something which will bring to the floor of the House the elimination of the ban on oleo sales in Pennsylvania."

I present the resolution in that spirit and with the thought in mind that we must do something for the housewives who have been wanting this particular legislation, and inasmuch as this House will never be able to vote in any other way on removing the ban on oleo sales this is your opportunity to vote as you have pledged yourselves to vote to the electorate of your districts.

Mr. ROBERTSON. Mr. Speaker, as the Members of the House may learn by looking at the History, you will notice that my name happens to be there as a sponsor of this bill.

If I were to follow the suggestions of the gentleman who just preceded me in speaking on the floor of the House, I would state that the vote which I am going to make on this resolution would be a vote against my own bill. It is a vote to support the orderly processes of this very body of which we happen to be Members.

If anyone questions as to whether I would vote for the oleo bill, I merely refer them to the fact that I am one of the sponsors of this bill. So that there can be no question to anyone, if there were an oleo bill on the floor of this House, my vote would be for that bill.

But, Mr. Speaker, my position in this particular parliamentary procedure is that my vote is against this resolution merely to sustain and to keep intact the procedure, which this House has been following for years; and although I am very deeply interested in the oleo problem in this state, I cannot vote in favor of this resolution.

Mr. MADIGAN. Mr. Speaker, I rise to oppose this motion to discharge this Committee. I would like to second the remarks made by the gentleman from Delaware who just spoke, Mr. Robertson.

This Committee is set up under the Constitution. It is a procedure which has been followed in this House over the years and I think we would be establishing a precedent if we try to upset something that has been set up here by the Constitution. In fact, I question in my own mind the constitutionality of a discharge resolution.

Mr. ANDREWS. Mr. Speaker, I would like to interrogate the gentleman, the Chairman of the Committee.

The SPEAKER. Will the gentleman from Bradford, Mr. Madigan, permit himself to be interrogated?

Mr. MADIGAN. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, does the gentleman raise the point of the constitutionality of this resolution?

Mr. MADIGAN. Mr. Speaker, I do not. I just made the remark that I question it in my own mind; but I do not raise that point on the floor.

I would like to say for the information of the Members of the House that these bills came before this Committee in an orderly manner. There were six bills in the Committee at the original meeting of the Committee, but those bills differed in certain respects. On approval by members of the Committee those bills were referred to a sub-committee. This sub-committee gave considerable thought and study to the provisions of the bills, how they would apply to enforcement of the pure food laws and at this morning's meeting that sub-committee was prepared to make its report. They made their report to the Committee and ample time was given to members of the Committee for thorough discussion of the bills.

We had a motion from our Committee authorizing the report of this sub-committee to be made public. The report is being mimeographed. It will be available to the press, to the Members of the House and to be distributed to the public.

There was nothing underhanded in any manner in the study of these bills. It was put to a vote of the

Committee and was decided by a large majority of the Committee of bi-partisan members of the Committee to put the bills on the table. There was no party issue at stake. The questions were decided upon the merits of the bills and according to the information which was available to the Committee at the time.

Mr. ANDREWS. First, Mr. Speaker, there is a historical precedent for the discharge of Committees. It has been done from the floor of this House, but rarely.

The distinguished Chairman of the Committee says that the refusal to report this bill is the result of a bi-partisan decision; that there is no partisan issue. We decline to accept that position.

With us the discharge of this Committee is distinctly a partisan issue, and I am not importuning at this time any particular support from any particular member of the minority. If you want to go to the people on the basis of this vote, I am perfectly willing to do so for and on behalf of the majority contingent in this House.

We have presented the perennial fallacy which brings us to a reduction ad absurdum. Several million people want a particular bill passed or at least acted upon. Then 208 Members proceed to function for and on behalf of the million. Then a committee of thirty, or twenty, as the case may be, becomes the custodian of the conscience, the judgment, not only the desires, not only of the means, but of the judgment and the conscience of this House.

The distinguished gentleman from Delaware is not the only Member of this House who, if he spoke his convictions, would arise and state that if this bill were on the floor, he would support it. But because the majority of a sub-committee, perhaps, by one vote, sometimes by a secret ballot, decide that certain kinds of legislation shall not be presented for consideration, that one vote triumphs over the judgment and the conscience of many Members, perhaps on both sides of the House, and defeats the desires and intents of the people who sent us here.

I concede that from the standpoint of leadership to compel a party to bowl in a particular alley that you will find it desirable to maintain the integrity and the supremacy of your Committees. The chairmen of these Committees are appointed, whether we have a Democratic Governor or a Republican Governor, by and with the consent and sanction of the Governor, and then according to tradition, the Chairman of those Committees, whether we have a Democratic Governor or a Republican Governor, become the agents of the Executive. You hold them in line and you dictate the kind of legislation to be brought to vote in the House by upholding the sanctity of a Committee, as though any thirty men were wiser than all the Members of this House.

That is the proposition. First, the millions in the Commonwealth, then 208, then thirty, then a Committee of three by a majority of one determines whether or not we are going to get a chance to vote.

So, we accept the issue. It is a partisan issue in the sense that a very considerable proportion of the Democratic contingent in this House favors the discharge of this Committee.

Mr. McKINNEY. Mr. Speaker, I rise at this point to

take exception to the remarks of the gentleman from Cambria, Mr. Andrews, when he says that the chairmen of committees are appointed by and with the consent of the Governor. I think that is the prerogative of the Speaker and of the Speaker alone and the Governor does not come into this picture. That is the only reason I arose.

Mr. PETROSKY. Mr. Speaker, in order to set the record straight I would like to interrogate the gentleman from Delaware, Mr. Robertson.

The SPEAKER. Will the gentleman from Delaware, Mr. Robertson, permit himself to be interrogated.

Mr. ROBERTSON. Mr. Speaker, I shall.

Mr. PETROSKY. Mr. Speaker, I desire to know whether the gentleman believes that the ordinary and the proper procedure of this House of Representatives is conducted under the Rules of the House of Representatives as revised to January 15, 1951?

Mr. ROBERTSON. Mr. Speaker, speaking off hand and without study to give a reasonable answer, I would say as far as I know that is true. I do not know whether it is exact or not but I presume upon the advice of the Speaker and the Parliamentarian that we are operating under those rules.

Mr. PETROSKY. Mr. Speaker, I desire to know from the gentleman whether he knows that Rule 40 is a part of the Rules of the House which provides for the discharge of the Committees from consideration of bills after said bills or resolutions have been 10 calendar days in the hands of that Committee—Page 118 of the directory.

Mr. ROBERTSON. Mr. Speaker, that is correct.

Mr. PETROSKY. Mr. Speaker, then would the gentleman agree that I and my colleagues have used the proper form and procedure in this House in order to bring about the consideration of House Bill 16, which was co-sponsored by the gentleman, Mr. Robertson.

Mr. ROBERTSON. Mr. Speaker, in accordance with the Rule 40 as the gentleman drew my attention to it by reading that Rule, he is correct.

Mr. PETROSKY. Mr. Speaker, I thank the gentleman.

Mr. McNALLY. Mr. Speaker, I do not propose to discuss the question generally. There are many arguments on the merits for and against oleo, yellow oleo.

Time does not permit me to discuss them all or even a few of them. I will confine my remarks to the unwarranted undemocratic action of the Committee on Agriculture and Dairy Industries, in preventing the people of Pennsylvania from knowing how the Representatives vote on this important piece of Legislation.

The Committee system was never intended to prevent legislation from reaching the floor of the House for action. To refuse the Members of the House an opportunity to vote on this important piece of legislation is an outrage.

Our constituents do not understand or appreciate this false sanctity that has built up around the discharge of a committee. Our constituents are entitled to know how we vote on the merits of a bill. They are not interested in political maneuvers that allow legislation to be stifled without those who are responsible being required to stand up and be counted.

In conclusion I hope and pray that House Bill 16 will be favorably reported out of the Agriculture and Dairy

Industries Committee so that all the Members of the House will be able to record their vote for or against it.

On the question recurring,

Will the House adopt the Resolution?

The yeas and nays were required by Mr. Andrews and Mr. Petrosky.

A verification of the roll was requested by Messrs. Moran, McNally and Corr.

The roll was verified and was as follows:

YEAS—81

Amarando,	Hersch,	Mihm,	Rovansek,
Andrews,	Hoggard,	Mills,	Sarra,
Beaver,	Hunter,	Monroe,	Scanlon,
Bloom,	Jenkins,	Moran,	Schmidt,
Boles,	Jones, G. E.,	Muldowney,	Seyler,
Breth,	Jones, J. M.,	Munley,	Snider,
Bucchin,	Jones, P. F.,	Musto,	Stank,
Byrne,	Kamyk,	Needham,	Swartz,
Cochran,	Kolankiewics,	Penglase,	Swope,
Conway,	Kornick,	Peta,	Taylor,
Corr,	Kubacki,	Petrosky,	Thompson, R. L.,
Coyle,	Leonard, L.,	Pettigrew,	Toll,
Dougherty,	Leven,	Pfaff,	Varallo,
Duffy,	Lopresti,	Polaski,	Verona,
Fenrich,	Lovett,	Polen,	Wargo,
Filip,	Lutty,	Price, R. A.,	Welsh,
Flo,	Maxwell,	Readinger,	Westrick,
Gaffney,	McDermitt,	Reidenbach,	Wheeler,
Guarnieri,	McGee,	Rose,	Williams,
Hamilton, R. E.,	McNally,	Rosen,	Yester,
			Yetzer,

NAYS—115

Banker,	Geer,	Loftus,	Sax,
Barkdoll,	Gibson,	Lyons,	Scott,
Baumunk,	Gleason,	Madden,	Shoemaker,
Bear,	Goodling,	Madigan,	Shotwell,
Beech,	Graybill,	Markley,	Smith,
Berkstresser,	Greenwood,	Mazza,	Sollenberger,
Blair,	Greer,	McConnell,	Spencer,
Bolton,	Gutendorf,	McCormack,	Stimmel,
Bomberger,	Guthrie,	McCullough,	Stoner,
Bower,	Hall,	McInroy,	Tahl,
Brelsch,	Hamilton, W. H.,	McKinney,	Thompson, E. F.,
Brown,	Harney,	McMillen,	Tompkins,
Cella,	Haudenshield,	Metz,	Toomey,
Clapper,	Headlee,	Mikula,	VanSant,
Clendening,	Helm,	Miller, H. G.,	Varner,
Cooper,	Hewitt,	Mintess,	Wachhaus,
Costa,	Hocker,	Moore, C. E.,	Waterhouse,
Dalrymple,	Johnson,	Moore, H. A.,	Watkins,
Davis,	Jones, T. H. W.,	Murray,	Weidner,
Dennison,	Jump,	Naugle,	Wescott,
Dowling,	Keller,	Pichney,	Whalley,
DuBois,	Kent,	Pitzer,	White,
Dunn,	Kline,	Price, H. W. Jr.,	Wilt,
Erb,	Kohl,	Reagan,	Wood,
Ewing,	Kratz,	Reilly, J. M.,	Yeakel,
Ferster,	Lafore,	Riley, R. L.,	Young,
Firmstone,	Lelsey,	Robertson,	Ziegler,
Flack,	Leonard, W. C.,	Royer,	Sorg,
Frost,	Light,	Rubin,	Speaker

NOT VOTING—11

Boorse,	Lederer,	Najaka,	Rigby,
Good,	Limper,	Olsen,	Schuster,
Hagerty,	Miller, J. C.,	Reese,	

So the question was determined in the negative and the resolution was not adopted.

MIFFLINBURG HIGH SCHOOL PUPILS WELCOMED

The SPEAKER. The Chair is pleased to welcome to the House the freshman class of the Mifflinburg High School, Union County, accompanied by their History teacher and Athletic Coach, Mr. Harry F. Haney, Science Teacher, Mr. William Ruhl, and English teacher, Mr.

David Johnson. They are here as the guests of the gentleman from Union, Mr. Reagan.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. REAGAN asked and obtained permission for the Committee on Townships to meet during the session of the House.

Mr. DENNISON asked and obtained permission for the Committee on Motor Vehicles to meet during the session of the House.

REPUBLICAN WOMEN OF DELAWARE COUNTY WELCOMED

The SPEAKER. The Chair is pleased to welcome to the Hall of the House thirty-seven members of the League of Republican Women from Delaware County. They are here as the guests of the gentlemen from Delaware, Messrs. Bloom, W. C. Leonard, Clendining and Robertson.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 153.

An Act to amend Section 209 of Article II of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments, commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by authorizing cemetery and burial corporations to transfer trust funds to corporate fiduciaries with the approval of the Orphans' Court and by providing for the filing of accounts by such fiduciaries and the audit and confirmation thereof by said court.

Referred to the Committee on Judiciary.

SENATE BILL No. 276.

An Act to amend Subsection C of Section 315 of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business

within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by the act imposing penalties and repealing certain acts and parts of act relating to corporations" by authorizing cemetery and burial corporations to transfer trust funds to corporate fiduciaries with the approval of the orphans' court and by providing for the filing of accounts by such fiduciaries and the audit and confirmation thereof by said court.

Referred to the Committee on Judiciary.

SENATE BILL No. 357.

An Act to reenact, revise and amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto."

Referred to the Committee on Cities—Third Class.

SENATE BILL No. 500.

An Act to further amend the title of and the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1286) entitled as amended "An act empowering counties of the second class cities boroughs incorporated towns and townships to charge and collect from owners of and water users in property served thereby annual rentals rates or charges for the use of certain sewers sewerage systems and sewage treatment works including charges for operation inspection maintenance repair depreciation and the amortization of indebtedness and interest thereon empowering counties of the second class cities boroughs incorporated towns and townships to contract with authorities organized by counties of the second class for sewer sewerage and sewage treatment services to grant convey lease transfer encumber mortgage and pledge to such authorities their sewers sewerage systems and sewage treatment works to assign and pledge to such authorities rentals rates and charges charged and collected by them for the use thereof and to assign to such authorities their power to charge and collect the same and validating all such contracts grants conveyances leases transfers assignments encumbrances mortgages and pledges heretofore made" by extending to authorities organized by cities of the third class the provisions affecting authorities organized by counties of the second class

Referred to the Committee on Cities—Third Class.

SENATE BILL No. 527.

An Act to amend clause (h) of section one hundred two clauses (c) and (f) of section two hundred two clause (c) of section two hundred five clauses (a) (b) (c) (d) (e) and (f) of section two hundred ten section three hundred six clause (c) of section five hundred two and clause (g) of section two hundred five of the act approved the twenty-fifth day of June one thousand nine hundred and forty-one (P. L. 159) entitled "An act amending revising consolidating and changing the law relating to the borrowing of money by certain political subdivisions the authorization issuance and sale of general obligation bonds as herein defined of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes and to the funding of debt and the refunding of bonds regulating the keeping and use of sinking funds imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions imposing penalties and repealing existing laws" by clarifying and correcting the provisions of said sections and

setting forth provisions and requirements for contesting the validity of any election proceedings under section two hundred five.

Referred to the Committee on Municipal Corporations.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. STIMMEL asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WATERHOUSE asked and obtained permission for the Committee on Workmen's Compensation to meet during the session of the House.

MEMBER OF TEXAS LEGISLATURE WELCOMED

The SPEAKER. The Chair is pleased to welcome to the House today, Hon. Joe Pyle, a member of the House of Representatives of the State of Texas, representing Tarrant County.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 568, entitled:

An Act to further amend section one of the act approved the twenty-fourth day of May one thousand eight hundred ninety-three (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same" by further prescribing for the management administration application and regulation of such fund in cities of the first class

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 499, entitled:

An Act to further amend section eleven of the act approved the seventeenth day of February one thousand nine hundred six (P. L. 45) entitled "An act to regulate the deposits of State funds to prescribe the method of selecting State depositories to limit the amount of State deposits to provide for the security of such deposits to fix the rate of interest thereon to provide for the publication of monthly statements of moneys in the general and sinking funds to declare it a misdemeanor to give or take anything of value for obtaining the same and prescribing penalties for violations of this act" by further regulating the rendition of statements of moneys to the credit of the various funds in the State Treasury

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 577, entitled:

An Act to amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State

government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by further regulating the security required for depositories of State moneys and to permit the designation of additional banks or trust companies as active depositories.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 678, entitled:

An Act to further amend Section 1803 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions, defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," as amended by adding subsection (h) to authorize the Department of Forests and Waters to grant certain rights of way to utility companies.

The first section was read.

On the question,

Will the House agree to the section?

Mr. TOMPKINS offered the following amendment:

Amend Section 1, page 4, Section 1803 (h), line 6. Strike out the word "electric."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 872, entitled:

An Act authorizing certain municipal corporations of other states to acquire use encumber and dispose of real property and appurtenances attached thereto in this Commonwealth necessary to the beneficial use of certain real property in such other state defining certain of their rights and liabilities in connection therewith and validating certain acquisitions and holdings of real property and appurtenances attached thereto by such municipal corporations heretofore consummated

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 972, entitled:

An Act to further amend section seven hundred eleven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by regulating the dismissal suspension demotion reenlistment and retirement of enlisted members of the Pennsylvania State Police.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1040, entitled:

An Act authorizing the Secretary of Property and Supplies to sell and convey a tract of land situate in the Township of Cecil, Washington County, Pennsylvania; providing for reversion to the Commonwealth.

The first section was read.

On the question,

Will the House agree to the section?

Mr. POLEN offered the following amendments:

Amend Sec. 1, page 3, line 2, by striking out the figures "23" and inserting in lieu thereof: "44."

Amend Sec. 1, page 3, line 2, by striking out the figures "93." and inserting in lieu thereof: "275.36."

Amend Sec. 1, page 3, lines 3, 4, 5, and 6, by striking out the following: "thence North 27 degrees 25 minutes East for a distance of 220.33" in line 3, all of lines 4 and 5, and the following in line 6: "for a distance of 50.00 feet to a point."

Amend Sec. 1, page 3, lines 6, 7 and 8, by striking out

the word "thence" in line 6, all of line 7, and the following in line 8: "distance of 205.00 feet to a point of curvature."

Amend Sec. 1, page 3, line 11, by striking out the figures "907.18" and inserting in lieu thereof: "397.35."

Amend Sec. 1, page 3, line 11, by striking out the word "North" and inserting in lieu thereof: "South."

Amend Sec. 1, page 3, line 13, by striking out the figures "7.35" and inserting in lieu thereof: "6.24."

They were agreed to.

The section was agreed to as amended.

The second to fourth sections inclusive and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1043, entitled:

An Act to further amend section 1026 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by limiting the eligibility of candidates for county superintendent of schools.

The first section was read.

On the question,

Will the House agree to the section?

Mr. TOOMEY offered the following amendment:

Amend section 1 (section 1026), page 2, line 16 by inserting after the word "years" the following: "or an assistant county or district superintendent's commission which has been issued prior to the first day of July 1951."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 80, entitled:

An Act to further amend the title and to amend Section 1 of the act, approved the twenty-seventh day of May, one thousand eight hundred ninety-three (P. L. 181), entitled, as amended "An act providing for the acquisition of land and the erection, equipment, management, and operation of the Pennsylvania Soldiers Orphans' School; the maintenance of children admitted thereto, and regulating the admissions to and discharges from the said Pennsylvania Soldiers Orphans' School," by changing the name of the Pennsylvania Soldiers Orphans' Industrial School.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 81, entitled:

An Act to amend the title and Sections 1, 2, 3 and 4 of the act, approved the twenty-first day of May, one

thousand nine hundred forty-three (P. L. 302), entitled "An act providing for the admission of children to, and their education and maintenance in, and their discharge from the Pennsylvania Soldiers' Orphan School; prohibiting discharging children or taking children from said school, or children from leaving the same without an order of the Board of Trustees of the Pennsylvania Soldiers' Orphan School; and prescribing penalties," by changing the name of the Pennsylvania Soldier's Orphan School.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 103, entitled:

An Act to reenact and amend the title and Section 4 of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 982) entitled "An act to authorize State public bodies as defined to aid redevelopment authorities in the elimination of blighted areas and their redevelopment by entering into contracts to furnish and by furnishing to said authorities and to any Federal governmental agency parks playgrounds streets and other improvements and facilities and by donating or lending money and making appropriations therefor by accepting payments and exercising certain other powers and duties" by confirming authorization heretofore granted to the Commonwealth or State public bodies to dedicate sell convey or lease any of its property to a redevelopment authority and by providing for the execution of instruments therefor on behalf of the Commonwealth and validating dedications sales conveyances and leases heretofore made.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 216, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey a tract of land situate in the Township of Reed Dauphin County Pennsylvania with the approval of the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 247, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by regulating the authority of school districts to purchase supplies and to perform and contract for construction reconstruction repairs and work of any nature

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. SEYLER offered the following amendments:

Amend Sec. 2 (Sec. 807), page 6, line 10, by inserting after the word "costing" the following "three hundred dollars (\$300) or more but."

Amend Sec. 2 (Sec. 807), page 6, line 11, by inserting after the word "and" the following "costing three hundred dollars (\$300) or more but."

They were agreed to.

The section was agreed to as amended.

The third section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 329, entitled:

An Act to amend Section 3 of the act approved the twenty-eighth day of May one thousand nine hundred thirty-one (P. L. 202) entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream artificial or natural body of water or non-tidal waters of any river within the Commonwealth conferring powers and imposing duties on certain police officers and the Board of Fish Commissioners including the enforcement of certain existing laws and prescribing penalties" by authorizing the Department of Revenue to designate local agents to issue motor boat licenses

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 342, entitled:

An Act to further amend Section 4 of the act approved the twenty-fifth day of July one thousand nine hundred seventeen (P. L. 1209) entitled "An act to authorize the acquisition by purchase or condemnation of land for a park and the erection of a monument commemorative of Washington crossing the river Delaware and for the appointment of a commission to acquire said lands and erect such monument and making an appropriation for the purpose of this act" by authorizing the commission to establish and maintain a museum or museums for the preservation and display of relics and reproductions relating to Washington's Crossing of the Delaware.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 360, entitled:

An Act relating to habeas corpus; conferring jurisdiction upon the judges of the courts of Common Pleas; prescribing venue defining procedure in all cases; authorizing service to be made upon persons anywhere in the Commonwealth; providing for the imposition of costs allowing appeals; specifying the appellate court to which appeals may be taken; and repealing inconsistent legislation including that conferring jurisdiction on courts of Quarter Sessions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 374, entitled:

An Act to amend the act approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further regulating health and accident insurance.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 461, entitled:

An Act establishing a procedure by which the register of wills elected in counties of the first class shall execute record and file his bond to the Commonwealth and receive his commission; and conferring powers and imposing duties upon the Secretary of the Commonwealth and the recorder of deeds.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILLS ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 188, as follows:

An Act relating to the admissibility in evidence and the proof of official records documents and proceedings of the United States Government and of copies thereof and extracts therefrom and certificates in reference thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Federal Official Records Admissibility A book of records regularly kept by any public officer of the United States when acting under any law or regulation or other authority is admissible to evidence any matter recorded therein and pertaining to the duties of the office

Section 2 Federal Miscellaneous Documents Certified Copies of Official Records Authentication A book of records made by any public officer of the United States and kept in a public office when itself relevant and admissible for any purpose may be evidenced without producing the original by a copy certified by the officer or his deputy having lawful custody thereof under the seal of the office if there be a seal or if not then under the seal of the United States court of the district in which the office is located

Section 3 Federal Judicial Records Attested Copies Under Seal Certificates The records and judicial proceedings of any court of the United States may be evidenced by a copy attested by the clerk of the court with the seal of the court annexed together with a certificate of the judge chief justice or presiding magistrate that the attestation is in due form

Section 4 Entries or Extracts of Records A copy certified as in sections two and three of one or more entries or other separable parts of such a book of records is admissible if it purports to contain all of that part of the record that is relevant to the purpose for which it is offered

Section 5 Entries Lacking in Records A certificate made

by any of the foregoing officers as provided in sections two and three stating after diligent search no records or entry of a specified tenor is found to exist in the records or files of his office is admissible

Section 6 Federal Documents Filed in Public Office Certified Copies Original A copy of a document not being a conveyance of title or other interest in property required or allowed by law to be filed in a public office of the United States is admissible to evidence the original when certified by the lawful custodian of the records of that office under seal of the office In any such case the court may on request of a party order the production of the original document for any purpose

Section 7 Official Certificates of Returns Copies Authentication A certificate or return required by law or regulation to be made and filed by any officer of the United States having duties of administration or inspection or supervision stating that in the course of his duty he has personally done or observed a matter is admissible as well as a copy thereof if authenticated as provided in section eight

Section 8 Federal Official Documents Federal Register Printed Copies The official records and other documents being enactments or regulations or decisions or rulings or proceedings or reports or other official acts of Congress or any Federal executive department or subdivision therein or of any Federal court or commission or board or agency or public institution may be evidenced by the Federal Register or by a printed book or pamphlet or periodical purporting to be published by the Government Printing Office by authority

Section 9 Repeal All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Massa,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkatresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dalrymple,	Kline,	Penglass,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,

Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Relly, J. M.,	Yeakel,
Frout,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetsner,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Yiegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 247, as follows:

An Act to amend the title and the act approved the sixth day of April one thousand nine hundred forty-five (P. L. 164) entitled "An act authorizing and empowering minors seventeen years of age or older to contract for and to make loans in accordance with the provisions of the act of Congress known as the "Servicemen's Readjustment Act of 1944" or any agency of the Commonwealth hereafter created and saving and relieving the parents guardians and trustees of such minors from any liability therefor unless joining therein" by empowering minor spouses irrespective of age to join in the execution of such contracts whether or not the principal is a minor and validating the actions of minor spouses of adults in heretofore joining in the execution of any such contracts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the sixth day of April one thousand nine hundred forty-five (P. L. 164) entitled "An act authorizing and empowering minors seventeen years of age or older to contract for and to make loans in accordance with the provisions of the act of Congress known as the "Servicemen's Readjustment Act of 1944" or any agency of the Commonwealth hereafter created and saving and relieving the parents guardians and trustees of such minors from any liability therefor unless therein" is hereby amended to read as follows.

An Act

Authorizing and empowering minors seventeen years of age or older to contract for and to make loans in accordance with the provisions of the act of Congress known as the "Servicemen's Readjustment Act of 1944" or any agency of the Commonwealth hereafter created and minor spouses irrespective of age to join in the execution of such contracts prohibiting the disaffirmance of such contracts whether or not the principal is a minor on the grounds of minority and saving and relieving the parents guardians and trustees of such minors from any liability therefor unless joining therein

Section 2 Section 1 of said act amended by the act approved the twenty-eighth day of June one thousand nine hundred forty-seven (P. L. 1096) is hereby further amended to read as follows.

Section 1 Any minor who is at least seventeen years of age and who is eligible for guaranty or insurance of a loan pursuant to the act of Congress known as the "Servicemen's Readjustment Act of 1944" as amended and supplemented is hereby authorized and empowered notwithstanding such minority to enter into any contract in this Commonwealth for any loan or loans guaranteed by the United States or any agency thereof in

accordance with the provisions of said act of Congress as amended and supplemented and the rules and regulations promulgated from time to time pursuant thereto or any agency of the Commonwealth hereafter created and such minor is also authorized and empowered to execute and acknowledge all documents deeds mortgages and other or similar papers necessary and incident to such contracts The Minor spouse [of any such minor irrespective of age] of any person who is eligible for guaranty or insurance of a loan pursuant to said act of Congress whether or not such person is a minor and regardless of the age of the spouse is hereby authorized and empowered notwithstanding such minority to join in the execution of any such contract In the event [such a minor] a person who is eligible for guaranty or insurance of a loan pursuant to said act of Congress and who is a minor or whose spouse is a minor or both obtains such a loan or loans neither [he nor his minor spouse] of them despite any law or decision of any court to the contrary shall be permitted to avoid the contract of such loan or loans because of [his] the age of either of them nor shall [he] either of them be permitted to interpose the defense that [he] either of them is a minor in any action or actions based upon such contract or contracts or arising out of any loan or loans authorized herein nor shall the parents or parents or guardian or guardians or trustee or trustees of [such] any minor be liable in any way whatsoever because of or on account of such contract or contracts or loan or loans which may be entered into or joined in by such minor pursuant hereto unless expressly a party thereto

Section 3 Whenever heretofore any minor spouse of any person eligible for guaranty of insurance of a loan pursuant to the act of Congress known as the "Servicemen's Readjustment Act of 1944" and its amendments and supplements has joined in the execution of any such contract loan or other papers necessary and incidents thereto such joinder is hereby validated for all purposes subject to the prohibition that no such contract or loan may be avoided nor may the defense of minority be interposed as a defense in any action based on any such contract or arising out of any such loan.

Section 4 The provisions of this act shall become effective immediately upon final enactment.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boies,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Cott,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,

Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Fillip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovanssek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 52, as follows:

An Act empowering cities of the first class of the Commonwealth to make and enforce by ordinances fire prevention codes regulating the occupation and use of buildings and structures and the conduct of trades or business which due to the nature thereof create a fire hazard or danger to life or property by fire or explosion and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In order to promote the public safety and the general welfare cities of the first class of this Commonwealth in addition to other remedies provided by law are hereby authorized and empowered to enact and enforce by ordinance five prevention codes to govern and regulate the occupation and use of all types of buildings and structures and the method and manner of conducting or engaging in trades or businesses which due to the nature thereof create fire hazards or danger to life or property by fire or explosion Provided That such codes shall not apply to any building structure or business of any person or corporation the facilities of which are subject to regulation by Pennsylvania Public Utility Commission Such ordinances need not be published or advertised in full as required by law in the case of the adoption of ordinances Provided That a notice of the adoption of such ordinances as the fire prevention code of any such city together with a brief summary setting forth the principal provisions thereof in such reasonable detail as will give adequate notice of its contents in form approved by the State Department of Labor and Industry and a reference to the place where copies thereof are deposited and may be examined shall be published in the manner provided for the publication of ordinances

Section 2 The ordinances enacted pursuant to this act shall not be inconsistent with the provisions of any statute governing the same matter but all regulations prescribed by such ordinances which are additional or supplementary to the statute law and not inconsistent therewith or enacted for the purpose of carrying into

effect the provisions of the statute law shall be valid and binding

Section 3 The said ordinances may provide proper penalties not exceeding fines of five hundred dollars (\$500.00) or imprisonment not exceeding thirty days for violation of the provisions thereof The fines may be increased within the limit if five hundred dollars (\$500.00) each for second or subsequent violations of the same person firm or corporation The said ordinances may provide that each calendar day of violation shall constitute a separate offense

Section 4 The said ordinances may provide for the setting up of a Bureau of Fire Prevention in the Department of Public Safety fire department or such department board or commission as city council of cities of the first class shall direct of which bureau fire department or such department board or commission the head of the department as the fire marshal of the city shall be head

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraff,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsche,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Fillip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovanssek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 109, as follows:

An Act to amend Section 506 of the act approved the sixth day of April one thousand nine hundred fifty-one (Act No. 20) entitled "An act relating to the rights obligations and liabilities of landlord and tenant and of parties dealing with them and amending revising changing and consolidating the law relating thereto" by providing that an appeal or certiorari to the court of common pleas in a suit or action by a landlord to recover possession of property shall be a supersedeas

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 506 of the act approved the sixth day of April one thousand nine hundred fifty-one (Act No. 20) entitled "An act relating to the rights obligations and liabilities of landlord and tenant and of parties dealing with them and amending revising changing and consolidating the law relating thereto" is hereby amended to read as follows

Section 506 Appeal Certiorari Within five days after the rendition of judgment either party may appeal to the next court of common pleas upon filing in that court a bond with one or more sufficient sureties conditioned for the payment of all costs and rent that have accrued or may accrue up to the time of final judgment and for damages assessed if any In case the judgment shall be affirmed Any such appeal shall be tried in the same manner as other suits are tried [such appeal shall not be a supersedeas to the writ of possession in any case except upon special allowance of the court to which the appeal is taken]

If upon the appeal the jury shall find in favor of the tenant they shall also assess any damages which he may have sustained by reason of his removal from the premises and judgment shall be entered for such damages and costs and that the tenant shall retain or recover possession of the demised real estate as the case may be the tenant shall have the necessary writ or writs of execution to enforce said judgment

A writ of certiorari to remove the proceedings before the justice of the peace may be had as in other cases and the court of common pleas shall review the same de novo

In every action or suit brought by a landlord to recover possession of real property from a tenant in which a certiorari or an appeal is not allowed such certiorari or appeal shall be a supersedeas Until the final determination thereof by the court of common pleas out of which or to which the same shall issue or lie such certiorari or appeal shall be applied for or taken within the period now prescribed by law and the party applying for or taking the same shall otherwise comply with the provisions of the acts providing for such certiorari or appeal in such cases

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando.	Goodling.	Maxwell.	Royer.
Andrews.	Graybill.	Mazza.	Rubin.
Banker.	Greenwood.	McConnell.	Sarraff.
Barkdoll.	Greer.	McCormack.	Sax.
Baumunk.	Guarnieri.	McCullough.	Scanlon.
Bear.	Gutendorf.	McDermitt.	Schmidt.
Beaver.	Guthrie.	McGee.	Schuster.
Beech.	Hagerty.	McInroy.	Scott.
Berkstresser.	Hall.	McKinney.	Seyler.
Blair.	Hamilton, R. K.	McMillen.	Shoemaker.
Bloom.	Hamilton, W. H.	McNally.	Shotwell.
Boles.	Harney.	Metz.	Smith.
Bolton.	Haudenshield.	Mihm.	Snider.
Bomberger.	Headlee.	Mikula.	Sollenberger.
Boorse.	Helm.	Miller, H. G.	Spencer.
Bower.	Hersch.	Miller, J. C.	Stank.
Brelsch.	Hewitt.	Mills.	Stimmel.
Breth.	Hocker.	Mintess.	Stoner.
Brown.	Hoggard.	Monroe.	Swarts.
Bucchin.	Hunter.	Moore, C. E.	Swope.
Byrne.	Jenkins.	Moore, H. A.	Tahl.
Cella.	Johnson.	Moran.	Taylor.
Clapper.	Jones, G. E.	Muldowney.	Thompson, E. F.
Clendening.	Jones, J. M.	Munley.	Thompson, R. L.
Cochran.	Jones, P. F.	Murray.	Toil.
Conway.	Jones, T. H. W.	Musto.	Tompkins.
Cooper.	Jump.	Najaka.	Toomey.
Corr.	Kamyk.	Naugle.	VanSant.
Costa.	Keller.	Needham.	Varallo.
Coyle.	Kent.	Olsen.	Verner.
Dalrymple.	Kline.	Penglase.	Verona.
Davis.	Kohl.	Peta.	Wachhaus.
Dennison.	Kolankiewics.	Petrosky.	Wargo.
Dougherty.	Kornick.	Pettigrew.	Waterhouse.
Dowling.	Kratz.	Pfaff.	Watkins.
DuBois.	Kubacki.	Pichney.	Weidner.
Duffy.	Lafore.	Pitzer.	Welsh.
Dunn.	Lederer.	Polaski.	Wescott.
Erb.	Leisey.	Polen.	Westrick.
Ewing.	Leonard, L.	Price, H. W. Jr.	Whalley.
Fenrich.	Leonard, W. C.	Price, R. A.	Wheeler.
Fenster.	Leven.	Readinger.	White.
Filip.	Light.	Reagan.	Williams.
Filo.	Limper.	Reese.	Wilt.
Firmstone.	Loftus.	Reldenbach.	Wood.
Flack.	Lopresti.	Reilly, J. M.	Yeakel.
Frost.	Lovett.	Rigby.	Yester.
Gaffney.	Lutty.	Riley, R. L.	Yetzer.
Geer.	Lyons.	Robertson.	Young.
Gibson.	Madden.	Rose.	Ziegler.
Gleason.	Madigan.	Rosen.	Sorg.
Good.	Markley.	Rovansek.	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 378, as follows:

An Act to further amend the act approved the fifteenth day of June one thousand nine hundred thirty-seven (P. L. 1743) entitled as amended "An act relating to magistrates and magistrates courts in the city of Philadelphia imposing certain duties upon and prohibiting certain practices by magistrates and fixing their compensation imposing certain duties on the city controller in regard thereto authorizing the employment by him of additional clerks and fixing their compensation regulating the practice in and defining magistrates courts the entering of bail and the issuance of discharges in criminal cases in the county of Philadelphia conferring certain powers over magistrates and magistrates courts and imposing certain duties in connection therewith upon the judges of the courts of common pleas of the

county of Philadelphia the Attorney General and the District Attorney providing for the appointment and employment of stenographers to report proceedings in certain cases heard by magistrates fixing the salaries of persons employed by authority of this act providing penalties for violations of the provisions thereof and repealing certain prior acts" by making the increase in salaries of magistrates applicable to all magistrates including the additional salary of the chief magistrate for his duties as such and increasing the same and by further providing for the costs of transcripts or reports. The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection B of Section 37 and Section 39 of the act approved the fifteenth day of June one thousand nine hundred thirty-seven (P. L. 1743) entitled as amended "An act relating to magistrates and magistrates courts in the city of Philadelphia imposing certain duties upon and prohibiting certain practices by magistrates and fixing their compensation imposing certain duties on the city controller in regard thereto authorizing the employment by him of additional clerks and fixing their compensation regulating the practice in and defining magistrates courts the entering of bail and the issuance of discharges in criminal cases in the county of Philadelphia conferring certain powers over magistrates and magistrates courts and imposing certain duties in connection therewith upon the judges of the courts of common pleas of the county of Philadelphia the Attorney General and the District Attorney providing for the appointment and employment of stenographers to report proceedings in certain cases heard by magistrates fixing the salaries of persons employed by authority of this act providing penalties for violations of the provisions thereof and repealing certain prior acts" as amended by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 1028) are hereby further amended to read as follows

Section 37

B Each magistrate [whose term of office or next term of office commences after the first day of September one thousand nine hundred forty-nine] shall receive a salary for his services of seven thousand five hundred dollars (\$7500) per annum. The chief [magistrate's added compensation shall be and remain as heretofore] magistrate shall receive in addition to his salary as magistrate a salary of two thousand five hundred dollars (\$2500) per annum. The deputy stenographic clerk and each clerk of a magistrate's court shall receive a salary as fixed by law. Said salaries shall be paid by the city in semi-monthly payments.

Section 39 It shall be the duty of the stenographers or stenographic clerks as aforesaid to report in full the entire proceedings of the said central police court and divisional police courts in all cases required by this act to be tried exclusively therein and to file in the office of the clerk of the court of quarter sessions full true and complete verbatim transcripts or reports of said proceedings as soon as practicable after the taking of the same or sooner if so specially directed by the presiding magistrate. Each such transcript or report shall be certified by the stenographer taking the same in the following form

I hereby certify that the proceedings and evidence are contained fully and accurately in the notes taken by me on the hearing of the above case and that this copy is a correct transcript of the same

.....
Stenographer

Such transcripts or reports when so certified by the stenographer shall upon any other trial or in any other proceeding in which it may become material to prove the matters therein reported be taken and held to be prima facie correct and if otherwise admissible in evidence shall be admitted without the necessity of calling the stenographer who made the said transcript or report as a witness to prove the same. The district attorney

of the county of Philadelphia the city solicitor of the city of Philadelphia the chief magistrate and any judge of the courts of common pleas of said county shall on request be furnished with a copy of any such proceeding free of charge. All other persons desiring copies of any proceeding reported by any stenographer or stenographic clerk shall be entitled to receive the same upon payment of [twenty cents (\$0.20)] such amount as the board of magistrates shall fix for each page thereof. No stenographer nor stenographic clerk shall retain for himself any money received from the sale of a copy or copies of transcripts but shall pay over all moneys so received by him to the clerk of the magistrate before whom such hearing took place and shall be entered by the clerk in the day book and returned to the city treasurer of the city of Philadelphia and account for the same to the city controller.

Section 2 Section 35 of the act approved the tenth day of May one thousand nine hundred twenty-seven (P. L. 866) entitled "An act relative to the establishment and jurisdiction of magistrates' courts in Philadelphia and creating a board of magistrates providing for a chief magistrate prescribing their powers and duties providing for clerks establishing a central administrative office imposing upon the City of Philadelphia the cost of establishment and maintenance of magistrates' courts including payment of all salaries fixing salaries and restricting magistrates to duties of office and repealing certain prior acts" is hereby repealed absolutely.

Section 3 The provisions of this act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swarts,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, R. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dairymple,	Kline,	Penglass,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pratt,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fenster,	Leven,	Readinger,	White,

Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madigan,	Rose,	Ziegler,
Gleason,	Madden,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 517, as follows:

An Act creating the Pennsylvania State Apple Board and defining its powers and duties providing for the registration and regulation of persons engaged in the growing producing and harvesting of apples for profit and prescribing fees therefor prescribing penalties creating a special fund in the State Treasury to be known as the Apple Promotion Fund and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Wherever used in this act unless the context clearly determines otherwise the following words and phrases shall have the meanings ascribed to them in this section

(1) "Board" the Pennsylvania State Apple Board created by this act

(2) "Fund" the Apple Promotion Fund created and established by this act

(3) "Person" individual partnership limited partnership association corporation cooperative and business trust

(4) "Producer" every person engaged in the business of growing producing and harvesting apples and selling apples or apple products

Section 2 (a) There is hereby created within the Department of Agriculture a board to be known as the Pennsylvania State Apple Board The board shall be composed of seven members representing as nearly as possible all the important apple producing sections of the Commonwealth In addition the Secretary of Agriculture and the Secretary of Commerce shall be ex officio members of the board

(b) The Pennsylvania State Horticultural Association shall submit to the Governor as often as may be necessary and within thirty (30) days after the effective date of this act for the original appointments nominations for appointment to such board the number of which nominations shall be at least twice the number of appointments to be filled The Governor shall make all appointments from such nominations submitted unless the Pennsylvania State Horticultural Association shall fail to submit nominations and in such event the Governor shall make appointments of bona fide apple producers Vacancies in the membership of the board shall be filled in like manner

(c) Appointments to the board shall be for terms of four (4) years except in the case of the appointment of the original membership which shall be as follows one member for one (1) year two members for two (2) years two members for three (3) years and two members for four (4) years Appointments to fill vacancies shall be for the unexpired terms

(d) The board shall elect one of its membership as chairman and one as vice-chairman who shall serve in the chairman's place in his absence

Five members shall constitute a quorum for the conduct of its business

(e) The members of the board shall serve without compensation but shall be entitled to receive their traveling and other expenses actually incurred in the discharge of their duties

(f) The Attorney General shall furnish the board with such legal services as it may require

(g) Except as otherwise herein expressly provided the board shall be subject to the provisions of The Administrative Code of 1929 its amendments and supplements which apply generally to independent administrative boards

Section 3 The board shall have the following powers and duties

(1) To conduct scientific research to develop and discover the health food therapeutic and dietetic value of apples and apple products

(2) To plan and conduct educational advertising publicity sales promotion and research campaigns for the purpose of increasing the use and demand for apples

(3) To make and execute contracts

(4) To spend the moneys in the fund

(5) To investigate and ascertain the needs of apple producers the condition of their markets and the extent to which public convenience and necessity require advertising and research to be conducted

(6) To board shall have authority to cooperate with other state regional and national agricultural and horticultural organizations and State and Federal agencies in research on production packages and marketing advertising publicity education and other means of promoting the sale and use of apples and to expend moneys of the Apple Promotion Fund for such purposes

(7) To appoint an Executive Secretary and such other employees as may be necessary and to fix their salaries subject to the provisions of The Administrative Code of 1929 its amendments and supplements

(8) To delegate to its chairman vice-chairman or any of its members or employees such powers and duties as it deems proper

(9) To cooperate with all branches of State county and municipal governments the Pennsylvania State College and trade or business associations to achieve the purposes of this act

(10) To register producers and collect the fees and fines provided by this act

(11) To make alter rescind and amend rules regulations and orders necessary to carry out its powers and duties

(12) To enforce through its authorized agents the provisions of this act

(13) To accept and dispose of gifts of real and personal property to carry out the purposes of this act

(14) To do all other acts necessary to administer this act and effectuate its purposes

Section 4 There is hereby levied on all commercial apples grown in Pennsylvania and moved into the channels of commerce beginning with the harvest of one thousand nine hundred fifty-one a tax of one cent (\$.01) per bushel Such tax shall be paid by the producer of such apples at the time and in the manner hereinafter provided The first five hundred (500) bushels of apples sold by any person in any one crop season shall be exempt from the provisions of this section

Section 5 Every producer of commercial apples shall submit to the board not later than fourteen (14) days after December thirty-first of each year a signed statement of all apples sold by him between July first and December thirty-first of said year Such reports shall be made on forms prescribed and furnished by the board Any producer who sells apples of the preceding year's production after December thirty-first shall file a signed statement with the board not later than June thirtieth showing such apples so sold by him and the tax paid thereon

Section 6 The tax levied by this act shall be due and payable as follows fifty per cent (50%) not later than December thirty-first of each year and the balance not

later than June thirtieth of the following year Any commercial apples of a crop season which are sold after June thirtieth of the following year shall be reported to the board and the tax paid thereon within twenty (20) days after the end of the month in which such sale was made Such tax shall be paid to the Pennsylvania State Apple Board and the board shall promptly pay said moneys to the State Treasurer who shall promptly pay them into the State Treasury to the credit of the Apple Promotion Fund

Section 7 The producer shall keep a complete record of apples sold by him and shall preserve such record for a period of not less than two (2) years from the time such apples are sold Such records shall be open to the inspection of the board and its duly authorized agents

Section 8 The tax imposed by this act and unpaid on the date on which such tax was due and payable shall bear interest at the rate of one per cent (1%) per month and after such due date until payment If any producer defaults in any payment of the tax or interest thereon the amount shall be collected by civil action in the name of the State of Pennsylvania at the relation of the board and the person adjudged in default shall pay the cost of such action The Attorney General at the request of the board shall forthwith institute action in the proper court for the collection of the amount of any tax past due under this act including interest thereon

Section 9 All moneys levied and collected under the provisions of this act shall be credited on the State Treasurer's books to a fund to be known as the "Apple Promotion Fund" which is hereby created All moneys credited to the Apple Promotion Fund are hereby appropriated by the Legislature for the purpose herein set forth and shall be used exclusively for the administration and enforcement of this act including the collection of taxes the payment for personal service and expenses of employes and agents of the board and the payment of rent service materials and supplies necessary to effectuate the purposes and objects of this act The unexpended balance of the Apple Promotion Fund at the end of each biennium shall not be transferred to the General Fund of the State Treasury

Section 10 Any person who violates any provision of this act or any rule or regulation of the board promulgated hereunder for a first offense upon summary conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars (\$100) nor more than three hundred dollars (\$300) and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not less than thirty (30) nor more than sixty (60) days and for any subsequent offense shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than five hundred dollars (\$500) nor more than one thousand dollars (\$1000) or to undergo imprisonment not exceeding one (1) year or both

Section 11 All fines imposed and recovered for violations of this act shall be paid to the board and all such moneys and all moneys collected from fines or otherwise acquired shall be paid by the board into the State Treasury through the Department of Revenue and deposited in the fund

Section 12 It shall be the duty of all State and county law-enforcing officers to assist in the enforcement of this act

Section 13 If any clause sentence or section of this act shall for any reason be adjudged by a court of competent jurisdiction to be invalid such adjudication shall not affect impair or invalidate the remainder thereof but shall be confined in its operation to the clause sentence or section of this article directly involved in the controversy in which said adjudication shall have taken place

Section 14 The sum of ten thousand dollars (\$10,000) or as much thereof as may be necessary is hereby specifically appropriated to the Pennsylvania Apple Board for the fiscal biennium one thousand nine hundred fifty-

one one thousand nine hundred fifty-three (1951-1953) to carry out the provisions of this act All moneys expended by the board from such appropriation shall be repaid to the General Fund out of moneys available in the Apple Promotion Fund and for such purpose moneys in such funds are hereby appropriated

Section 15 The provisions of this act shall become effective the first day of July one thousand nine hundred fifty-one

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, every now and then we have a Member of the House so amiable, so likeable, so generally popular that he is able to get away, because of his personal qualities, with very, very bad legislation.

I presume I am doing the gentleman from York a favor. There is considerable opposition to this bill. There was considerable opposition to this bill on the other side of the House. I have no inside information. All of that opposition may or may not have been eradicated by the iron hands of the Majority Leader in the recent Caucus. I would not know as to that. But as I say, I am doing him a favor undoubtedly because if I rise to oppose this bill it will be the inevitable reaction upon the other side of the aisle since a Democrat is rising to oppose this bill it must be awful good legislation. And, therefore, since there is a voice of protest from the minority side, it becomes the business of the majority to close the ranks and slap them down.

Here we have a bill that is perhaps unique in its class. It seeks to enlist the aid of the state to advance the interests of an industry that is now economically sound, which does not require the sort of regulation that is proposed for the purpose of public policy. It is not an industry that calls for the sort of regulation as applied to the milk industry and other industries.

There is no more reason why we should have an apple board, than why we should have a peach board, a tomato board, a corn board or cabbage board. If we are going into this thing, the thing to do is go whole hog and we can create enough boards so there will be secretaries, executive secretaries, and such other employees as may be necessary for the administrative code; give them an initial appropriation of \$10,000, then collect dues.

This is a big fellow's bill. I find that the opposition voice comes from the little grower. How the big fellow must hate the little fellow in this apple industry!

If you violate any of the provisions of this board, as I have read the bill, you go to jail for 30 to 60 days or have a fine from \$100 to \$300. Just what you are going to do to the little fellows in some of the little counties that have 500 or 600 or a 1000 bushel promotion I do not know. But anyway, I think this is a bad bill. I think it sets a bad precedent. The apple industry does not need it. They can organize and collect their money from the industry and do what they plan to do without enlisting the initial cooperation of the state to the tune of \$10,000. It is not needed. So personally I oppose the bill notwithstanding the likeable, lovable qualities of its sponsor.

Mr. GOODLING. I suppose I should throw my arms around the Minority Leader and give him a kiss for

those very kind words. I was hoping it would not be necessary for me to do so.

The SPEAKER. The Minority Leader did not make his remarks for that purpose the Chair is sure.

Mr. GOODLING. I would like to interrogate the Minority Leader, Mr. Speaker.

The SPEAKER. Will the Minority Leader permit himself to be interrogated?

Mr. ANDREWS. This is a graft perpetuated by an orchardist upon an amateur who never got any further than raising a gooseberry bush.

The SPEAKER. The gentleman states he will permit himself to be interrogated.

Mr. GOODLING. Mr. Speaker, I should like to ask the gentleman from Cambria, Mr. Andrews, whether this bill has become bad in the last two years? As I recall, the record shows that he voted for it two years ago.

Mr. ANDREWS. That may be true. I sometimes succumb to the charm of the gentleman from York who personally labored with me two years ago to support a piece of legislation which I took as being meritorious simply because he said it was. I never read his bill and I went along blindly following the process in the Republican Caucus. I could have been admitted to the Republican caucus on the way I acquiesced to the gentleman's importunity.

Mr. GOODLING. One other question, Mr. Speaker. I would like to ask the gentleman from Cambria what the function of state government is?

Mr. ANDREWS. The function of state government under recent administrations is to raise taxes while promising to reduce them.

Mr. GOODLING. I want to thank the gentleman for that enlightenment.

The SPEAKER. The Chair observes that the Minority Leader apparently loved the gentleman a bushel and a peck two years and only a bushel now.

Mr. GOODLING. I should like to say, Mr. Speaker, that contrary to what the gentleman from Cambria just said I think the government of the state has but one function and that is to serve the people of the Commonwealth. If we can serve the apple growers, if we can serve the potato growers, if we can serve the pickle growers or strawberry growers or what have you, then I think it is our duty to do it.

I was hoping it would not be necessary for me to take any time to defend this bill on the floor, but since I am here I am not going to apologize, like some people do, for taking just a few minutes of the time of this House to defend it.

In reply to the gentleman from Cambria when he says that the bill is unique, I agree with him in that a hundred percent. It is unique in that this is one industry coming to the State and not with our hands out as has been the case in past years. We have apparently come to the point now where in practically every industry the first thought that arises in their minds is "what can we get from the state or Federal governments." Contrary to that, we are coming here and asking to do something for ourselves.

He also raised the question, why not have a voluntary organization? Well, why does not Uncle Sam collect his income tax on a voluntary basis? We have a voluntary

organization that has been functioning for twelve or fifteen years and we know the results that have been obtained by that organization. But there comes a time when some of us who have been carrying the burden get tired of having other people ride on our coattails. For that reason, we would like to include everybody who benefits from a program of this kind.

So far as establishing a precedent which has often been brought up, I should like to point out that if you will look at your budget message you will find that \$480,000 have been asked for the Milk Commission for the next two years. I certainly have no fault to find with the dairy industry. The Milk Commission is here to serve the dairy industry. \$480,000 is going to come out of the taxpayers' money for the dairy industry and the consumers I agree, but we in this particular field are not asking that one penny come out of the taxpayers' money.

I am just going to cite you a few precedents that we have for this particular thing and I am not particularly interested in what other states do, but sometimes it is well to consider what they are doing in other places.

Maine, as most of you probably know, has a state tax on potatoes. They are sending potatoes right into Pennsylvania and competing with our Pennsylvania grown potatoes. In addition to that, I see some of you people at different places that I go to eat on occasions and I do know that every time you buy a lobster at that particular place, if it came from Maine and the most of them do I believe, or a lot of them do, you are paying a state tax on that lobster because Maine has a tax on lobsters. They also have a tax on sardines.

Michigan has had a tax on apples for a good many years. It is working very satisfactorily in that particular place.

Washington has a tax on apples. And I want to tell you people quite frankly that if you want to buy apples to look at, buy Washington state apples. If you want to buy them to eat, which I assume most of you do, buy Pennsylvania apples. A lot of you do not know that but Washington can definitely grow better looking apples than we can in Pennsylvania because of their climatic conditions, but when it comes to quality they certainly cannot sit in the same seat with Pennsylvania apples.

Rather than asking for one penny as we are here in Pennsylvania, the State of Washington is now collecting three cents on every bushel of apples that is produced in the State of Washington. And I should like this House to know this: That in the past the State of Washington has spent as high as \$250,000 right on the eastern seaboard here to advertise Washington State apples. I have absolutely no fault to find with Washington State apples but I do object to having them come in here and spend \$250,000 or \$300,000 as they have done in the past and we are not able to fight back.

Most of you I believe in this House, whether you are a Democrat or a Republican, will agree that Senator Harry Byrd is a pretty clear thinker. You may not know Senator Byrd is the world's largest individual apple producer. Senator Byrd was pretty largely responsible in putting a bill through the Virginia Legislature similar to the one we are asking you to vote upon here today. It is functioning in Virginia at the present time and doing a good job.

Maryland has a similar bill. Delaware has a similar bill.

I do not propose to take up any more of your time unless there would be any questions, but I certainly trust that at least sufficient Members of this House will see fit to vote for this bill so that we can at least give it a trial and then if it is going to work as Mr. Andrews has said, if it is going to work for the apple people, I see absolutely no objection to other people coming in and doing the same thing.

I want to point out one thing and then I will close. The apple industry is distinctly different from any other type of agriculture in that it is a long time proposition. If I were to interrogate farmers that are Members of this House in other lines of agricultural pursuits, they would tell this House that they can increase their production. The potato growers knew last February or March approximately how many acres of potatoes would be planted in Pennsylvania. The dairy people can step up their production in a very short time, not by growing stock naturally but they can go out and buy additional stock and increase their production.

The poultry industry can increase its production in eggs in a six months period. They can put out a new crop of broilers every three months if the market demands it.

We in the apple industry have a long time proposition. We set out our apple trees, and for eight years we do not receive a penny in return for our labors. We cannot change our production from year to year. And whether or not we have a crop on those apple trees we must protect those trees. So, as I say, we cannot compare this to any other industry. For that reason I do not think it should be considered in the same light as many of our other agricultural industries are.

Mr. BANKER. Mr. Speaker, I am speaking for Huntingdon County and this afternoon I was talked to and given advice on this bill.

We have about nine small growers in our county, one medium sized and a large orchard. I was advised that there is perfect unanimity among all of those growers. They are all friendly, apparently, the large ones like the small ones, and they have asked me to support the bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—115

Banker,	Guarnieri,	Mazza,	Shotwell,
Baumunk,	Gutendorf,	McConnell,	Smith,
Beech,	Hall,	McCormack,	Snider,
Blair,	Hamilton, W. H.,	McCullough,	Sollenberger,
Bloom,	Harney,	McInroy,	Stimmel,
Bolton,	Haudenschild,	Metz,	Stoner,
Bomberger,	Helm,	Mikula,	Swope,
Bower,	Hewitt,	Miller, H. G.,	Tahl,
Breth,	Hocker,	Mills,	Thompson, E. F.,
Brown,	Hunter,	Mintess,	Thompson, R. L.,
Cella,	Jenkins,	Moore, C. E.,	Tompkins,
Clapper,	Johnson,	Moore, H. A.,	Toomey,
Clendening,	Jones, T. H. W.,	Murray,	VanSant,
Cooper,	Jump,	Najaka,	Varner,
Costa,	Keller,	Naugle,	Wachhaus,
Dairymple,	Kent,	Pichney,	Waterhouse,
Davis,	Kline,	Pitzer,	Watkins,
Dennison,	Kohl,	Readinger,	Weldner,
DuBois,	Kratz,	Reagan,	Wescott,
Dunn,	Lafore,	Relly, J. M.,	Whalley,
Ewing,	Laisey,	Rigby,	Wheeler,
Ferster,	Leonard, W. C.,	Riley, R. L.,	Williams,
Flack,	Light,	Robertson,	Wilt,
Frost,	Loftus,	Rose,	Yeakel,

Gibson,	Lovett,	Royer,	Yester,
Gleason,	Lyons,	Rubin,	Yetzer,
Goodling,	Maddrn,	Sax,	Young,
Graybill,	Madigan,	Scott,	Ziegler,
Greer,	Markley,	Shoemaker,	Sorg,
			Speaker

NAYS—79

Amarando,	Filo,	Leven,	Pelen,
Andrews,	Firmstone,	Lopresti,	Price, H. W. Jr.,
Barkdoll,	Gaffney,	Lutty,	Price, R. A.,
Bear,	Geer,	Maxwell,	Rovansek,
Beaver,	Greenwood,	McDermitt,	Sarra,
Berkstresser,	Guthrie,	McGee,	Scanlon,
Boles,	Hagerty,	McMillen,	Schmidt,
Breisch,	Hamilton, R. K.,	McNally,	Seyler,
Bucchin,	Headlee,	Mihm,	Spencer,
Byrne,	Hersch,	Miller, J. C.,	Stank,
Cochran,	Hoggard,	Monroe,	Swartz,
Conway,	Jones, G. E.,	Moran,	Taylor,
Corr,	Jones, J. M.,	Muldowney,	Toll,
Coyle,	Jones, P. F.,	Munley,	Varallo,
Dougherty,	Kamyk,	Musto,	Wargo,
Dowling,	Kolankiewicz,	Needham,	Welsh,
Duffy,	Kornick,	Penglase,	Westrick,
Erb,	Kubacki,	Petrosky,	White,
Fenrich,	Lederer,	Pfaff,	Wood,
Filip,	Leonard, L.,	Polaski,	

NOT VOTING—13

Boorse,	McKinney,	Pettigrew,	Rosen,
Good,	Olsen,	Reese,	Schuster,
Limper,	Petz,	Reidenbach,	Verona,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 647, as follows:

An Act to further amend Section 4 to amend subsection (d) of Section 4.1 to add Sections 4.2 and 4.3 and to amend paragraph (1) of Section 14 of the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employees of said cities and all county or other public employees if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" by clarifying the amount of contributions by certain pensioners and the method of computing lesser pensions changing date of completing certain payments and the age to which pension increments may be computed fixing minimum pensions and providing benefits for surviving spouse

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 4 of the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employees of said cities and all county or other public employees if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" as last amended by the act approved the second day of May one thousand nine hundred forty-nine (P. L. 852) is hereby further amended to read as follows

Section 4 During the lifetime of the said person he or she shall be entitled to receive a pension from the fund set aside for the purpose of fifty per centum of the amount which would constitute the average rate of pay at which he or she was employed during the highest salaried five years of his or her employment by the said city or other public employment as aforesaid Said pension shall be paid

in monthly payments Provided That if any person be granted to a person who has not been a contributor to the pension fund as herein provided during a period of twenty years such person shall be required to pay into the board of pensions monthly an amount equal to [two] four per centum of his or her pension until such time as his or her contribution shall have extended during a period of twenty years Should any person so employed after twenty years of service be dismissed voluntarily retire or be in any manner deprived of his position or employment before attaining the age of sixty years upon continuing a monthly payment to the fund equal to the last amount due and paid monthly while in active service said person shall be entitled to a pension above mentioned notwithstanding he or she has not attained the age of sixty years at the time of his or her separation from the public service but said pension shall not commence until he or she has attained the age of sixty years Should any employe however become totally and permanently disabled while in the service after twenty years of service and before attaining the age of sixty years he or she shall be entitled to the said pension Proof of total and permanent disability shall consist of the sworn statement of three practicing physicians designated by the board that the employe is in a permanent condition of health which would totally disable him or her from performing the duties of his or her position or office Provided That in cases where the nature of such disability is such as to disable the employe from performing any work whatsoever either within or without the scope of his regular duties or within or without the service of such city or county the board may upon a recommendation of the three practicing physicians herein provided for retire upon pension such applicant after a service of fifteen years Provided further That the benefits of this amendment shall apply to members of the pension fund who have been contributors to the said fund for five years or more the pension paid to any one employe whose monthly payments into the pension fund have been four dollars or less a month shall not exceed one hundred dollars per month The pension paid to any one employe whose monthly payment into the pension fund have been more than four dollars a month for a period of at least two years may exceed one hundred dollars per month but shall not exceed two hundred dollars per month Provided That if an employe upon the date of retirement from service shall have made payments of more than four dollars a month into the pension fund for a period of less than two years his or her pension shall not exceed one hundred dollars per month but an amount equal to the total amount paid in excess over four dollars a month shall be returned to such employe

The pension to be paid to any former employe who was dismissed voluntarily retired or in any manner was deprived of his position and employment after having twenty years of service as an employe of said city and who has continued making payments to the fund equal to the last amount due and paid monthly while in active service and who has not accepted any pension under the provisions of the act to which this is an amendment shall be at the pension rate as provided in section five and his payments to the board of pensions after the first day of September one thousand nine hundred forty-five shall be in an amount equal to the amount which he would have been permitted to make had he continued in the employ of said city after the first day of September one thousand nine hundred forty-five and had continued to be paid the same salary as he received when he was last employed by said city This new amount whether it be more less or the same as the amount which he paid prior to the first day of September one thousand nine hundred forty-five he shall continue to pay until he applies for a pension under the provisions of this act If there be any difference between the amount which he has paid from the first day of September one thousand nine hundred forty-five and the amount which he has elected to pay under the provisions of section five he shall pay such difference into the board of pensions

[within six months of the effective date of this amendment] on or before the first day of December one thousand nine hundred fifty-one

Section 2 Subsection (d) of Section 4.1 of said act as added thereto by the act approved the second day of May one thousand nine hundred forty-five (P. L. 845) is hereby further amended to read as follows

Section 4.1

(d) Every such lesser pension shall be proportionate to the pension which the employe would be entitled to receive after twenty years of service and contribution computed as if he had continued to receive during the remainder of the twenty years the [same salary as the time of the termination of his active service] average rate of pay at which he was employed during the highest salaried five years of his active service as his number of months of service is to two hundred forty-months

Section 3 Sections 4.2 and 4.3 are hereby added to said act to read as follows

Section 4.2 In no event shall the pension hereafter payable after twenty (20) years of service be less than seventy-five dollars (\$75.00) a month as after fifteen (15) years and less than twenty (20) years of service be less than sixty dollars (\$60.00) a month to any person now or hereafter entitled to a pension under the provisions of this act

Section 4.3 Any married person retiring under the provisions of this act shall at the time of his or her retirement receive the pension provided by this act during his or her lifetime and a pension after his or her death payable to his or her surviving spouse at the time of retirement equal to fifty per centum of his or her pension Provided That such person so retiring shall have been married to his or her spouse for not less than five years prior to the date of retirement and the spouse is dependent upon such deceased employe at the time of his or her death

The pension to be paid to such surviving spouse shall begin on the first day of the month in which the death of the deceased spouse occurs on the first day of the month following the surviving spouse's attainment of the age of fifty-five whichever is the later and shall continue to and terminate upon the death of such surviving spouse unless such surviving spouse shall remarry in which event the payment of his or her survivor's pension shall thereupon be terminated

The word "pension" as used in this section shall be construed to mean the sum of the pension provided by this act plus the amount of service increment if any to which the married person retiring under the provisions of this act shall be entitled

Section 4 Paragraph (1) of Section 14 of said act as added thereto by the act approved the second day of May one thousand nine hundred forty-nine (P. L. 852) is hereby amended to read as follows

Section 14 In addition to the pension which is authorized by this act and notwithstanding the limitations therein placed upon pensions and upon contributions every contributor who shall become entitled to the payment of a pension and who has been employed by the said city or county for at least twenty-one years shall also be entitled to the payment in addition to the said pension of a "service increment" in accordance with and subject to the conditions hereinafter set forth

(1) Service increment shall be the sum obtained by computing the number of whole years in excess of twenty years during which a contributor has been employed by such city or county and paid out of the city treasury and multiplying the said number of years so computed by an amount equal to one-fortieth of the pension which has become payable to such contributor in accordance with the provisions of this act Provided That no service increment may be paid for employment of more than twenty such excess years nor for any excess years which shall accrue after a contributor has reached the age of [sixty-five] seventy years and no service increment shall be paid in excess of one hundred dollars (\$100.00) per month

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewics,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fenster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 684, as follows:

An Act providing for the observance of the 175th anniversary of the adoption of the Declaration of Independence creating a commission to cooperate with like commissions of the government of the United States and of the City of Philadelphia in arranging ceremonies and making an appropriation

One hundred and seventy-five years ago in the City

of Philadelphia a people subjugated to the dictatorial rule of a government in which they enjoyed no representation asserted its right to freedom and selfgovernment

From the bold step then taken has grown a nation strong and enduring in a land of bountiful opportunities a citadel of personal liberties and representative democratic government therefore

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Fitting ceremonies to commemorate the 175th anniversary of the adoption of the Declaration of Independence on July 4 1776 shall be held in the City of Philadelphia during the week of July 1 to July 7 1951 one day of which shall be devoted to the Pennsylvania General Assembly

Section 2 To carry out the purposes of this act there is created a temporary commission of twelve members four of whom shall be appointed by the Governor four of whom shall be State Senators appointed by the President pro tempore and four of whom shall be Members of the State House of Representatives appointed by the Speaker Immediately upon its appointment the commission shall meet and organize by electing one of its members as chairman and a person who need not be a member of the commission as secretary The members of the commission shall serve without compensation but shall be paid their necessary expenses actually incurred in connection with the work of the commission

Section 3 The commission shall act jointly with a similar commission of the City of Philadelphia and with such commission if any as may be authorized by the Congress of the United States to arrange and carry out a program for each of the days provided for in section one of this act

Section 4 The sum of one hundred thousand dollars (\$100,000) or as much thereof as may be necessary is hereby specifically appropriated to the committee for the purpose of paying the costs and expenses incurred in the execution and carrying out of the provisions of this act including costs and expenses incident to the formulation and execution of plans the organization and operation of pageants parades and orations the arranging and holding of receptions in honor of the President of the United States the Supreme Court of the United States the Governors of other States the Congress of the United States and other distinguished guests and for the employment of of traveling within and without the Commonwealth of personnel the costs of advertising printing and publishing renting equipping and furnishing offices and office supplies and materials of designing manufacturing and presenting souvenir medals badges and other emblems and of other costs within and without the Commonwealth and such other expenses and costs as the commission may deem necessary for the proper conduct and operation of the celebration In no event shall the amount expended by the commission exceed the amount expended by the City of Philadelphia

Section 5 The provisions of this act shall become effective immediately upon its final enactment but shall not be carried out unless the City of Philadelphia makes similar provision for joint action therein

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,

Beech,	Hagerty,	McInroy,	Scott,
Berkstromer,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Moore, H. A.,	Swartz,
Buchlin,	Hunter,	Muldowney,	Swope,
Byrne,	Jenkins,	Munley,	Tahl,
Cella,	Johnson,	Murray,	Taylor,
Clapper,	Jones, G. E.,	Musto,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Najaka,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Naugle,	Toll,
Conway,	Jones, T. H. W.,	Needham,	Tompkins,
Cooper,	Jump,	Olsen,	Toomey,
Corr,	Kamyk,	Peta,	VanSant,
Costa,	Keller,	Petrosky,	Varallo,
Coyle,	Kent,	Pettigrew,	Varnier,
Dakrymple,	Kilne,	Pfaff,	Verona,
Davis,	Kohl,	Reagan,	Wachhaus,
Dennison,	Kolaniewicz,	Reese,	Wargo,
Dougherty,	Kornick,	Monroe,	Waterhouse,
Dowling,	Krats,	Moore, C. E.,	Watkins,
DuBois,	Kubacki,	Moran,	Weidner,
Duffy,	Lafore,	Penglass,	Welsh,
Dunn,	Lederer,	Pichney,	Wescott,
Erb,	Lelsey,	Pitzer,	Westrick,
Ewing,	Leonard, L.,	Polaski,	Whalley,
Fenrich,	Leonard, W. C.,	Polen,	Wheeler,
Ferster,	Leven,	Price, H. W. Jr.,	White,
Filip,	Light,	Price, R. A.,	Williams,
Filo,	Limper,	Readinger,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Rosen,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rovansek,	Sorg,
Good,	Markley,	Robertson,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order.

The House proceeded to the third reading and consideration of House Bill No. 703, as follows:

An Act to amend subsection three of section one and section four of the act approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1210) entitled "An act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder limiting the amount of such insurance prescribing standard policy provisions and requiring notice of conversion privileges" by extending the types permitted and fixing requirements thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection three of section one and section four of the act approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1210) entitled "An act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder limiting the amount of such insurance prescribing standard policy provisions and requiring notice of conversion privileges" are hereby amended to read as follows

Section 1 Types Permitted

(3) A policy issued to a labor union or a police fraternity which shall be deemed the policyholder to insure members of such union or fraternity for the benefit of persons other than the union or fraternity or any of [its] their officials representatives or agents

Section 4 Policies Issued to Labor Unions or Police Fraternities A policy issued to a labor union or a police fraternity to insure members of such union or fraternity for the benefit of persons other than the union or fraternity or any of its officials representatives or agents shall be subject to the following requirements

(1) The members eligible for insurance under the policy shall be all of the members of the union or fraternity or all of any class or classes thereof determined by conditions pertaining to their employment or to membership in the union or fraternity or both

(2) The premium for the policy shall be paid by the policyholder either wholly from union funds or the fraternity's funds or partly from such funds and partly from funds contributed by the insured members specifically for their insurance No policy may be issued on which the entire premium is to be derived from funds contributed by the insured members specifically for their insurance may be placed in force only if at least seventy-five per cent of the then eligible members excluding any as to whom evidence of individual insurability is not satisfactory to the insurer elect to make the required contributions a policy on which no part of the premium is to be derived from funds contributed by the insured members specifically for their insurance must insure all eligible members or all except any as to whom evidence of individual insurability is not satisfactory to the insurer

(3) The policy must cover at least twenty-five members at date of issue

(4) The amounts of insurance under the policy must be based upon some plan precluding individual selection either by the members or by the union or fraternity No policy may be issued which provides term insurance or any union or fraternity member which together with any other term insurance under any group insurance policies issued to the union or fraternity exceeds twenty thousand dollars (\$20,000)

Section 2 This act shall become effective immediately upon its final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, although they are not in consecutive order there are quite a number of insurance bills on the third reading calendar and I suggest, in view of their importance and for the purpose of the record, that the sponsor or someone else make a brief statement as to the purpose that these various insurance bills were designed to serve, so that there will be some record as to legislative intent on the record.

Mr. STIMMEL. Mr. Speaker, on the calendar today are two House bills and six Senate bills which are of great interest to this House and, of course, necessary for good insurance legislation. I would like to make this brief statement.

A group of insurance bills on the calendar are in the interest of a great industry in this Commonwealth and more important to the distinct advantage of the general public.

Serious thought and consideration over the past two years has been given this proposed legislation by agency

and company representatives, and by our own Insurance Department. In fact, by every segment of the insurance industry, as well as those representing the general public. A careful perusal by the legal staff of our Insurance Department of the policy analysts would indicate that these bills will result in better law if they are approved by this House today.

Mr. ANDREWS. Mr. Speaker, I wanted to know just what purpose was served by House Bill 703—what purpose was served, but not any extended discussion of the bill, simply what the gentleman proposed doing by the bill so it would be in the legislative record as to what the insurance people had in mind to do by the various bills. It should not take long to explain the purpose.

Mr. STIMMEL. Mr. Speaker, I am not prepared to discuss the House bills. I would rather let the sponsors of those bills discuss the House bill. Insofar as the Senate bills are concerned, I will be glad to give a brief resume of each bill if you so desire.

Mr. KLINE. Mr. Speaker, House Bill 703 simply brings back the police fraternity and enables them to have group insurance. In the 1949 session in re-writing the insurance bill at that time, for some reason the police fraternity was left out. This simply places them back into their former standing.

The next bill, House Bill 776, simply deals with a liquidated company. The Insurance Department today is sending out reports on liquidated companies. This simply makes it mandatory, which possibly would not be needed in our present Department, but it makes it mandatory to have reports of all those holders within thirty days.

On the question, recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarras,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstrosser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. E.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bombberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintem,	Stoner,
Brown,	Hoggard,	Monroe,	Swarts,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldorney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, E. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dalrymple,	Kline,	Penglass,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewica,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Krats,	Pfaff,	Watkins,

DeBola,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaaki,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Forster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Relly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lut. J.,	Riley, R. L.,	Yetsar,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 776, as follows:

An Act to amend Section 506 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by requiring notice of dissolution of stock or mutual fire insurance companies associations or exchanges to be given to policyholders or members

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 506 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" is hereby amended to read as follows

Section 506 Orders for Liquidation of Affairs of Companies Et Cetera Insurance Commissioner To Act as Received If on a like application and order to show cause and after a full hearing the court shall order the liquidation of the business of such company association exchange society or order such liquidation shall be made by and under the direction of the Insurance Commissioner who shall be vested by operation of law with title to all of the property contracts and rights of action of such company association exchange society or order as of the date of the order so directing him to liquidate The filing or recording of such order in any record office of the State shall impart the same notice that a deed bill

of sale or other evidence of title duly filed or recorded by such company association exchange society or order would have imparted The order of liquidation shall unless otherwise directed by the court provide that the dissolution of the company association exchange society or order shall take effect upon the entry of such order in the office of the clerk of the county wherein such company association exchange society or order had its principal office for the transaction of business Within thirty days after the taking effect of the order of liquidation of any stock or mutual fire insurance company association or exchange the Insurance Commissioner shall mail a notice thereof to each of its policyholders or members

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mama,	Rublin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Beas,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstremer,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helms,	Miller, H. G.,	Spencer,
Bower,	Herach,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hogard,	Mintem,	Stoner,
Brown,	Hunter,	Monroe,	Swartz,
Buechlin,	Jenkins,	Moore, C. E.,	Swope,
Byrne,	Johnson,	Moore, H. A.,	Tahl,
Cella,	Jones, G. E.,	Moran,	Taylor,
Clapper,	Jones, J. M.,	Muldowney,	Thompson, E. P.,
Clendenning,	Jones, P. P.,	Mumley,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Murray,	Toll,
Conway,	Jump,	Musto,	Tompkins,
Cooper,	Kamyk,	Najaka,	Toomey,
Corr,	Keller,	Naugle,	VanSant,
Coste,	Kent,	Needham,	Varallo,
Coyle,	Kline,	Olsen,	Varner,
Dairymple,	Kohl,	Penglate,	Verona,
Davis,	Kolankiewicz,	Peta,	Wachhaus,
Dennison,	Kornick,	Petrosky,	Wargo,
Dougherty,	Kratts,	Pettigrew,	Waterhouse,
Dowling,	Kubacki,	Pfaff,	Watkins,
DuBois,	Lafore,	Pichney,	Weldner,
Duffy,	Lederer,	Pitzer,	Welsh,
Dunn,	Lelsey,	Polaski,	Weecott,
Erb,	Leonard, L.,	Polen,	Westrick,
Ewing,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leven,	Price, R. A.,	Wheeler,
Ferster,	Light,	Readinger,	White,
Filip,	Limper,	Reagan,	Williams,
Filo,	Loftus,	Reese,	Wilt,
Firmstone,	Lopresti,	Reidenbach,	Wood,
Flack,	Lovett,	Reilly, J. M.,	Yeakel,
Frost,	Lutty,	Rigby,	Yeater,
Gaffney,	Lyons,	Riley, R. L.,	Yetzer,
Geer,	Madden,	Robertson,	Young,
Gibson,	Madigan,	Rose,	Ziegler,
Gleason,	Markley,	Rosen,	Sorg,
Good,		Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 794, as follows:

An Act to further amend the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by enlarging the jurisdiction of said court in certain cases of appeals and making said jurisdiction exclusive

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 6 of the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" as amended by the act approved the second day of April one thousand nine hundred thirteen (P. L. 21) and as amended in part by the acts approved the twenty-fourth day of April one thousand nine hundred thirty-five (P. L. 51) the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 515) the tenth day of April one thousand nine hundred forty-five (P. L. 183) and the tenth day of April one thousand nine hundred forty-five (P. L. 184) is hereby further amended to read as follows

Section 6 The court hereby created shall have jurisdiction

(a) In all civil actions wherein only a money judgment is sought to be recovered and in all actions of replevin in which the sum demanded or the value of the property replevied does not exceed twenty-five hundred dollars except in cases where the title to lands or tenements may come in question

(b) In all proceedings brought against any husband or father wherein it is charged that he has without reasonable cause separated himself from his wife or children or from both or has neglected to maintain his wife or children and in all proceedings where any child of full age has neglected or shall neglect to maintain his or her parents not able to work or of sufficient ability to maintain themselves The court shall have authority to issue writs of habeas corpus in all proceedings provided for in this clause

(c) In all cases of appeals from summary convictions and from judgments in suits for a penalty before a magistrate or court not of record as provided by law

[(d) The jurisdiction hereby conferred in clauses (b) and (c) shall be exclusive]

(e) In cases where money has been paid into court or the court acquires control over specific personal property and conflicting claims arise thereto the court may add to the record parties interested by voluntary intervention or by service of process and may cause the necessary parties to interplead for the purpose of determining their respective rights and the money or property in question shall thereupon be paid or delivered over to the person found to be entitled thereto The parties shall file such statements of their respective claims as may be necessary to define the issue as the court may by rule or otherwise prescribe The court shall have power to require the parties to such interpleader to stay proceedings in this or other courts until such interpleader is finally determined The court shall have power to order such sale or disposition of property or money within its control as may seem proper either pending such interpleader or after its determination

(f) In all such civil actions as may be transferred to it by order of the Court of Common Pleas of Allegheny County upon consent of counsel for all parties where the sum demanded or the value of the property replevied does not exceed the sum of twenty-five hundred dollars

except in cases where the title to lands or tenements may come in question

(g) In all cases involving the support of a child born out of wedlock where the father admits parentage and where he is willing to support the child

(h) In all cases of appeal by any person whose operator's license or learner's permit has been suspended or who has been deprived of the privilege of applying for an operator's license or learner's permit under the provisions of section six hundred sixteen of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) known as "The Vehicle Code" and its amendments

(i) In all cases of appeal from the Board of Property Assessment Appeals and Review in counties of the second class where the amount of taxes for one year which may be levied on the assessment in controversy does not exceed the sum of twenty-five hundred dollars

(j) In all cases of appeal from the Pennsylvania Labor Relations Board

(k) In all cases of appeal from zoning boards or commissions or boards of adjustment or boards of appeals under the various zoning laws of counties cities boroughs and townships where appeals to courts of common pleas are now provided for by law

(l) In all cases of appeal from decisions of the receiver of school taxes or school treasurer in the administration and enforcement of the act of Assembly imposing a mercantile license tax for school purposes in school districts of the first class A

(m) In all cases of appeal from the Civil Service Board or Commission of any city borough or township where appeals are provided for by existing law

(n) The jurisdiction hereby conferred in classes (b) (c) (h) (i) (j) (k) (l) and (m) shall be exclusive within the territorial limits of its jurisdiction

All cases of appeals except those appeals specified in clause (i) of this section instituted in the court of common pleas pursuant to the authority of the existing law which are pending and undisposed of in said court at the time this amendment takes effect together with all other decrees or judgments are hereby transferred to the county court The said county court is hereby authorized to hear determine and dispose of the cases hereby transferred and shall have full power and authority to enforce any and all orders decrees or judgments heretofore entered in such cases by the court of common pleas with the same power and effect as if such cases had been originally instituted in the county court

Section 2 Said act is hereby amended by adding after Section 14 thereof a new section to read as follows

Section 14.1 Except as modified by this act or by its own rules duly adopted by a majority of the judges the practice and procedure shall be the same in the county court in all matters of which it has jurisdiction as in similar cases brought and determined in the courts of common pleas of the county of Allegheny

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Beaumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstremer,	Hall,	McKinney,	Soyler,
Blair,	Hamilton, E. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,

Bomberger,	Handley,	Mikul,	Sollenberger,
Bosora,	Heim,	Miller, H. G.,	Spencer,
Bowen,	Hersch,	Miller, J. C.,	Stank,
Bredek,	Howitt,	Mills,	Stimmel,
Breth,	Hooper,	Mintam,	Stoner,
Brown,	Hogard,	Monroe,	Swope,
Bucchia,	Hunter,	Moore, C. E.,	Swartz,
Byrne,	Jenkins,	Moore, H. A.,	Tabl,
Calla,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. H.,	Muldoway,	Thompson, B. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, B. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompson,
Cooper,	Jump,	Najaka,	Toomey,
Cort,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Verville,
Coyne,	Kent,	Olsen,	Verner,
Dairyapple,	Kline,	Penglass,	Verona,
Davis,	Kohl,	Pem,	Wachman,
Dennham,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Watkinson,
Dowling,	Kram,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weldner,
Duffy,	Lafore,	Pitner,	Welsh,
Dunn,	Laderer,	Polacki,	Westcott,
Ebb,	Leisy,	Polan,	Westrick,
Evins,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Farish,	Leonard, W. C.,	Price, E. A.,	Wheeler,
Foster,	Leven,	Readinger,	White,
Fillip,	Light,	Reagan,	Williams,
Filo,	Linger,	Reese,	Will,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Loprest,	Reilly, J. M.,	Yeakel,
Frost,	Lowell,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, B. L.,	Yetter,
Gaw,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Ross,	Ziegler,
Gleason,	Madigan,	Ross,	Sorg,
Good,	Markley,	Rovanek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 795, as follows:

An Act to further amend Section 12 of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class creating and prescribing the powers and duties of a Board of Property Assessment Appeals and Review imposing duties on certain county and city officers abolishing the board for the assessment and revision of taxes in such counties and prescribing penalties" by conferring exclusive jurisdictions on the county court of Allegheny County in cases of appeals from the Board of Property Assessment Appeals and Review

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 12 of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class creating and prescribing the powers and duties of a Board of Property Assessment Appeals and Review imposing duties on certain county and city officers abolishing the board for the assessment and revision of taxes in such counties and prescribing penalties" as amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 510) is hereby further amended to read as follows

Section 12 After action on such assessments by the board any taxpayer dissatisfied with the assessment of his property may appeal therefrom to the court of common pleas of the county within sixty (60) days from the date of notice of the assessment as provided by existing law and it shall be the duty of the court to hear and determine said appeal and if necessary to make such changes in the assessment as may be right and proper. Provided however That where the amount of taxes for one year which may be levied on such assessment does not exceed the sum of twenty-five hundred dollars (\$2500) such appeal shall be taken to the county court of Allegheny County and it shall be the duty of said court to hear and determine said appeal and if necessary to make such changes in the assessment as may be right and proper. Any taxpayer or the Board of Property Assessment Appeals and Review may appeal from the judgment order or decree of the court of common pleas or county court of Allegheny County as the case may be of such county to the Supreme or Superior Court in the same manner as appeals are taken in other cases to the said Supreme or Superior Court [Provided That where such judgment order or decree of the court of common pleas was made affecting a 1943 assessment prior to the effective date of this act appeals to the Supreme or Superior Court may be taken at any time within three (3) calendar months after such effective date] Only one such appeal may be taken during the period of any triennial assessment unless the assessed valuation of the property has been changed during such period. The jurisdiction of the county court of Allegheny County conferred hereby shall be exclusive within the territorial limits of its jurisdiction.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Marwell,
Andrews,	Graybill,	Mama,
Banker,	Greenwood,	McConnell,
Barkdoll,	Greer,	McCormack,
Baumunk,	Guarnieri,	McCullough,
Bear,	Gutendorf,	McDermitt,
Beaver,	Guthrie,	McGee,
Beech,	Hagerty,	McInroy,
Berkstresser,	Hall,	McKinney,
Blair,	Hamilton, R. E.,	McMillen,
Bloom,	Hamilton, W. E.,	McNally,
Boles,	Harney,	Metz,
Bolton,	Hendenshield,	Mihm,
Bombberger,	Hendles,	Mikula,
Boores,	Helm,	Miller, H. G.,
Bower,	Hersch,	Miller, J. C.,
Brelach,	Hewitt,	Mills,
Broth,	Hocker,	Mintem,
Brown,	Hoggard,	Monroe,
Bucchain,	Hunter,	Moore, C. E.,
Byrne,	Jenkins,	Moore, H. A.,
Cella,	Johnson,	Moran,
Chappter,	Jones, G. E.,	Muldowney,
Clendening,	Jones, J. M.,	Munley,
Cochran,	Jones, P. F.,	Murray,
Conway,	Jones, T. E. W.,	Musto,
Cooper,	Jump,	Najaka,
Corr,	Kamyk,	Naugle,
Coste,	Keller,	Needham,
Coyle,	Kent,	Olsen,
Delrymple,	Kline,	Pengash,
Davis,	Kohl,	Peta,
Dennison,	Kotankiewicz,	Petrosky,
Dougherty,	Kornick,	Pettigrew,
Dowling,	Kratz,	Phaff,
DuBois,	Kubacki,	Pichney,
Duffy,	Lafore,	Pitzer,
Dunn,	Lederer,	Polsaki,
Ebb,	Leisy,	Polen,

Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Penrich,	Leonard, W. C.,	Price, E. A.,	Wheeler,
Perster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Relly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yeater,
Gaffney,	Lutty,	Riley, R. L.,	Yetser,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 796, as follows:

An Act to further amend Section 616 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals by persons whose operator's license or learner's permit has been suspended or who has been deprived of the privilege of applying for an operator's license or learner's permit

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 616 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence impos-

ing upon owners *counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 616 Right of Appeal to Court from Suspension Any person whose operator's license or learner's permit has been suspended or who has been deprived of the privilege of applying for an operator's license or learner's permit under the provisions of this act shall have the right to file a petition within thirty (30) days thereafter for a hearing in the matter in the court of common pleas of the county in which the operator or permittee resides [and such court is] other than Allegheny County and in Allegheny County in the county court of Allegheny County Such courts are hereby vested with jurisdiction and it shall be [its] their duty to set the matter down for hearing upon thirty (30) days' written notice to the secretary and thereupon to take testimony and examine into the facts of the case and to determine whether the petitioner is subject to suspension of operator's license or learner's permit or whether he may be deprived of the privilege of applying for an operator's license or learner's permit by the secretary under the provisions of this act The jurisdiction of the county court of Allegheny County conferred hereby shall be exclusive within the territorial limits of its jurisdiction

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarras,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCallough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuuster,
Beech,	Hagerly,	McInroy,	Scott,
Berkstromer,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. E.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boies,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boroe,	Helm,	Miller, H. G.,	Spencer,
Bower,	Herch,	Miller, J. C.,	Stank,
Brelsch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchia,	Hunter,	Moore, O. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldorney,	Thompson, R. F.,
Glendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Oochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	Vansant,
Costa,	Keller,	Needham,	Varello,
Coyle,	Kent,	Olsen,	Verner,
Dalrymple,	Kline,	Penglass,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrocky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Krats,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisy,	Polen,	Westrick,
Swing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,

Perster,	Leven,	Readinger,	White,
Fillip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Relly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 797, as follows:

An Act to amend subsection (b) of Section 8 of the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 745) entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaging in certain occupations and business therein providing for its levy and collection for the issuance of mercantile licenses upon the payment of fees therefor conferring and imposing powers and duties on boards of public education receivers of school taxes and school treasurers in such districts saving certain ordinances of council of certain cities and providing compensation for certain officers and employes and imposing penalties" by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from decisions of the collector in administering and enforcing the provisions of the act The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of Section 8 of the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 745) entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaging in certain occupations and businesses therein providing for its levy and collection for the issuance of mercantile licenses upon the payment of fees therefor conferring and imposing powers and duties on boards of public education receivers of school taxes and school treasurers in such districts saving certain ordinances of council of certain cities and providing compensation for certain officers and employes and imposing penalties" as reenacted and made permanent by the act approved the twelfth day of May one thousand nine hundred forty-nine (P. L. 1238) is hereby amended to read as follows

Section 8 Powers and Duties of Collector

(b) The collector is hereby charged with the administration and enforcement of the provisions of this act and is hereby empowered to prescribe adopt promulgate and enforce rules and regulations relating to any matter pertaining to the administration and enforcement of this act including provision for the re-examination and correction of returns and payments alleged or found to be incorrect or as to which an over-payment is claimed or found to have occurred Any person aggrieved by any decision of the collector shall have the right of appeal to the [court of common pleas as in other cases provided] county court of Allegheny County

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraff,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstesser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudensfield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Buchlin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. P.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fenster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Relly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 798, as follows:

An Act to further amend subsection (a) and (b) of Section 9 of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and

bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" by conferring exclusive jurisdiction on the County Court of Allegheny County in cases of appeals from the Labor Relations Board.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) and (b) of Section 9 of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" as last amended by the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 656) are hereby further amended to read as follows

Section 9 Judicial Review (a) The board shall have power to petition the court of common pleas of any county wherein the unfair labor practice in question occurred or wherein any person charged with the commission of any unfair labor practice resides or transacts business other than Allegheny County and in Allegheny County the County Court of Allegheny County for the enforcement of such order and for appropriate temporary relief or restraining order and shall certify and file in the court a transcript of the entire record in the proceeding including the pleadings and testimony upon which such order was entered and the findings and order of the board Upon such filing the court shall cause notice thereof to be served upon such person and thereupon shall have jurisdiction of the proceeding and of the question determined therein and shall have power to grant such temporary relief or restraining order as it deems just

and proper and to make and enter upon the pleadings testimony and proceedings set forth in such transcript a decree enforcing modifying and enforcing as so modified or setting aside in whole or in part the order of the board. The parties before the court shall be the board and the person charged with the commission of any unfair practice. No objection that has not been urged before the board its members or agents shall be considered by the court unless the failure or neglect to urge such objection shall be excused because of extraordinary circumstances. The findings of the board as to the facts if supported by evidence shall be conclusive. If either party shall apply to the court for leave to adduce additional evidence and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence at the hearing before the board its members or agent the court may order such additional evidence to be taken before the board its members or agent and to be made a part of the transcript. The board may modify its findings as to the facts or make new findings by reason of additional evidence so taken and filed and it shall file such modified or new findings which if supported by evidence shall be conclusive and shall file its recommendations if any for the modification or setting aside of its original order. The jurisdiction of the court of common pleas or of the County Court of Allegheny County as the case may be shall be exclusive within the territorial limits of its jurisdiction and its judgment and decree shall be final except that the same shall be subject to review by the Supreme Court on appeal by the board or any party in interest irrespective of the nature of the decree or judgment or the amount involved. Such appeal shall be taken and prosecuted in the same manner and form and with the same effect as is provided in other cases of appeal to the Supreme Court and the record so certified shall contain all that was before the court of common pleas or of the County Court of Allegheny County as the case may be.

(b) Any person aggrieved by a final order of the board granting or denying in whole or in part the relief sought or by an order certifying a collective bargaining agent of employees may obtain a review of such order in the court of common pleas of any county where the unfair labor practice in question was alleged to have been engaged in or wherein such person resides or transacts business other than Allegheny County and in Allegheny County in the County Court of Allegheny County by filing in such court within sixty days after the final order has issued by the board a written petition praying that the order of the board be modified or set aside. A copy of such petition shall be forthwith served upon the board and the board shall file in the court a transcript of the entire record in the proceeding certified by the board including the pleadings and testimony and order of the board. Upon such filing the court shall proceed in the same manner as in the case of an application by the board under subsection (a) and shall have the same exclusive jurisdiction to grant to the board such temporary relief or restraining order as it deems just and proper and in like manner to make and enter a decree enforcing modifying and enforcing as so modified or setting aside in whole or in part the order of the board and the findings of the board as to the facts if supported by substantial and legally credible evidence shall in like manner be conclusive. The parties before the court shall be any person aggrieved by a final order of the board as aforesaid and the board. The jurisdiction of the court of common pleas or of the County Court of Allegheny County as the case may be shall be exclusive within the territorial limits of its jurisdiction and its judgment and decree shall be final except that the same shall be subject to review by the Supreme Court on appeal by the person aggrieved or the board irrespective of the nature of the decree or judgment or the amount involved. Such appeal shall be taken and prosecuted in the same manner and form and with the same effect as is provided in other cases of appeal to the Supreme Court and the record

so certified shall contain all that was before the court of common pleas or the County Court of Allegheny County as the case may be.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. L.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dalrymple,	Kline,	Penglass,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Wedner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 826 as follows:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school

employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the use and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits from taxation and judicial process and providing penalties" by redefining the term "final salary" and further providing the manner of computing employees' annuities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause seventeen (17) of section one (1) of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the use and purposes thereof and the manner of payments therefrom and providing for the guaranty of the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the twelfth day of July one thousand nine hundred thirty-five (P. L. 698) is hereby further amended to read as follows

Definitions

Section 1

(17) "Final salary" shall mean the average annual salary earnable by a contributor as an employee for the ten years of service immediately preceding retirement except that if the average for any five consecutive years of service exceeds the average of the said ten years the five-year average shall become the "final salary" except in the case of contributors who were employed during the year which began July first one thousand nine hundred and thirty-two and ended June thirtieth one thousand nine hundred and thirty-three who have elected to contribute on the basis of salary receivable during said year in which case such salary shall be included in the computation of "final salary" for the number of years that contributions have been made on the basis of such salary

Section 2 Paragraph six (6) of section eight (8) of said act as last amended by the act approved the twenty-fifth day of April one thousand nine hundred forty-nine (P. L. 752) is hereby amended to read as follows

School Employees' Retirement Fund and Accounts

Section 8

6 There shall be credited by the retirement board to a ledger account to be known as the employees' annuity savings account the amounts of the accumulated deductions from the salaries of contributors made under such rules and regulations as the retirement board shall prescribe as follows

From the salary of each employee who is a contributor there shall be deducted and paid into the fund created by this act through the Department of Revenue such per centum of his or her earnable salary as shall be computed to be sufficient with regular interest to procure for him or her on superannuation retirement [of] at age [of] sixty-two an employees' annuity equal to one one-hundred-sixtieth (1/160) of his or her final salary calculated on the basis of the annual salary earnable by a contributor as an employee for the ten years of service after the thirtieth day of June one thousand nine hundred nineteen or to procure for him or her on superannuation retirement at age sixty-two or at the end of thirty-five years of credited service in this Commonwealth whichever is the earlier an employee's annuity equal to

one one-hundred-fortieth (1/140) of his or her final salary calculated on the basis of the annual salary earnable by a contributor as an employee for the ten years of service immediately preceding retirement for each year of service after the thirtieth day of June one thousand nine hundred nineteen In the case of each contributor entering or re-entering the retirement system on and after the first day of July one thousand nine hundred fifty and also in the case of each contributor originally carrying membership in the one one-hundred-sixtieth (1/160) class who prior to the first day of July one thousand nine hundred fifty has been elected and filed with the retirement board such election to transfer to the one one-hundred-fortieth (1/140) class and who contributes after the first day of July one thousand nine hundred fifty the per centum of his or her salary computed to be sufficient for new entrants of the one one-hundred-fortieth (1/140) class as of age attained at nearest birthday of such transferred contributor at the date of transfer Provided That in the case of employees who were employed during the year which began July first one thousand nine hundred and thirty-two and ended June thirtieth one thousand nine hundred and thirty-three who have elected to contribute on the basis of salary receivable during said year such percentage shall be computed on the basis of said salary And provided That in any case if the deduction so computed shall exceed five per centum of his or her earnable salary and the employee shall be elect there shall be deducted five per centum of his or her earnable salary Provided however That these privileges are not admissible to contributors in the one one-hundred-fortieth (1/140) class And further provided That a beneficiary in the one one-hundred-sixtieth (1/160) class restored to school service shall not be permitted to transfer to the one-hundred-fortieth (1/140) class nor shall a beneficiary restored to school service be required to contribute at a per centum rate of his or her earnable salary which is greater than the per centum thereof which he or she was required to contribute prior to his or her retirement The rate per centum of said deduction from salary shall be based on such mortality and other tables as the retirement board shall adopt together with regular interest and shall be computed to remain constant during the prospective school service of the contributor

Section 3 All acts or parts of acts inconsistent herewith are repealed

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Marwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barndoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstromer,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bombberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swarts,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,

Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. H.,	Muldorney,	Thompson, E. F.,
Clendenen,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cochran,	Jones, J. M.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglass,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewics,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Krats,	Phaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitner,	Welsh,
Dunn,	Lederer,	Polaski,	Westcott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fenster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 827, as follows:

An Act to further amend the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employees of said cities and all county or other public employees if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" by reducing the retirement age

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 3 of the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employees of said cities and all county or other public employees if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" as amended by the act approved the fifth day of July one thousand nine hundred seventeen (P. L. 689) is hereby further amended to read as follows

Section 3 Every person now or hereafter employed by the said cities or paid out of the city treasury thereof as herein above provided if any of the age of [sixty] fifty-five years and upwards who shall have been so employed for a period of twenty years or more shall upon application to the board of pensions herein created be retired from service and shall during the remainder of his or her life receive a pension or compensation fixed by this act subject to such qualifications as are herein contained Provided That if any person or persons had been employed by the said cities for a period covering eighteen years or more prior to the passage of this act and shall thereafter be reemployed it shall be necessary that the

period of their reemployment shall extend over a period of two years or more before such person or persons shall be entitled to receive the pension fixed by this act

Section 2 Section 4 of said act as last amended by the act approved the second day of May one thousand nine hundred forty-nine (P. L. 852) is hereby further amended to read as follows

Section 4 During the lifetime of the said person he or she shall be entitled to receive a pension from the fund set aside for the purpose of fifty per centum of the amount which would constitute the average rate of pay at which he or she was employed during the highest salaried five years of his or her employment by the said city or other public employment as aforesaid Said pension shall be paid in monthly payments Provided That if any pension be granted to a person who has not been a contributor to the pension fund as herein provided during a period of twenty years such person shall be required to pay into the board of pensions monthly an amount equal to two per centum of his or her pension until such time as his or her contribution shall have extended during a period of twenty years Should any person so employed after twenty years of service be dismissed voluntarily retire or be in any manner deprived of his position or employment before attaining the age of [sixty] fifty-five years upon continuing a monthly payment to the fund equal to the last amount due and paid monthly while in active service said person shall be entitled to a pension above mentioned notwithstanding he or she has not attained the age of [sixty] fifty-five years at the time of his or her separation from the public service but said pension shall not commence until he or she has attained the age of [sixty] fifty-five years Should any employee however become totally and permanently disabled while in the service after twenty years of service and before attaining the age of [sixty] fifty-five years he or she shall be entitled to the said pension Proof of total and permanent disability shall consist of the sworn statement of three practicing physicians designated by the board that the employee is in a permanent condition of health which would totally disable him or her from performing the duties of his or her position or office Provided That in cases where the nature of such disability is such as to disable the employee from performing any work whatsoever either within or without the scope of his regular duties or within or without the service of such city or county the board may upon a recommendation of the three practicing physicians herein provided for retire upon pension such applicant after a service of fifteen years Provided further That the benefits of this amendment shall apply to members of the pension fund who have been contributors to the said fund for five years or more The pension paid to any one employee whose monthly payments into the pension fund have been four dollars or less a month shall not exceed one hundred dollars per month The pension paid to any one employee whose monthly payments into the pension fund have been more than four dollars a month for a period of at least two years may exceed one hundred dollars per month but shall not exceed two hundred dollars per month Provided That if an employee upon the date of retirement from service shall have made payments of more than four dollars a month into the pension fund for a period of less than two years his or her pension shall not exceed one hundred dollars per month but an amount equal to the total amount paid in excess over four dollars a month shall be returned to such employee

The pension to be paid to any former employee who was dismissed voluntarily retired or in any manner was deprived of his position and employment after having twenty years of service as an employee of said city and who has continued making payments to the fund equal to the last amount due and paid monthly while in active service and who has not accepted any pension under the provisions of the act to which this is an amendment shall be at the pension rate as provided in section five and his payments to the board of pensions after the first day of September one thousand nine hundred forty-five shall be in an amount equal to the amount which he would have been

permitted to make had he continued in the employ of said city after the first day of September one thousand nine hundred forty-five and had continued to be paid the same salary as he received when he was last employed by said city This new amount whether it be more less or the same as the amount which he paid prior to the first day of September one thousand nine hundred forty-five he shall continue to pay until he applies for a pension under the provisions of this act If there be any difference between the amount which he has paid from the first day of September one thousand nine hundred forty-five and the amount which he has elected to pay under the provisions of section five he shall pay such difference into the board of pensions within six months of the effective date of this amendment

Section 3 Section 4.1 of said act as added thereto by the act approved the second day of May one thousand nine hundred forty-nine (P. L. 845) is hereby amended to read as follows

Section 4.1 (a) Anything in this act to the contrary notwithstanding and except as otherwise provided in this section any employe of such cities or paid out of the city treasuries thereof in active service on or after the effective date of this act who is a contributor to and member of the pension fund of such cities may elect to receive and shall be paid a lesser pension during his lifetime if and when he meets the requirements of this section Such election shall be made by application to the board of pensions

(b) Every employe in active service on or after the effective date of this act who is dismissed voluntarily retired or in any manner deprived of his position or employment with fifteen years or more but less than twenty years of service and who has contributed to the pension fund for a like period and who has reached the age of [sixty] fifty-five years or upwards may apply for such lesser pension

(c) Every employe in active service on or after the effective date of this act who is dismissed voluntarily retired or in any manner deprived of his position or employment after fifteen years or more but less than twenty years of service before attaining the age of [sixty] fifty-five years upon continuing until he reaches the age of [sixty] fifty-five years a monthly payment to the fund equal to the last amount due and paid monthly while in active service may apply for such lesser pension when he reaches the age of [sixty] fifty-five years

(d) Every such lesser pension shall be proportionate to the pension which the employe would be entitled to receive after twenty years of service and contribution computed as if he had continued to receive during the remainder of the twenty years the same salary as at the time of the termination of his active service as his number of months of service is to two hundred forty months

(e) Payment of the monthly amount of contribution shall cease and be discontinued at the time any such employe begins to receive the lesser pension provided by this section

Section 4 Section 14 of said act as added thereto by the act approved the second day of May one thousand nine hundred forty-nine (P. L. 852) is hereby amended to read as follows

Section 14 In addition to the pension which is authorized by this act and notwithstanding the limitations therein placed upon pensions and upon contributions every contributor who shall become entitled to the payment of a pension and who has been employed by the said city or county for at least twenty-one years shall also be entitled to the payment in addition to the said pension of a "service increment" in accordance with and subject to the conditions hereinafter set forth

(1) Service increment shall be the sum obtained by computing the number of whole years in excess of twenty years during which a contributor has been employed by such city or county and paid out of the city treasury and multiplying the said number of years so computed by an amount equal to one-fortieth of the pension which has become payable to such contributor in accordance with

the provisions of this act Provided That no service increment may be paid for employment of more than twenty such excess years nor for any excess years which shall accrue after a contributor has reached the age of sixty-five years and no service increment shall be paid in excess of one hundred dollars (\$100.00) per month

(2) Each contributor from and after the effective date of this amendment shall pay into the board of pensions a monthly sum in addition to his or her pension contribution which shall be equal to one-half of one per centum of his or her salary Provided That such payment shall not exceed the sum of one dollar (\$1.00) per month nor shall the total payment for pension contribution and service increment contribution exceed thirteen dollars (\$13.00) per month And Provided That such service increment contribution shall not be paid after a contributor has reached the age of sixty-five years

(3) Persons who are pension fund contributors on the effective date of this amendment who have already reached the age of sixty-five years shall have his or her service increment computed on the years of employment prior to the date of reaching his or her sixty-fifth birthday

(4) Any pension fund contributor who shall after the effective date of this act leave the service of such city or county after having completed at least twenty years' service but before reaching the age of [sixty] fifty-five years and who shall continue to pay pension contributions into the pension fund shall not pay service increment contributions after the date of leaving the service of such city or county and shall have his or her service increment limited to the actual years spent in the service of such city or county

(5) Service increment contributions shall be paid at the same time and in the same manner as pension contributions and may be withdrawn in full without interest by persons who leave the employment of such city or county subject to the same conditions by which pension contributions may be withdrawn When any person is re-employed by the city or county after withdrawal of pension contributions his or her prior service shall not be used in the computation of service increment unless the amount of such contributions be repaid into the pension fund subject to the same conditions by which pension fund withdrawals are permitted to be repaid

(6) All employes of such city or county who are now contributors to the pension fund and all persons who are employed by such city and county after the effective date of this amendment who are required to become contributors to the pension fund shall be subject to the provisions of this amendment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudensfield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsach,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swarts,
Bucchin,	Hunter,	Moore, C. E.,	Swope,

Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dalrymple,	Kline,	Penglass,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Krass,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, R. A.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Wheeler,
Fenster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetsar,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 867 as follows:

An Act transferring money from the Banking Fund to the General Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of five hundred thousand dollars (\$500,000) is hereby transferred from the Banking Fund to the General Fund

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Serraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Haudenshield,	Metz,	Smith,
Bolton,	Harney,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Herach,	Miller, J. C.,	Stank,

Brelach,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintem,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dalrymple,	Kline,	Penglass,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Krass,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fenster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetsar,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 947, Printer's No. 256

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 960, as follows:

An Act to amend Section 8 of the act approved the first day of May one thousand nine hundred seven (P. L. 135) entitled "An act relating to the appointment of stenographers and assistant stenographers to report proceedings in the several courts of common pleas and orphans' courts court of oyer and terminer and general jail delivery and courts of quarter sessions of the peace of this Commonwealth as well as before commissioners masters and special masters in chancery referees examiners auditors and other officers prescribing their powers and duties and when such reports shall be evidence of the facts reported prescribing their compensation and allowances for expenses when the same shall be paid by the county wherein such stenographers or assistant stenographers are employed and when by the parties to such proceedings and repealing an act entitled "An act directing the appointment of official stenographers in the several civil courts of this Commonwealth authorizing the appointment of stenographers by examiners masters referees commissioners and auditors authorizing the appointment of assistant stenographers repealing "An act to authorize the appointment of stenographers in the several courts of this Commonwealth prescribing their duties and fixing their

compensation" approved May fifteenth one thousand eight hundred and seventy-four repealing 'An act to authorize the appointment of stenographers in the several courts of this Commonwealth prescribing their duties and fixing their compensation' approved May eighth one thousand eight hundred and seventy-six and repealing 'An act defining the duty of court stenographers in the several counties in this State' approved June tenth one thousand eight hundred and eighty-one" approved the twenty-fourth day of May one thousand eight hundred and eighty-seven but such repeal not to revive any law repealed by the said act of twenty-fourth of May one thousand eight hundred and eighty-seven" by increasing the compensation of official stenographers for copies of stenographic notes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 8 of the act approved the first day of May one thousand nine hundred seven (P. L. 135) entitled "An act relating to the appointment of stenographers and assistant stenographers to report proceedings in the several courts of common pleas and orphans' courts court of oyer and terminer and general jail delivery and courts of quarter sessions of the peace of this Commonwealth as well as before commissioners masters and special masters in chancery referees examiners auditors and other officers prescribing their powers and duties and when such reports shall be evidence of the facts reported prescribing their compensation and allowances for expenses when the same shall be paid by the county wherein such stenographers or assistant stenographers are employed and when by the parties to such proceedings and repealing an act entitled "An act directing the appointment of official stenographers in the several civil courts of this Commonwealth authorizing the appointment of stenographers by examiners masters referees commissioners and auditors authorizing the appointment of assistant stenographers repealing "An act to authorize the appointment of stenographers in the several courts of this Commonwealth prescribing their duties and fixing their compensation" approved May fifteenth one thousand eight hundred and seventy-four repealing 'An act to authorize the appointment of stenographers in the several courts of this Commonwealth prescribing their duties and fixing their compensation' approved May eighth one thousand eight hundred and seventy-six and repealing 'An act defining the duty of court stenographers in the several counties in this State' approved June tenth one thousand eight hundred and eighty-one" approved the twenty-fourth day of May one thousand eight hundred and eighty-seven but such repeal not to revive any law repealed by the said act of twenty-fourth of May one thousand eight hundred and eighty-seven" is hereby amended to reads as follows

Section 8 Every official stenographer shall be paid in addition to the compensation provided in section six of this act [fifteen] twenty-five cents to reach one hundred words of every copy of the stenographic notes of trials and of other matters in connection with the business of the court that are furnished to the court or filed of record and [five] ten cents for each one hundred words of every copy that is given to counsel or to parties if ordered so that they may be typewritten at the same time with the filing copy payment for such copies to be made by the county in which the case is pending or for which the work is performed upon the order of the presiding judge

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mama,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCaullough,	Scanlon,
Beaer,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstromer,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harnoy,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bombberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelach,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintem,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Buechlin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapp,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, E. L.,
Cochran,	Jones, P. P.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Coor,	Kamyk,	Naugle,	VanSandt,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Vanner,
Dairymple,	Kline,	Pangloss,	Verona,
Davis,	Kohl,	Pets,	Wachbaum,
Dennison,	Kolanekewicz,	Petrocky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Krats,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafora,	Pitner,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisay,	Polan,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Feuster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reldenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetsner,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 971, as follows:

An Act to amend the act approved the seventh day of June one thousand nine hundred one (P. L. 493) entitled as amended "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class second class A and third class and imposing fines penalties and forfeiture for violation thereof" by permitting the use of bituminized-fibre pipe is certain plumbing construction

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The third paragraph of Section 8 of the act

approved the seventh day of June one thousand nine hundred one (P. L. 493) entitled as amended "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class second class A and third class and imposing fines penalties and forfeiture for violation thereof" as last amended by the act approved the thirty-first day of March one thousand nine hundred thirty-seven (P. L. 168) is hereby further amended to read as follows

Materials of House or Building Drains

Section 8

The size of the main house drain shall be determined by the total area of the buildings and paved surfaces to be drained according to the following table if iron pipe or bituminized-fibre pipe is used If the pipe is terra cotta the diameter shall be one size larger for the same amount of area draining

Diameter	Fall ¼ inch Per Foot	Fall ½ inch Per Foot
4 inches	1,800 square ft drainage area	2,500 square ft drainage area
5 inches	3,000 square ft drainage area	4,500 square ft drainage area
6 inches	5,000 square ft drainage area	7,500 square ft drainage area
8 inches	9,100 square ft drainage area	13,600 square ft drainage area
10 inches	14,000 square ft drainage area	20,000 square ft drainage area

Section 2 Said act is hereby amended by adding after Section 13 a new section to read as follows

Section 13.1 Where the ground is of sufficient solidity for a proper foundation cylindrical bituminized-fibre pipe of the best quality free from flaws splits or cracks and meeting the applicable commercial standards of the United States Department of Commerce may be used if laid on a smooth bottom in order to give the pipe a solid bearing on its entire length and the soil well rammed on each side of the pipe the tapered ends connected with a bituminized-fibre coupling

Where bituminized-fibre drain pipe joins cast iron drain pipe a suitable adapter must be used and caulked with oakum or a suitable material of a similar nature and poured lead and where bituminized-fibre drain pipe joins terra cotta drain pipe a suitable adapter must be used and caulked with oakum or a suitable material of a similar nature and a hot pitch tar or asphaltum compound It must not be laid closer than five feet to any exterior wall of a building or when the sewer passes near a well nor will it be allowed in bad or made ground

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. PETROSKY. Mr. Speaker, I desire to interrogate the gentleman from Dauphin, Mr. Ziegler.

The SPEAKER. Will the gentleman from Dauphin, Mr. Ziegler, permit himself to be interrogated?

Mr. ZIEGLER. I shall, Mr. Speaker.

Mr. PETROSKY. Mr. Speaker, I believe quite a few Members of the House would like to know of what bituminized-fibre pipe is composed.

Mr. ZIEGLER. Mr. Speaker, bituminized-fibre pipe is

composed of 75 percent coal tar pitch by weight and 25 percent cellulose fibres.

Mr. PETROSKY. Mr. Speaker, I note in the setup of the bill from Section 13.1 down to the end of the bill that there are quite a few precautions taken in regard to the placement of this pipe in construction work. What is the necessity for that sort of precaution being taken?

Mr. ZIEGLER. Mr. Speaker, I would like to inform the gentleman that it is not a precaution. This bill is exactly the same as the original bill in 1901, as amended in 1937. The only difference in this bill is that it permits the use of the bituminized-fibre pipe.

Mr. PETROSKY. Mr. Speaker, I thank the gentleman.

I, of course, know about as much about the composition of bituminized-fibre pipe as I did before. I am given to understand that cellulose products can be, and in this particular case are, old paper, residue paper and, of course then, using tar or pitch or some product of a petroleum nature together with this, compounding it and making pipe.

I am particularly interested in this respect and I am advised that none of this type of pipe is used in Pennsylvania at the present time and none of it is manufactured in the state of Pennsylvania. This type of pipe, being of such a volatile nature, would create a very detrimental sanitation condition in its use.

We in the state have an industry in a particular area of the state and certainly I should be the last one to get up to oppose this measure, due to the fact that this basic industry and an industry which is large in scope is not operative in my particular district. But we have an industry of ceramics, located in Clearfield County, Armstrong County, Elk, Montgomery, McKean and Jefferson, which would be greatly jeopardized in event this bill passed.

The words "coal tar" are used more or less in the sense to indicate to the membership the fact that possibly there is a substitute use for coal. The tile pipe manufacturers use coal in all of the nearly twenty plants in the state of Pennsylvania in their kilns in drying out their tile pipe which greatly aids a sick industry, the coal industry in Pennsylvania.

We have in these northern counties a considerable industry and it can be hurt by the passage of this bill. Also, I would say that we are putting the stamp of approval upon a type of pipe which we do not know what it is capable of doing. I firmly believe from the evidence that I have seen that the pipe on which we are putting the stamp of approval, in event that we pass this bill, is of such a nature that it will disintegrate in use and cause a great hardship to the users. I do not believe that we should place ourselves in that position and I respectfully urge the Members of the House, and incidentally I want to say that I approach this on a non-partisan basis, I feel that we should not put the stamp of approval upon a commodity that is not tested, one that is sold elsewhere without guarantee and one that will be sold here without guarantee, when we have just as cheap or a cheaper material that we are producing in this state selling with a guarantee of fifty years of life.

I present these viewpoints for your consideration and ask you to vote against House Bill 971.

Mr. ZIEGLER. Mr. Speaker, as I said before this is not

a mandatory bill in any sense of the word. It simply permits cities of the second class, second class A and third class, to use bituminized-fibre pipe if they wish along with cast iron pipe and terra cotta pipe. It is used solely for underground outside the dwelling non-pressure drainage installations.

The gentleman spoke about coal tar pitch. I would like to inform him that coal tar pitch is used on the outside and on the inside of the cast iron pipe as a preservative.

As to its newness or whether it has been accepted, I would further like to call his attention to the fact that cities such as Cleveland, Richmond, Detroit, Milwaukee, and Denver are just a few of the larger cities that have endorsed and permitted the use of this pipe.

Furthermore, the United States Department of Commerce, and the National Bureau of Standards has approved it. In addition, there is now a proposed Uniform National Plumbing Code, and in that proposed Uniform National Plumbing Code bituminized-fibre pipe has been recognized.

Now one more thing. The source of the raw material used in the manufacture of bituminized-fibre pipe 75 percent of it comes from a Pittsburgh company, so I am told. I understand that it is not manufactured in the state of Pennsylvania, but you must take into consideration that 75 percent of the coal tar pitch which composes 75 percent of the pipe itself is a Pennsylvania product. I respectfully request the Members of the House to pass this bill.

Mr. GEER. Mr. Speaker, I do not think the Allegheny delegation has in any way realized that this thing affected Pittsburgh, and our particular district. I do not think we appreciated the significance of the bill and I feel that we should have another day to give it consideration if that could possibly be granted by the sponsor, because we really do not know how important it is to our county at this time.

Mr. ZIEGLER. Mr. Speaker, I might say that I had a similar request from a Member of the minority from Allegheny last week. I held it over and accepted the amendments from the gentleman, and we approved the amendments. On Monday when I conferred with him again he said that they were perfectly willing to withdraw the amendments, so I returned the amendments to the gentleman from Allegheny.

Mr. ANDREWS. Mr. Speaker, I want to demonstrate that this really is a non-partisan measure, although why I should directly or indirectly come to the rescue of the gentleman from Dauphin I would not know.

In our Democratic caucus, I think a majority of the Members, or at least a considerable number of them, opposed this bill.

Personally, since it is not a party matter, I believe in free enterprise. I believe that commodities should go on the market find their place, survive or perish on the basis of their merit. I do not believe it is our function to protect cast iron pipe, concrete pipe, or any other kind of pipe. Neither is it our business to prescribe the use of bituminized-fibre pipe. I do believe that if the engineers in a third class city or a second class city, the engineering department of that city, finds that bituminized-fibre pipe is suited to their use in that particu-

lar locality they should be premitted to use it. So, personally, I favor the enactment of this bill.

Mr. ZIEGLER. Mr. Speaker, I just wish to thank the gentleman from Cambria, and I think his support comes to me solely because of the fact that I too am a fellow pipe smoker.

Mr. PETROSKY. Just one word more, Mr. Speaker. I fully realize that the inside and the outside of an iron pipe is surfaced with coal tar pitch, but in this particular type of pipe, which is old compressed paper, impregnated with coal tar pitch, and then again lined with it, and coated with it on the outside, gives it no greater durability and the possibility of its breaking down and creating unsanitary conditions is enough to indicate that we should not put our stamp of approval upon it.

Mr. ZIEGLER. Mr. Speaker, I am sorry to prolong this matter but I would like to call the gentleman's attention to the fact that in a community in New York the municipal sewage line was laid in 1906 of bituminized-fibre. In 1950 it was examined by the Massachusetts Institute of Technology, and was found to be in very good condition. That is approximately 43 or 44 years. I might add that at the present time at State College a very large installation of bituminized-fibre pipe is being used.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas were taken and were as follows:

YEAS—97

Andrews,	Gleason,	McInroy,	Shotwell,
Banker,	Goodling,	McKinney,	Smith,
Barkdoll,	Graybill,	McMillen,	Sollenberger,
Baumunk,	Greenwood,	Metz,	Stimmel,
Bear,	Greer,	Miller, H. G.,	Stoner,
Blair,	Hall,	Miller, J. C.,	Swartz,
Bloom,	Hamilton, W. H.,	Mintess,	Swope,
Bolton,	Harney,	Monroe,	Tahl,
Bomberger,	Haudenschild,	Murray,	Thompson, E. F.,
Bower,	Hocker,	Naugle,	Thompson, R. L.,
Breisch,	Jones, T. H. W.,	Pichney,	Toomey,
Brown,	Kent,	Pitzer,	VanSant,
Cella,	Kline,	Price, H. W. Jr.,	Wachhaus,
Clapper,	Kratz,	Price, R. A.,	Waterhouse,
Corr,	Lafore,	Readinger,	Watkins,
Costa,	Leisey,	Reagan,	Weidner,
Davis,	Leonard, W. C.,	Reilly, J. M.,	Wescott,
Dowling,	Light,	Rigby,	Whalley,
DuBois,	Loftus,	Riley, R. L.,	White,
Dunn,	Madden,	Robertson,	Wood,
Ferster,	Madigan,	Royer,	Yeakel,
Firmstone,	Markley,	Rubin,	Young,
Frost,	McCormack,	Sax,	Ziegler,
Geer,	McCullough,	Scott,	Sorg,
Gibson,			Speaker

NAYS—92

Amarando,	Headlee,	Lutty,	Polen,
Beaver,	Helm,	Lyons,	Reidenbach,
Berkstresser,	Hersch,	Maxwell,	Rose,
Boies,	Hewitt,	Mazza,	Rosen,
Breth,	Hoggard,	McConnell,	Rovanssek,
Bucchin,	Hunter,	McDermitt,	Sarraf,
Byrne,	Jenkins,	McGee,	Scanlon,
Cochran,	Jones, G. E.,	McNally,	Schmidt,
Conway,	Jones, J. M.,	Mikula,	Seyler,
Coyle,	Jones, F. F.,	Mills,	Shoemaker,
Dalrymple,	Jump,	Moore, C. E.,	Snider,
Dougherty,	Kamyk,	Moore, H. A.,	Taylor,
Duffy,	Keller,	Moran,	Toll,
Erb,	Kohl,	Muldowney,	Tompkins,
Fenrich,	Kolankiewicz,	Munley,	Varallo,
Filip,	Kornick,	Musto,	Varnier,
Filo,	Kubacki,	Najaka,	Wargo,
Flack,	Lederer,	Needham,	Welsh,
Gaffney,	Leonard, L.,	Penglase,	Westrick,

Guarnieri,	Leven,	Peta,	Wheeler,
Guthrie,	Limper,	Petrosky,	Williams,
Hagerty,	Lopresti,	Pfaff,	Yester,
Hamilton, R. K.,	Lovett,	Polaski,	Yetzer,

NOT VOTING—18

Beech,	Ewing,	Olsen,	Spencer,
Boorse,	Good,	Pettigrew,	Stank,
Clendenning,	Gutendorf,	Reese,	Verona,
Cooper,	Johnson,	Schuster,	Wilt,
Dennison,	Mihm,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

FORMER MEMBERS WELCOMED

The SPEAKER. The Chair is pleased to welcome to Hall of the House a former Member and Majority Leader of the House, the gentleman from Monroe, Honorable Leo A. Achferman.

The SPEAKER. The Chair is also pleased to welcome another former Member of the House, the gentleman from Adams, Honorable George L. Baugher.

RESOLUTION

EXTENDING INVITATION TO REPUBLICAN NATIONAL COMMITTEE

Mr. SMITH offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, May 8, 1951.

Whereas, Philadelphia is truly a national shrine where our American liberty was conceived and attained;

Whereas, Philadelphia is intimately identified with the earliest beginning of our colonial era in which the stirring qualities of tolerance, good will, and peaceful living became dominant;

Whereas, Philadelphia has builded upon said colonial background a great metropolitan area, characterized with adequate facilities for transporting, housing and feeding thousands of visitors

Whereas, Philadelphia offers rich rewards in culture, art, recreation and entertainment to its countless visitors who seek esthetic enjoyment or healthful relaxation

Whereas, Philadelphia by virtue of its geographical site and historical lore, has become the epitome of American democracy; therefore be it

Resolved, That this House of Representatives (if the Senate concur) extend to the Republican National Committee at Tulsa, Oklahoma, its most cordial invitation to hold its 1952 convention for the nomination of president and vice-president in Philadelphia and express its assurance that every convenience and comfort shall be available for the delegates in the discharge of their privileges duties.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 990, as follows:

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "A supplement to the act approved the second day of June one thousand nine

hundred and fifteen (P. L. 736) entitled as amended 'An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties' as reenacted and amended providing for the payment of compensation to volunteer firemen or their dependents" by amplifying the provisions thereof as to persons entitled to such payments

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "A Supplement to the act approved the second day of June one thousand nine hundred and fifteen (P. L. 736) entitled as amended 'An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties' as reenacted and amended providing for the payment of compensation to volunteer firemen or their dependents" as last amended by the act approved the eighteenth day of April one thousand nine hundred forty-nine (P. L. 507) is hereby further amended to read as follows

Section 1 In addition to those persons included within the definition of the word "employee" as defined in section one hundred and four of the act approved the second day of June one thousand nine hundred and fifteen (P. L. 736) entitled as amended "An act defining the liability of a nemployer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" as last reenacted and amended at the regular legislative session of one thousand nine hundred and thirty-nine there shall be included all members of volunteer fire companies or volunteer fire departments of the various cities boroughs incorporated towns and townships who shall be and are hereby declared to be "employees" of such cities boroughs incorporated towns townships for all the purposes of said act and shall be entitled to receive compensation in case of injuries received while actually engaged as firemen or while going to or returning from any fire which the fire companies or fire department of which they are members shall have attended or while participating in instruction fire drills in which the fire company of which they are members shall have participated ir while repairing or doing other work about or on the fire apparatus or buildings and grounds of such fire company upon the authorization of the chief or other person in charge or while answering any emergency call for any purpose or while riding upon the fire apparatus owned or used by the fire companies of which they are members at any time ir while performing any other duties of such companies or fire department authorized by such cities boroughs incorporated towns and townships

The city borough incorporated town or township as employer shall in all cases be deemed to have knowledge of all other employment of all members of its volunteer fire companies or volunteer fire departments including self employment and shall be liable for compensation on account of all wages and earnings resulting therefrom In all cases where an injury compensable under the provisions of this act is received by a member of a volunteer fire company or volunteer fire department who is in whole or in part a self employer and loss of earnings results therefrom such earnings shall for the purposes of this act be regarded as wages The average weekly wage as so regarded shall be that most favorable to the employee computed by dividing by thirteen the total earnings of the employee in the first second third or fourth period of thirteen consecutive calendar weeks in the fifty-two weeks immediately preceding the accident

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Murray,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Musto,	Toll,
Conway,	Jones, T. H. W.,	Najaka,	Tompkins,
Cooper,	Kamyk,	Naugle,	Toomey,
Corr,	Keller,	Needham,	VanSant,
Costa,	Kent,	Olsen,	Varallo,
Coyle,	Kline,	Penglase,	Varnier,
Dalrymple,	Kohl,	Peta,	Verona,
Davis,	Kolankiewicz,	Petrosky,	Wachhaus,
Dennison,	Kornick,	Pettigrew,	Wargo,
Dougherty,	Kratz,	Pfaff,	Waterhouse,
Dowling,	Kubacki,	Pichney,	Watkins,
DuBois,	Lafore,	Pitzer,	Weldner,
Duffy,	Lederer,	Polaski,	Welsh,
Dunn,	Lelsey,	Polen,	Wescott,
Erb,	Leonard, L.,	Price, H. W. Jr.,	Westrick,
Ewing,	Leonard, W. C.,	Price, R. A.,	Whalley,
Fenrich,	Leven,	Readinger,	White,
Ferster,	Light,	Reagan,	Williams,
Filip,	Limper,	Reese,	Wilt,
Filo,	Loftus,	Reidenbach,	Wood,
Firmstone,	Lopresti,	Reilly, J. M.,	Yeakel,
Flack,	Lovett,	Rigby,	Yester,
Frost,	Lutty,	Riley, R. L.,	Yetzer,
Gaffney,	Lyons,	Robertson,	Young,
Geer,	Madden,	Rose,	Ziegler,
Gibson,	Madigan,	Rosen,	Sorg,
Gleason,	Markley,	Rovansek,	Speaker
Good,			

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1020, as follows:

An Act transferring money from the Manufacturing Fund to the General Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one million dollars (\$1,000,000) is hereby transferred from the Manufacturing Fund to the General Fund

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weldner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	White,
Ferster,	Leven,	Readinger,	Williams,
Filip,	Light,	Reagan,	Wilt,
Filo,	Limper,	Reese,	Wood,
Firmstone,	Loftus,	Reidenbach,	Yeakel,
Flack,	Lopresti,	Reilly, J. M.,	Yester,
Frost,	Lovett,	Rigby,	Yetzer,
Gaffney,	Lutty,	Riley, R. L.,	Young,
Geer,	Lyons,	Robertson,	Ziegler,
Gibson,	Madden,	Rose,	Sorg,
Gleason,	Madigan,	Rosen,	Speaker
Good,	Markley,	Rovansek,	

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1022, as follows:

An Act to amend sections 1 and 7 of the act approved the twenty-ninth day of May one thousand nine hundred thirty-five (P. L. 244) entitled "An act creating a Local Government Commission to study and report

on functions of local government their allocation and elimination the cost of local government and means of reducing it and the consolidation of local government and making an appropriation" by providing for the expenditure of any biennial appropriation made to the Local Government Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the twenty-ninth day of May one thousand nine hundred thirty-five (P. L. 244) entitled "An act creating a Local Government Commission to study and report on functions of local government their allocation and elimination the cost of local government and means of reducing it and the consolidation of local government and making an appropriation" as last amended by the act approved the eleventh day of April one thousand nine hundred forty-nine (P. L. 422) is hereby further amended to read as follows

Section 1 Be it enacted &c That a commission is hereby created which shall consist of ten members to serve without compensation five of whom shall be appointed by the President pro tempore of the Senate and five shall be appointed by the Speaker of the House The commission shall be known as the "Local Government Commission" The term of each member of the commission shall run from the date of his respective appointment until the end of the next regular session of the General Assembly and until his successor is appointed and qualified After the close of each regular session of the General Assembly the President pro tempore and the Speaker shall make the appointments authorized by this section Any vacancy happening in the membership of the commission shall be filled by the appointing power making the original appointment for the unexpired term The commission shall organize as soon as may be after the close of each regular session of the General Assembly at the call of the President pro tempore of the Senate by electing a chairman vice-chairman and a secretary The secretary need not be a member of the commission [The members of the commission shall serve without compensation but shall be reimbursed for all necessary expenses incurred in the discharge of their duties]

Section 2 Section 7 of said act is hereby amended to read as follows

Section 7 [The sum of ten thousand dollars \$10,000] or so much thereof as may be necessary is hereby specifically appropriated to the commission for the two fiscal years beginning June first one thousand nine hundred and thirty-five Any biennial appropriation to the commission shall be used in accordance with the purposes if any expressed in the appropriation act and for the payment of the expenses of the members of the commission for the compensation and expenses of the secretary and other appointees of the commission for printing for postage supplies telephone telegraph rent and miscellaneous expenses and generally for the purposes of carrying into effect the provisions of this act

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,

Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kilne,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1023, as follows:

An Act making an appropriation to the Local Government Commission to continue its work

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of thirty thousand dollars (\$30,000) or so much thereof as may be necessary is hereby specifically appropriated to the Local Government Commission created by the act approved the twenty-ninth day of May one thousand nine hundred thirty-five (P. L. 244) entitled "An act creating a Local Government Commission to study and report on functions of local government their allocation and elimination the cost of local government and means of reducing it and the consolidation of local government and making an appropriation" for the two fiscal years beginning June first one thousand nine hundred fifty-one to continue the work of the commission for the preparation of a general municipal code for supplying information regarding local government in this Commonwealth and for the payment of the expenses of the members of said commission for the payment of the compensation and expenses of the secretary counsel and other appointees of the commission for printing postage supplies telephone telegraph and miscellaneous expenses and generally for the purpose of carrying into effect the provisions of said act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kenit,	Olsen,	Varnier,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weldner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Fillip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 82, as follows:

An Act to further amend Sections 202 401 and 1311 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers there-

of including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by changing the name of the Pennsylvania Soldiers' Orphan School

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 As much as applies to the Department of Public Instruction of Section 202 of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal School or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the acts approved the ninth day of May one thousand nine hundred forty-nine (P. L. 1003) the twelfth day of May one thousand nine hundred forty-nine (P. L. 1289) and the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1717) is hereby further amended to read as follows

Section 202 Departmental Administrative Boards Commissions and Offices The following boards commissions and offices are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective administrative departments mentioned in the preceding section as follows

• • • • •

In the Department of Public Instruction
 State Council of Education
 State Real Estate Commission
 Pennsylvania State Board of Censors
 Public School Employees' Retirement Board
 Board of Trustees of Thaddeus Stevens Trade School
 Board of Trustees of Pennsylvania State Oral School for the Deaf
 Board of Trustees of [Pennsylvania Soldiers' Orphan School] Scotland School for Veterans' Children
 Board of Trustees of West Chester State Teachers' College
 Board of Trustees of Millersville State Teachers' College
 Board of Trustees of Kutztown State Teachers' College
 Board of Trustees of East Stroudsburg State Teachers' College
 Board of Trustees of Mansfield State Teachers' College
 Board of Trustees of Bloomsburg State Teachers' College
 Board of Trustees of Shippensburg State Teachers' College

Board of Trustees of Lock Haven State Teachers' College

Board of Trustees of Indiana State Teachers' College

Board of Trustees of California State Teachers' College

Board of Trustees of Slippery Rock State Teachers' College

Board of Trustees of Edinboro State Teachers' College

Board of Trustees of Clarion State Teachers' College

Board of Trustees of Cheyney Training School for Teachers

State Board of Medical Education and Licensure

State Board of Pharmacy

State Dental Council and Examining Board

State Board of Optometrical Examiners

State Board of Osteopathic Examiners

Osteopathic Surgeon's Examining Board

State Board of Examiners for the Registration of Nurses

State Board of Cosmetology

State Board of Veterinary Medical Examiners

State Board of Chiropractic Examiners

State Board for the Examination of Public Accountants

State Board of Examiners of Architects

State Registration Board for Professional Engineers

Public Service Institute Board

State Board of Private Academic Schools

State Board of Private Business Schools

State Board of Private Trade Schools

State Board of Private Correspondence Schools

* * * *

All of the foregoing departmental administrative boards and commissions shall be organized or reorganized as provided in this act

Section 2 Sections 401 and 1311 of said act at last amended by the act approved the ninth day of May one thousand nine hundred forty-seven (P. L. 187) are hereby further amended to read as follows

Section 401 Boards of Trustees of State Institutions The boards of trustees of each of the State institutions hereinafter mentioned shall consist of nine members and the head of the department having supervision over the institution ex officio

The terms of the members of each such board shall be four years and until their successors are qualified

Five members of any such board shall constitute a quorum

Each such board shall annually elect a president and vice-president from among its members and a secretary and treasurer who need not be members of the board The secretary and treasurer may be the same person

This section shall apply to

Board of Trustees of Thaddeus Stevens Trade School

Board of Trustees of Pennsylvania State Oral School for the Deaf

Board of Trustees of [Pennsylvania Soldiers' Orphan School] Scotland School for Veterans' Children

Board of Trustees of West Chester State Teachers' College

Board of Trustees of Millersville State Teachers' College

Board of Trustees of Kutztown State Teachers' College

Board of Trustees of East Stroudsburg State Teachers' College

Board of Trustees of Mansfield State Teachers' College

Board of Trustees of Bloomsburg State Teacher's College

Board of Trustees of Shippensburg State Teachers' College

Board of Trustees of Lock Haven State Teachers' College

Board of Trustees of Indiana State Teachers' College

Board of Trustees of California State Teachers' College

Board of Trustees of Slippery Rock State Teachers' College

Board of Trustees of Edinboro State Teachers' College

Board of Trustees of Clarion State Teachers' College

Board of Trustees of Cheyney Training School for Teachers

Board of Trustees of Pennsylvania Soldiers' and Sailors' Home

Board of Trustees of Eastern State Penitentiary which upon the establishment of the Medium Security Prison at Graterford shall thereafter be known as the Board of Trustees at Graterford

Board of Trustees of Western State Penitentiary

Board of Trustees of Pennsylvania Institution for Defective Delinquents And upon the establishment of the Medium Security Prison at Huntingdon shall thereafter be known as the Board of Trustees at Huntingdon

Board of Trustees of the Pennsylvania Industrial School at Camp Hill Cumberland County Pennsylvania

Board of Trustees at Rockview

Board of Trustees of the Pennsylvania Training School for Girls

Board of Trustees of State Industrial Home for Women

Board of Trustees of Pennsylvania Training School at Morgantown

Board of Trustees of Pennsylvania Training School at Kis-Lyn Luzerne County Pennsylvania

Board of Trustees of Allentown State Hospital

Board of Trustees of Danville State Hospital

Board of Trustees of Farview State Hospital

Board of Trustees of Harrisburg State Hospital

Board of Trustees of Norristown State Hospital

Board of Trustees of Warren State Hospital

Board of Trustees of Wernersville State Hospital

Board of Trustees of Torrance State Hospital

Board of Trustees of Ashland State Hospital

Board of Trustees of Blossburg State Hospital

Board of Trustees of Coaldale State Hospital

Board of Trustees of Connellsville State Hospital

Board of Trustees of Hazleton State Hospital

Board of Trustees of Locust Mountain State Hospital

Board of Trustees of Nanticoke State Hospital

Board of Trustees of Philipsburg State Hospital

Board of Trustees of Scranton State Hospital

Board of Trustees of Shamokin State Hospital

Board of Trustees of Laurelton State Village

Board of Trustees of Pennhurst State School

Board of Trustees of Polk State School

Board of Trustees of Selinsgrove State Colony for Epileptics

Board of Trustees of such institutions as are acquired by the Commonwealth from any county city or institution district and are used as State mental hospitals under the provisions of act number twenty-one approved the twenty-ninth day of September one thousand nine hundred thirty-eight

Provided That from and after the third Tuesday of January one thousand nine hundred and forty-three the terms of the first three members to be appointed by the Governor to each of the following boards of trustees shall expire on the third Tuesday of January one thousand nine hundred and forty-five and the terms of the next three members to be appointed shall expire on the third Tuesday of January one thousand nine hundred and forty-seven and the terms of the next three members shall expire on the third Tuesday of January one thousand nine hundred and forty-nine the successors to each of the above mentioned members shall be appointed for terms of six years and all appointments thereafter shall be for terms of six years except those to fill vacancies created prior to the end of any term which shall be only for the duration of the unexpired term

Board of Trustees of Thaddeus Stevens Trade School

Board of Trustees of Pennsylvania State Oral School for the Deaf

Board of Trustees of [Pennsylvania Soldiers' Orphan School] Scotland School for Veterans' Children

Board of Trustees of West Chester State Teachers' College

Board of Trustees of Millersville State Teachers' College

Board of Trustees of Kutztown State Teachers' College

Board of Trustees of East Stroudsburg State Teachers' College

Board of Trustees of Mansfield State Teachers' College

Board of Trustees of Bloomsburg State Teachers' College

Board of Trustees of Shippensburg State Teachers' College

Board of Trustees of Lock Haven State Teachers' College

Board of Trustees of Indiana State Teachers' College

Board of Trustees of California State Teachers' College

Board of Trustees of Slippery Rock State Teachers' College

Board of Trustees of Edinboro State Teachers' College

Board of Trustees of Clarion State Teachers' College

Board of Trustees of Cheyney Training School for Teachers

Section 1311 Boards of Trustees of State Institutions Within the Department The boards of trustees of the several State Normal Schools or Teachers Colleges the Board of Trustees of the Cheyney Training School for Teachers the Board of Trustees of Pennsylvania State Oral School for the Deaf the Board of Trustees of [Pennsylvania Soldiers' Orphan School] Scotland School for Veterans' Children and the Board of Trustees of Thaddeus Stevens Trade School shall have general direction and control of the property and management of their respective institutions Each of the said boards of trustees shall have the power and its duty shall be

(a) Subject to the approval of the Governor to elect a president principal or superintendent of the institution who shall subject to the authority of the board administer the institution and if deemed advisable a business manager

(b) On nomination by the president principal or superintendent from time to time to appoint such officers and employees as may be necessary

(c) To fix the salaries of its employees in conformity with the standards established by the Executive Board

(d) Subject to the approval of the Superintendent of Public Instruction to make such by-laws rules and regulations for the management of the institution as it may deem advisable

Section 3 The provisions of this act shall become effective the first day of June one thousand nine hundred fifty-one

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,
Andrews,	Graybill,	Mazza,
Banker,	Greenwood,	McConnell,
Barkdoll,	Greer,	McCormack,
Baumunk,	Guarnieri,	McCullough,
Bea,	Gutendorf,	McDermitt,
Beaver,	Guthrie,	McGee,
Beech,	Hagerty,	McInroy,
Berkstresser,	Hall,	McKinney,
Blair,	Hamilton, R. K.,	McMillen,
Bloom,	Hamilton, W. H.,	McNally,
Boles,	Harney,	Metz,
Bolton,	Haudenschild,	Mihm,
Bomberger,	Headlee,	Mikula,
Boorse,	Helm,	Miller, H. G.,
Bower,	Hersch,	Miller, J. C.,
Brelsich,	Hewitt,	Mills,
Breth,	Hocker,	Mintzes,
Brown,	Hoggard,	Monroe,
Buccin,	Hunter,	Moore, C. E.,
Byrne,	Jenkins,	Moore, H. A.,
Cella,	Johnson,	Moran,
Clapper,	Jones, G. E.,	Muldowney,
Clendenen,	Jones, J. M.,	Munley,
Cochran,	Jones, P. F.,	Murray,
Conway,	Jones, T. H. W.,	Musto,
Cooper,	Jump,	Najaka,
Corr,	Kamyk,	Naugle,
Costa,	Keller,	Needham,
Coyle,	Kent,	Olsen,
Dalrymple,	Kline,	Penglase,
Davis,	Kohl,	Pets,

Dennison,
Dougherty,
Dowling,
DuBois,
Duffy,
Dunn,
Erb,
Ewing,
Fenrich,
Ferster,
Fillip,
Filo,
Firmstone,
Flack,
Frost,
Gaffney,
Geer,
Gibson,
Gleason,
Good,

Kolankiewicz,
Kornick,
Krats,
Kubacki,
Lafore,
Lederer,
Lelsey,
Leonard, L.,
Leonard, W. C.,
Leven,
Light,
Limper,
Loftus,
Lopresti,
Lovett,
Lutty,
Lyons,
Madden,
Madigan,
Markley,

Petrosky,
Pettigrew,
Pfaff,
Pichney,
Pitzer,
Polaaki,
Polen,
Price, H. W. Jr.,
Price, R. A.,
Readinger,
Reagan,
Reese,
Reidenbach,
Reilly, J. M.,
Rigby,
Riley, R. L.,
Robertson,
Rose,
Rosen,
Rovaneek,

Wargo,
Waterhouse,
Watkins,
Weldner,
Welsh,
Wescott,
Westrick,
Whalley,
Wheeler,
White,
Williams,
Wilt,
Wood,
Yeakel,
Yester,
Yetzer,
Young,
Ziegler,
Sorg,
Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 127, as follows:

An Act to further amend section 15 and to amend section 29 of the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and fore their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" by regulating the transfer of excess insurance funds to the expense and other funds and providing for the consolidation of any society's funds further regulating reports of valuation of death benefit fund obligations regulating reserves and contributions for benefits

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 15 of the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requir-

ing beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" as amended by the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 686) is hereby further amended to read as follows

Section 15 Funds Securities The funds from which benefits shall be paid and the funds from which expenses of the society shall be defrayed shall be derived from regular monthly or other periodical rates of contribution paid by the members of the society and accretions of said funds as apportioned in accordance with the constitution and laws of the society and no part of any funds set aside for the payment of benefits shall be used for expenses or other purposes [that would impair the valuation of the certificates herein provided] except that any such society having admitted assets as shown by its last annual statement filed with the Insurance Commissioner in excess of one hundred per cent of its entire liabilities including its required reserves computed on a net tabular basis may transfer or allocate such excess insurance funds to the expense or other funds of the society in accordance with its constitution and by-laws but the amount so transferred in any calendar year shall not exceed five per cent of the total premium income of such society during the next preceding calendar year Any such society having admitted assets as shown by its last annual statement filed with the Insurance Commissioner in excess of one hundred per cent of its entire liabilities including its required reserves computed on a net tabular basis not lower than the American Experience Table of Mortality with an interest rate of three and one-half per cent may in accordance with its constitution and by-laws provide for the consolidation of its various funds and may report its transactions accordingly provided that no expenses will be incurred that would impair the reserve base or bases which it is using Except as herein otherwise allowed every domestic society shall invest its funds only in securities and in the manner permitted by the laws of this Commonwealth for the investment of the funds of life insurance companies and in securities of Federal savings and loan associations or of other institutions to the extent that such investment is guaranteed by the United States Government or any instrumentality thereof Unless the approval of the Insurance Commissioner shall be first obtained in writing no domestic society shall keep or maintain at a place outside this Commonwealth any securities or other assets except such as are necessary for the collection of current dues and to enable it to comply with the laws of any other state or foreign country for the purpose of transacting business therein

Section 2 Section 29 of said act is hereby amended to read as follows

Section 29 Valuation Report In addition to the annual report herein required each society shall annually report to the insurance commissioner a valuation of its benefit fund obligations in force on December thirty-first last preceding [excluding those entered into within the year for which the report is filed in cases where the contributions for the first year in whole or in part are used for current expenses] Such report of valuation shall show as contingent liabilities the present mid-year value of the promised benefits provided in the constitution and laws of such society under certificates then subject to valuation at not more than four per cent interest less such portion thereof as may have been assumed by other associations or companies and as contingent assets the present mid-year value at the same rate of interest of [the] such future net contributions provided in [its constitution and laws of the same] the constitution and laws of such society as are in practice actually collected

In lieu of the above valuation any society at its option may show the net value of its benefit fund obligations subject to valuation at the rate of interest as hereinbefore provided and said net value when computed in the case of monthly contributions may be the mean of the terminal value for the end of the preceding and of the current certificate years from which said tabular values shall be deducted such portion thereof as may have been assumed by other associations or companies

Each valuation report shall be certified by a competent accountant or actuary or at the request and expense of the society verified by the actuary of the Department of Insurance of the home state of the society and shall be filed with the Insurance Commissioner on or before the first day of April succeeding the submission of the last preceding annual report

The minimum standard of valuation for death benefit fund obligations issued prior to the first day of January one thousand nine hundred fifty-two shall be the National Fraternal Congress Table of Mortality hereinbefore referred to or at the option of the society by any other standard table or a table based upon the society's own experience of at least twenty years and covering not less than one hundred thousand lives with an interest assumption of not more than four per cent

The minimum standard of valuation for death benefit fund obligations issued on and after the first day of January one thousand nine hundred fifty-two shall be the American Experience Table of Mortality with an interest assumption of not more than three and one-half per cent

Every valuation report shall set forth clearly and fully the mortality and interest basis and the method of valuation Any society providing for cancellable disability benefits shall keep a separate account of the same in its said valuation report shall [charge as a liability the balance to the credit of such fund or funds at the date of such valuation Where a combined contribution table is used by a society for both death and permanent and total disability benefits the valuation may be of death benefit only and in such case a separate accounting shall not be required] establish and maintain a reserve of one-half of the periodic contribution for such benefits On and after the first day of January one thousand nine hundred fifty-two the minimum basis for contributions and reserves for disability benefits and double indemnity benefits shall be the minimum basis required of legal reserve life insurance companies for such benefits

Nothing herein contained shall require a society which has adopted a procedure for strengthening its reserve to modify any existing non-forfeiture benefits which had been previously used

A report of such valuation with such explanations as the society may deem advisable shall be printed and mailed to each beneficial member of the society not later than July first of each year or in lieu thereof may be published in the society's official paper and the issue containing the same mailed to each beneficial member of the society

Section 3 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. STIMMEL. Mr. Speaker, with your permission I would at this time like to give a brief resume of what is intended to be accomplished by the six Senate bills on today's calendar that are up for third reading and final passage.

Senate Bill 127 would further regulate the consolidation of funds, valuation reports, and reserves of fraternal benefit organizations under what is commonly known and commonly considered good life insurance practice.

Senate Bill 128 contains amendments to the Insurance Department law as worked out by the Commissioner and committees of the industry. It provides for assessments on our Pennsylvania Life Insurance Companies to meet their share of the expenses of the committee of the National Association of Insurance Commissioners and the valuation of securities. It also amends the retaliatory

law to limit the imposition of taxes on Pennsylvania companies under this law on an aggregate basis. It will also allow companies of a state having a monopolistic state fund in any particular line of insurance to write that line in Pennsylvania. And it further provides for the computation of reserve liability in foreign life insurance companies which are principally Canadian companies to bring their reserves into line with that required of the United States companies.

Senate Bill 136 would further define life policies, with a premium basis for such policies and the limitation of transfers within this group.

Senate Bill 140 would bring the investment provisions in fire and casualty into substantial conformity, the one with the other and extending the same to permit Pennsylvania companies to do business in other countries.

Senate Bill 320 would amend the group accident and health law so as to make it conform to the group life law in regard to policies issued under a trustee plan.

Senate Bill 341 would allow limited life insurance companies to write higher weekly health and accident benefits.

Now, I recognize the fact that these bills are highly technical. If there are any individual questions as the bills come up, I would be glad to stand interrogation.

I would just like to say this, that these bills will do this in brief: they will place into the hands of our Insurance Commissioner the proper authority by law to safeguard the public. They will increase the advantages of contracts to policy holders. They will place our home, our Pennsylvania companies, those companies that are incorporated in the Commonwealth, in a favorable competitive position with other companies such as New York state, Texas, California, and so forth. Most important they will provide uniformity of laws with other states.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarrafa,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstremer,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. E.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Heim,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Buechlin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dairymple,	Kline,	Penglase,	Verona,

David,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Krats,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yeater,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 128, as follows:

An Act to amend subsections (d) and (f) of section 211.1 and to further amend section 212 and subsection (a) of section 301 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by further regulating assessments made by the Insurance Commissioner against life insurance companies to defray certain expenses providing for reciprocity with other states in assessing taxes and fees on insurance companies permitting foreign companies to write workmen's compensation insurance in Pennsylvania limiting the basis for valuation of reserve liability of life insurance companies organized in foreign countries

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsections (d) and (f) of section 211.1 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution and insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" as added by the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1529) is hereby amended to read as follows

Section 211.1 Assessments to Defray Expenses of Committee on Valuation of Securities of the National Association of Insurance Commissioners

(d) If the Insurance Commissioner shall be satisfied as to the reasonableness of such budget estimate he shall determine the portion of the funds required by such budget estimate to be assessed as hereinafter provided by deducting from such budget estimate or from the sum of two hundred fifty thousand dollars whichever is less any amounts received or receivable by the committee from other states whose laws do not substantially conform to the method of assessment herein provided and applying to the remainder the proportion which the total investments in securities of domestic life insurers bear to the total investments in securities of life insurers domiciled in this and other states whose laws authorize and require assessment on substantially the same base as herein provided. The Insurance Commissioner shall thereafter as soon as convenient by notice stating the method of computation thereof assess the amount of be paid on account of such expense pro rata upon all domestic life insurers in the proportion which the total investments in securities of each domestic life insurer shall bear to the total investments in securities of all such insurers. Provided That the aggregate amount assessed upon all domestic life insurers pursuant to this section in any one year shall not exceed an amount determined by applying to the "remainder" referred to in the first sentence of this subsection the proportion which the total investments in securities of domestic life insurers bear to seventyfive per cent of the total investments in securities of all life insurers domiciled in all the states of the United States and the District of Columbia. The total investments in securities of any life insurer for purposes of this section shall be the total admitted value of stock and bonds reported as such in its annual statement last filed prior to such assessment with the insurance department or with the supervisory official of its state of domicile. Upon receipt of such notice each such insurer shall within thirty days pay said assessment to the Insurance Commissioner. The Insurance Commissioner shall deposit all moneys collected by him pursuant to this section in an account entitled "Insurance Commissioner Security Valuation Expense Account" in a bank or trust company in the Commonwealth. Such moneys shall be paid by the Insurance Commissioner to the Committee on Valuation of Securities of the National Association of Insurance Commissioners after audit by the Auditor General.

(f) This section shall become effective the first day of June one thousand nine hundred forty-nine and shall continue in effect until and including the thirty-first day of May [one thousand nine hundred fifty-one] one thousand nine hundred fifty-three.

Section 2 Section 212 of said act as last amended by the act approved the fifth day of May one thousand nine hundred forty-five (P. L. 430) is hereby further amended to read as follows:

Section 212 Effect of Additional Restrictions of Other States As used in this section the term

"Insurance Companies" includes insurance companies insurance associations and insurance exchanges.

"Agents" includes insurance agents insurance brokers public adjusters and public adjusters' solicitors.

"Burdens or Prohibitions" includes taxes fines penalties licenses fees rules regulations obligations and prohibitions including prohibitions against writing particular kinds of insurance by insurance companies [and including laws rules or regulations which provide that a particular kind or kinds of insurance may be written only by a state or an agency or instrumentality thereof].

If any other state imposes any burdens or prohibitions on insurance companies or agents of this state doing business in such other state which are in addition to or in excess of the burdens or prohibitions imposed by this Commonwealth on insurance companies and agents like burdens and prohibitions shall be imposed on all insurance companies and agents of such other state doing business in this Commonwealth so long as the burdens and prohibitions of such other state remain in force. In applying this section to an insurance company of another state such company shall not be required to pay any taxes and fees

which are greater in aggregate amount than those which would be imposed by the laws of such other state and any political subdivision thereof upon a like company of this Commonwealth transacting the same volume and kind of business in such other state.

If any other state requires additional or other insurance covering motorists or motor vehicles that are insured in Pennsylvania insurance companies or in insurance companies of other states that are licensed to do business in this Commonwealth in order to use the highways of such other state like additional or other insurance shall be required to cover all motorists and motor vehicles of such other state using the highways of this Commonwealth so long as the requirement of such other state shall remain in force.

The existence of a monopolistic State Fund for the writing of any class or classes of insurance in another state shall not be construed as a reason to deny to a company association or exchange of that state a license to transact such classes of insurance in this Commonwealth.

Section 3 Subsection (a) of Section 301 of said act as last amended by the act approved the first day of May one thousand nine hundred forty-five (P. L. 346) is hereby further amended to read as follows:

Section 301 Computation of Reserve Liability (a) The Insurance Commissioner shall each year value or cause to be valued the reserve liabilities (hereinafter called reserves or net value) as of the thirty-first day of December of the preceding year for all outstanding life insurance policies and annuity and pure endowment contracts of every life insurance company doing business in this Commonwealth except that in the case of any company organized under the laws of any foreign country such valuation shall be limited to its United States business in accordance with the terms of the policy contract and rules following and may certify the amount of any such reserves specifying the mortality table or tables rate or rates of interest and methods (net level premium method or other) used in the calculation of such reserves. In calculating such reserves he may use group methods and approximate averages for fractions of a year or otherwise.

Section 4 The provisions of this act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraff,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Beaer,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGet,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snkler,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Mudowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,

Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kratz,	Pettigrew,	Waterhouse,
Dowling,	Kubacki,	Pfaff,	Watkins,
DuBois,	Lafore,	Pichney,	Weidner,
Duffy,	Lederer,	Pitzer,	Welsh,
Dunn,	Leisey,	Polaski,	Wescott,
Erb,	Leonard, L.,	Polen,	Westrick,
Ewing,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leven,	Price, R. A.,	Wheeler,
Ferster,	Light,	Readinger,	White,
Filip,	Limper,	Reagan,	Williams,
Filo,	Loftus,	Reese,	Wilt,
Firmstone,	Lopresti,	Reldenbach,	Wood,
Flack,	Lovett,	Reilly, J. M.,	Yeakel,
Frost,	Lutty,	Rigby,	Yester,
Gaffney,	Lyons,	Riley, R. L.,	Yetzer,
Geer,	Madden,	Robertson,	Young,
Gibson,	Madigan,	Rose,	Ziegler,
Gleason,	Markley,	Rosen,	Sorg,
Good,		Rovasek,	Speaker

NAYS—1

Kornick,

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 136, as follows:

An Act to amend Section 1 Clause (8) of Section six and Section nine of the act approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1210) entitled "An act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder limiting the amount of such insurance prescribing standard policy provisions and requiring notice of conversion privileges" by further defining policies of group life insurance limiting the amount of an individual policy issued to a person entitled thereto and changing the premium basis and rate of interest thereon

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1210) entitled "An act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder limiting the amount of such insurance prescribing standard policy provisions and requiring notice of conversion privileges" are hereby amended by adding at the end thereof a new clause to read as follows

(6) Nothing contained herein shall be construed to define as a group the lives covered by (a) a policy insuring only individuals related by marriage by blood or by legal adoption or (b) a joint life policy insuring only individuals having an insurable interest in each other's lives

Section 2 Clause (8) of section 6 and section 9 of said act hereby amended to read as follows

Section 6 Standard Policy Provisions No policy of group life insurance shall be delivered in this State unless it contains in substance the following provisions or provisions which in the opinion of the Insurance Commissioner are more favorable to the persons insured or at least as favorable to the persons insured and more favorable to the policyholder Provided however That (i) provisions (6) to (10) inclusive shall not apply to policies issued to a creditor to insure debtors of such creditor (ii) the standard provisions required for individual life insurance policies shall not apply to group life insur-

ance policies and (iii) if the group life insurance policy is on a plan of insurance other than the term plan it shall contain a non-forfeiture provision or provisions which in the opinion of the Commissioner is or are equitable to the insured persons and to the policyholder but nothing herein shall be construed to require that group life insurance policies contain the same non-forfeiture provisions as are required for individual life insurance policies

(8) A provision that if the insurance or any portion of it on a person covered under the policy ceases because of termination of employment or of membership in the class or classes eligible for coverage under the policy such person shall be entitled to have issued to him by the insurer without evidence of insurability an individual policy of life insurance without disability or other supplementary benefits provided application for the individual policy shall be made and the first premium paid to the insurer within thirty-one days after such termination and provided further that

(i) The individual policy shall at the option of such person be on any one of the forms except term insurance then customarily issued by the insurer at the age and for the amount applied for

(ii) The individual policy shall be in an amount not in excess of the amount of life insurance which ceases because of such termination less in the case of a person whose membership in the class or classes eligible for coverage terminates but who continues in employment in another class the amount of any life insurance for which such person is or becomes eligible under any other group policy within thirty-one days after such termination Provided That any amount of insurance which shall have matured on or before the date of such termination as an endowment payable to the persons insured whether in one sum or in installments or in the form of an annuity shall not for the purposes of this provision be included in the amount which is considered to cease because of such termination and

(iii) The premium on the individual policy shall be at the insurer's then customary rate applicable to the form and amount of the individual policy to the class of risk to which such person then belongs and to his age attained on the effective date of the individual policy

Section 9 Premium Basis No domestic life insurance company shall [issue] deliver in this Commonwealth any policy of group life insurance the premium for which shall be less than the net premium based on the [American man ultimate table of mortality] Commissioners 1941 Standard Ordinary Mortality Table with interest at three [and one-half] per centum per annum plus a loading the formula for the computation of which shall be determined by the Insurance Commissioner A foreign life insurance company which shall not conduct its business in accordance with this requirement shall not be permitted to do business in this Commonwealth Any such policy may however anything in this act to the contrary notwithstanding provide for a readjustment of the rate based on experience at the end of the first or any subsequent year of insurance which readjustment may be made retroactive for such policy year only

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,

Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsich,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Fillip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 140, as follows:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further regulating investments of insurance companies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 518 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation

supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's insurance Fund providing penalties and repealing existing laws" as amended by the act approved the twelfth day of May one thousand nine hundred twenty-five (P. L. 601) is hereby further amended to read as follows

Section 518 Investment of Surplus Any money over and above the capital of any stock fire stock marine and stock fire and marine insurance company may be invested in the securities above enumerated or in the bonds or notes of any public instrumentality of this Commonwealth or of any other state territory or possession of the United States or of the District of Columbia or of any foreign country or political subdivision thereof or in the stock or other evidence of indebtedness of any solvent corporation created under the laws of [this Commonwealth or of any other State of the United States or the District of Columbia] any of said jurisdictions or loaned upon the pledge of the same except its own stock but [no such investments shall be hereafter made by such company in excess of five per centum of its gross assets in the stock of another insurance company if the latter has invested in or loaned its funds on the stock of the first investing company] the total investments hereafter made by such company in stocks of other insurance companies which have invested or loaned its funds on the stock of the first investing company shall not exceed five per centum of the gross assets of the first investing company nor shall the total investments hereafter made by such company in the stocks or other evidence of indebtedness of solvent corporations created under the laws of any foreign country or of any political subdivision thereof exceed ten per centum of the moneys of such company over and above its capital and the reserves which it is required to maintain under the laws of this Commonwealth The current market value of such securities shall at the time of any loan thereon be at least twenty per centum (20%) more than the sum loaned thereon No such insurance company shall invest any of its funds in any unincorporated business or enterprise nor in the stocks or evidence of indebtedness of any corporation the owners or holders of which stock or evidence of indebtedness may in any event be or become liable on account thereof to any assessment except for more than one-fifth (1/5) of its capital shall be invested in a single taxes nor shall any of its funds be loaned on personal security Not mortgage If any investment or loan is made in a manner not authorized by this act the officers and directors making or authorizing the same shall be personally liable for any loss occasioned thereby

Section 2 Section 602 of said act as last amended by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 986) is hereby further amended by adding thereto after clause (h) a new clause to read as follows

Section 602 Investment of Capital Every domestic stock casualty insurance company shall invest and keep invested in sound income-bearing securities all its capital and funds of every description excepting such cash as may be required in the transaction of its business and such as it may invest in real estate as hereinafter authorized The capital of every such company shall be invested as follows

* * * * *

(i) The Insurance Commissioner may permit any such company to invest sufficient of its reserves in the securities of a foreign government in order to enable it to comply with the laws of such foreign government and transact business therein

Section 3 Section 603 of said act as last amended by the act approved the tenth day of March one thousand nine hundred twenty-five (Pamphlet Laws 30) is hereby further amended to read as follows

Section 603 Investment of Surplus Restrictions Any money over and above the capital of any such stock casualty insurance company may be invested in the securities above enumerated or loaned upon the security of the same or in the bonds or notes of any public instrumentality of this Commonwealth or of any other state territory or possession of the United States or of the District of Columbia or of any foreign country or political subdivision thereof or in the stock or other evidence of indebtedness of any solvent [dividend paying] corporation created under the laws of [this Commonwealth or of any other State of the United States] any of such jurisdictions or loaned upon the pledge of the same except its own stock [or the stock of any other insurance company transacting like classes of business] The total investments hereafter made by such company in stock of other insurance companies which have invested in or loaned its funds on the stock of the first investing company shall not exceed five per centum of the gross assets of the first investing company nor shall the total investments hereafter made by such company in the stocks or other evidence of indebtedness of solvent corporations created under the laws of any foreign country or of any political subdivision thereof exceed ten per centum of the moneys of such company over and above its capital and the reserves which it is required to maintain under the laws of this Commonwealth The current market value of such securities at the time of any loan thereon shall be at least fifteen per centum (15%) more than the sum loaned thereon No such insurance company shall invest any of its funds in any unincorporated business or enterprise nor in the stock or evidence of indebtedness of any corporation the owners or holders of which stock or evidence of indebtedness may in any event be or become liable on account thereof to any assessment except for taxes nor shall any of its funds be loaned on personal security Not more than one-fifth (1/5) of its capital shall be invested in a single mortgage No such company shall enter into any agreement to withhold from sale any of its property but the disposition of its property shall be at all times within the control of its board of directors or trustees If any investment or loan is made in a manner not authorized by this act the officers and directors making or authorizing the same shall be personally liable for any loss occasioned thereby

Any such stock casualty insurance company may invest in the capital stock and obligations of a corporation or corporations formed for the purpose of taking and holding title to real estate and erecting or maintaining thereon a building or buildings to be used in whole or in part for the accommodation and transaction of the business of such insurance company without being subject to the limitation hereinbefore prescribed as to investment in the stock of a (dividend paying) solvent corporation but no such insurance company shall invest more than fifty per centum (50%) of its capital and surplus in the stock and other obligations of any such corporation or corporations nor acquire and hold any of the stock or other obligations of any such corporation or corporations if the total amount of the capital and other obligations of such corporation or corporations exceeds in the aggregate fifty per centum (50%) of the capital and surplus of such insurance company without the written approval of the Insurance Commissioner

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,

Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Plchney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 305, as follows:

An Act to facilitate vehicular traffic across the Commonwealth by providing for the construction operation and maintenance of a turnpike from a connection with the Eastern Extension of the Pennsylvania Turnpike System at such point as the Pennsylvania Turnpike Commission may decide is most feasible and practicable to a point on or near the Delaware River between the Commonwealth of Pennsylvania and the State of New Jersey and authorizing the Pennsylvania Turnpike Commission to construct operate and maintain either alone or in conjunction with the New Jersey Turnpike Authority or to contract with the New Jersey Turnpike Authority for the construction operation and maintenance of a bridge across the Delaware River or to acquire the use of a bridge heretofore or hereafter constructed for the further extension of the Pennsylvania Turnpike System and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike

revenue bonds notes or other obligations of the Commonwealth payable solely from revenues of the commission including tolls or from such funds as may be available to the commission for that purpose to pay the cost of such turnpike and bridge providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds notes or other obligations and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds notes or other obligations exempt from taxation constituting such bonds legal investments in certain instances requiring suits against the commission to be brought in Dauphin County prescribing conditions on which such turnpike shall become free providing for grade separations grade changes relocations restorations and vacation of public roads and State highways affected by the turnpike providing for the purchasing or condemnation of land and procedure for determining damages in condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission and authorizing the issuance of turnpike revenue refunding bonds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 This act shall be known and may be cited as the "Pennsylvania Turnpike Delaware River Extension Act"

Section 2 In order to facilitate vehicular traffic across the Commonwealth the Pennsylvania Turnpike Commission heretofore created by virtue of the provisions of the Act approved the 21st day of May 1937 (P. L. 774) and the supplements and amendments thereto is hereby authorized and empowered to construct operate and maintain a turnpike at such location as shall be approved by the Governor and the Department of Highways from a connection with the Eastern Extension of the Pennsylvania Turnpike system at such point as the Pennsylvania Turnpike Commission may decide is most feasible and practicable to a point on or near the Delaware River between the Commonwealth of Pennsylvania and the State of New Jersey and there to construct operate and maintain either alone or in conjunction with the New Jersey Turnpike Authority or to contract with the New Jersey Turnpike Authority for the construction operation and maintenance of a bridge across the Delaware River pursuant to such compact as may be entered into between the Commonwealth of Pennsylvania and the State of New Jersey Provided however That the Pennsylvania Turnpike Commission may in its sole discretion enter into such agreement as it may deem expedient to acquire either for itself or jointly with any other commission or authority the use operation and maintenance of any bridge across the Delaware River heretofore or hereafter constructed together with connecting roads tunnels and bridges and further to issue turnpike revenue bonds of the Commonwealth notes or other obligations payable solely from revenues of the commission including tolls or from such funds as may be available to the commission for that purpose to pay the cost of any and all construction

Section 3 The turnpike revenue bonds notes or other obligations issued under the provisions of this act shall not be deemed to be a debt of the Commonwealth or a pledge of the faith and credit of the Commonwealth but such bonds notes or other obligations shall be payable solely from revenues of the commission including tolls or from such funds as may be available to the commission for that purpose All such bonds notes or other obligations shall contain a statement on their face that the Commonwealth is not obligated to pay the same or the interest thereon except from revenues of the commission including tolls or from such funds as may be available to the commission for that purpose and that the faith and credit of the Commonwealth is not pledged to the payment of the principal or interest of such bonds notes or other obligations The issuance of turnpike revenue bonds notes or other obligations under the pro-

visions of this act shall not directly or indirectly or contingently obligate the Commonwealth to levy or to pledge any form of taxation whatever therefor or to make any appropriation for their payment

Section 4 The following words and terms shall have the following meanings

(a) The word "commission" shall mean the Pennsylvania Turnpike Commission heretofore created by the act approved the twenty-first day of May one thousand nine hundred and thirty-seven (P. L. 774) or if said commission shall be abolished any board commission or officer succeeding to the principal functions thereof or upon whom the power and functions given by this act to said commission shall be given by law

(b) The word "owner" shall include all individuals co-partnerships associations or corporations having any title or interest in any property rights easements or franchise authorized to be acquired by this act

(c) The words "the turnpike" shall mean the turnpike to be constructed as hereinafter provided from a connection with the Eastern Extension of the Pennsylvania Turnpike system to a point on or near the Delaware River between the Commonwealth of Pennsylvania and the State of New Jersey and shall be deemed to include not only the turnpike and all connecting roads tunnels and bridges connected therewith including a bridge across the Delaware River but also all property rights easements and franchises relating thereto and deemed necessary or convenient for the construction or the operation thereof

(d) The term "cost of the turnpike" shall embrace the cost of constructing the turnpike and all connecting roads tunnels and bridges including a bridge across the Delaware River the cost of all lands property rights rights of way easements and franchises acquired which are deemed necessary or convenient for such construction the cost of all machinery and equipment financing charges interest prior to and during construction and for one year after completion of construction cost of traffic estimates and of engineering and legal expenses plans specifications surveys estimates of cost and of revenues other expenses necessary or incident to determining the feasibility or practicability of the enterprise administrative and legal expense and such other expenses as may be necessary or incident to the financing herein authorized the construction of the turnpike and connecting roads tunnels and bridges the placing of the same in operation and the condemnation of property necessary for such construction and operation Any obligation or expense contracted for by the commission with the Department of Highways of the Commonwealth of Pennsylvania or with the United States or any agency thereof or with the New Jersey Turnpike Authority for traffic surveys preparation of plans and specifications supervision of construction and other engineering administrative and legal services and expenses in connection with the construction of the turnpike or any of the connecting roads tunnels and bridges shall be regarded as a part of the cost of the turnpike and shall be reimbursed or paid out of the proceeds of the turnpike revenue bonds notes or other obligations hereinafter authorized payment of any notes or other obligations shall be considered payment of the cost of the turnpike provided such notes or other obligations were issued for such purpose

Section 5 The exercise by the commission of the powers conferred by this act in the construction operation and maintenance of the turnpike shall be deemed and held to be an essential governmental function of the Commonwealth

Section 6 The commission shall have the following powers and duties

(a) It shall maintain a principal office at such place as shall be designated by the commission

(b) The commission may contract and be contracted with in its own name

(c) The commission may sue and be sued in its own name plead and be impleaded Provided however That any and all actions at law or in equity against the com-

mission shall be brought only in the proper courts at the County of Dauphin

(d) The commission shall have an official seal

(e) The commission shall make necessary rules and regulations for its own government and shall have power and authority to acquire own use hire lease operate and dispose of personal property real property and interests in real property and to make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this act and to employ engineering traffic architectural and construction experts and inspectors and attorneys and such other employes as may in its judgment be necessary and fix their compensation Provided however That all contracts and agreements relating to the construction of the turnpike and connecting roads tunnels and bridges shall be approved by the Department of Highways and the turnpike and connecting roads tunnels and bridges shall be constructed under the supervision of the Department of Highways

(f) The turnpike when completed and opened to traffic shall be maintained and repaired by and under the control of the commission through the Department of Highways of the Commonwealth and all charges and costs for such maintenance and repairs actually expended by said Department of Highways shall be paid to it by the commission upon certification thereof out of tolls Such turnpike shall also be policed and operated by such force of police tolltakers and other operating employes as the commission may in its discretion employ

(g) The commission shall have authority at its own cost to provide grade separations with respect to all public roads and State highways intersected by the turnpike and to change and adjust the lines and grades thereof so as to accommodate the same to the design of such grade separation Provided however That the damages incurred in changing and adjusting the lines and grades of such public roads and State highways shall be ascertained and paid by the commission in the same manner as is provided for by this act in regard to the location and construction of the turnpike

(h) If the commission shall find it necessary to provide a grade separation or change the site of any portion of any State highway or public road or vacate the same it shall cause it to be reconstructed and restored forthwith at the commission's own proper expense on the most favorable location and in as satisfactory a manner as the original road or vacate it as the case may be Provided That the method of acquiring the right-of-way and determining damages incurred in changing the location of or vacating such road or State highway shall be ascertained and paid for by the commission in the same manner as is provided for by this act in regard to the location and construction of the turnpike In such cases the plan of such reconstruction and restoration or vacation shall be submitted to the supervisors of the proper township for approval and in the event of failure of the supervisors to approve the plan then it shall be submitted to the Department of Highways for final approval In the case of State highways the plan shall be submitted to the Department of Highways for its approval

(i) The commission shall also have authority to petition the court of quarter sessions of the county wherein is situate any public road or part thereof affected by the location therein of the turnpike for the vacation relocation or supply of the same or any part thereof with the same force and effect as is now given by existing laws to the inhabitants of any township of such county and the proceedings upon such petition whether it be for the appointment of viewers or otherwise shall be the same as provided by existing law for similar proceedings upon such petitions

(j) The commission shall otherwise have all of the powers and perform all of the duties prescribed by the act approved the twenty-first day of May one thousand nine hundred and thirty-seven (P. L. 774) and any supplements or amendments thereto

(k) Adequate compensation shall be made by the com-

mission out of funds provided under the authority of this act for damages to all public or private property taken injured or destroyed in carrying out the powers granted by this act or such property may be restored or repaired and placed in its original condition as nearly as practicable as the commission may deem it expedient in any particular case

Section 7 (a) Each member of the commission shall be reimbursed for the necessary expenses incurred in the performance of the duties performed under the provisions of this act

(b) All expenses incurred in carrying out the provisions of this act shall be paid solely from funds provided under the authority of this act and sufficient funds shall be provided under the authority of this act to meet any liability or obligation incurred in carrying out the provisions of this act

(c) Before the issuance of any turnpike revenue bonds notes or other obligations under the provisions of this act each appointed member of the commission shall execute a bond in the penalty of twenty-five thousand dollars (\$25,000) and the secretary and treasurer shall execute a bond in the penalty of fifty thousand dollars (\$50,000) each such bond to be approved by the Governor and to be conditioned upon the faithful performance of the duties of his office under the provisions of this act which bonds shall be filed in the office of the Secretary of the Commonwealth

Section 8 (a) The commission is hereby authorized and empowered to condemn by resolution any lands interests in lands property rights rights of way franchises easements and other property deemed necessary or convenient for the construction and efficient operation of the turnpike or necessary in the restoration or relocation of public or private property damaged or destroyed and the date of such resolution shall be the effective date of condemnation

(b) The commission is hereby authorized and empowered to acquire by purchase whenever it shall deem such purchase expedient any lands interests in lands property rights rights of way franchises easements and other property deemed necessary or convenient for the construction and efficient operation of the turnpike or necessary in the restoration or relocation of public or private property damaged or destroyed whether the same had theretofore been condemned or otherwise upon such terms and at such price as may be considered by it to be reasonable and can be agreed upon between the commission and the owner thereof and to take title thereto in the name of the commission

Section 9 (a) Whenever a reasonable sum representing the damages cannot be agreed upon or whenever the owner is legally incapacitated or unable to convey valid title or is absent or unknown either the commission acting through the Department of Justice or any owner or owners shall apply to the court of common pleas of the county in which the property is located or in the case of property located in two or more counties then in any one of such counties for the appointment of viewers to determine as hereinafter provided the amount of damages resulting from the taking Whereupon said court or any law judge thereof shall appoint three disinterested freeholders to view such property and estimate the value thereof None of the freeholders shall be a resident of the county wherein such application shall be made The court shall fix a time not less than twenty nor more than thirty days thereafter when the viewers shall meet upon the property and view the same The viewers shall cause at least ten days' personal notice of the time and place of such meeting to be given to the Attorney General to the commission and to the owner or owners if resident within said county If the owner is a corporation such notice shall be given to the president secretary or treasurer thereof if such officer resides within said county If neither owner nor any of such officers reside within the county or cannot be found therein or is unknown notice of such first meeting shall be given as the court may direct The viewers having been duly sworn or affirmed faithfully and impartially to perform the duties required of them under the provisions of this

act shall at the time fixed for the first meeting proceed to ascertain as accurately as may be the value of such land property rights rights of way easements or franchises and to that end may require the attendance of any person whose testimony may be pertinent thereto and production of any such books or papers as the viewers may deem necessary. If any person shall refuse to appear and testify before such viewers or refuse to produce such books and papers when they are required then the court or any judge thereof shall on application of the viewers or a quorum thereof make such order therein as may be necessary. Whenever the viewers shall have ascertained the value of the lands property rights rights of way easements or franchises they shall prepare a full report of their labors. Upon the completion of the report the viewers shall fix a time when they shall meet and exhibit same. Ten days written notice of the time and place of such meeting together with a copy of said report shall be given to the commission to the Attorney General and to the owner or owners of the property condemned. At the time and place mentioned in such notice the viewers shall meet and publicly exhibit the report and hear all exceptions thereto. After making any changes in such report as they may deem necessary the same shall be filed in the court. Within thirty days after the filing of the report in the court the commission acting through the Department of Justice or any person interested may file exceptions thereto. Whereupon the court shall either confirm the report absolutely or modify it or refer it back to the same or to any viewers with like powers and duties of the former viewers. Within thirty days after the final action on the report by the court the commission acting through the Department of Justice or any person interested may demand a trial by jury. From the action of the court on exceptions or from any judgment after a jury trial an appeal may be taken by any party to the Supreme or Superior Court. Each of the viewers shall receive a sum not exceeding ten dollars for each day actually and necessarily employed in the performance of the duties herein prescribed and all necessary expenses actually incurred in the performance of his duties. Title to any property condemned by the commission shall be taken in the name of the commission. Prior to physical entry upon the land the commission shall be under no obligation to accept and pay for any property condemned or any costs incidental to any condemnation proceedings. Provided however That in any condemnation proceedings the court having jurisdiction of the suit action or proceeding may make such orders as may be just to the commission and to the owners of the property to be condemned and may require an undertaking or other security to secure such owners against any loss or damage by reason of the failure of the commission to enter upon accept and pay for the property but neither such undertaking or security nor any act or obligation of the commission shall impose any liability upon the Commonwealth except such as may be paid from the funds provided under the authority of this act.

The commission in its discretion may vacate any portion or all of the land condemned either prior to or after physical entry upon the land or any part thereof and prior to final determination of damages. In such cases the commission shall be under no obligation to accept and pay for any property condemned and subsequently vacated. Provided however that in any such case the court having jurisdiction of the suit action or proceeding may make such orders as may be just to the commission and to the owners of the property and may require an undertaking or other security to secure such owners against any and all loss or damages occasioned to the owner from the time of the original condemnation to the time of the modification thereof but neither such undertaking or security nor any act or obligation of the commission shall impose any liability upon the Commonwealth except such as may be paid from the funds provided under the authority of this act.

(b) In addition to the foregoing powers the commission and its authorized agents and employees may enter

upon any lands waters and premises in the State for the purpose of making surveys soundings drillings and examinations as it may deem necessary or convenient for the purpose of this act and such entry shall not be deemed a trespass nor shall an entry for such purposes be deemed an entry under any condemnation proceedings which may be then pending. Provided however That the commission shall make reimbursement for any actual damages resulting to such lands waters and premises as a result of such activities.

(c) All counties cities boroughs townships and other political subdivisions and municipalities and all public agencies and commissions of the Commonwealth of Pennsylvania notwithstanding any contrary provision of law are hereby authorized and empowered to lease lend grant or convey to the commission upon its request upon such terms and conditions as the proper authorities of such counties cities boroughs townships other political subdivisions and municipalities or public agencies and commissions of the Commonwealth of Pennsylvania may deem reasonable and fair and without the necessity for any advertisement order of court or other action or formality other than the regular and formal action of the authorities concerned any real property which may be necessary or convenient to the effectuation of the authorized purposes of the commission including public roads and other real property already devoted to public use.

Section 10 Whenever the commission has condemned any lands rights rights of way easements and franchises or interests therein as hereinbefore provided and has tendered a bond or other security to secure the owner or owners for damages and the same has been accepted or if the acceptance of said bond has been refused and the same has been filled in and approved by the court of common pleas in the county in which the property is located or in the case of property located in two or more counties then in any one of such counties the commission shall have the right to immediate possession of the property covered by the bond and may enter thereon in the name of the commission. If the owner lessee or occupier of any of said premises or any building or structure thereon shall refuse to remove his personal property therefrom or give up possession thereof the commission may proceed to obtain possession in the manner now provided by law for the obtaining possession by the Secretary of Highways of occupied structures.

Section 11 (a) The commission is hereby authorized to provide by resolution at one time or from time to time for the issuance of turnpike revenue bonds of the Commonwealth for the purpose of paying the cost as hereinabove defined of the turnpike which resolution shall recite an estimate of such cost. The principal and interest of such bonds shall be payable solely from revenues of the commission including tolls or from such funds as may be available to the commission for that purpose. The bonds shall be dated shall bear interest at such rate or rates not exceeding six per centum per annum payable semi-annually shall mature at such time or times not exceeding forty years from their date or dates as may be determined by the commission and may be made redeemable before maturity at the option of the commission at such price or prices and under such terms and conditions as may be fixed by the commission prior to the issuance of the bonds. Provided however That the amount of premium on any bonds shall not cause the yield to be more than six per centum per annum from the date of such bonds to the date of their redemption. The bonds may be issued in series with varying provisions as to rates of interest maturity and other provisions not inconsistent with this act but all bonds of whatever series shall share ratably in the tolls hereinafter pledged as security therefor. The principal and interest of such bonds may be made payable in any lawful medium. The commission shall determine the form of bonds including any interest coupons to be attached thereto and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest thereof which may be at any bank or trust company within or without the Commonwealth. The bonds

shall bear the facsimile signatures of the Governor and of the chairman of the commission and the facsimile of the official seal of the commission shall be affixed thereto attested by the secretary and treasurer of the commission and any coupons attached thereto shall bear the facsimile signature of the chairman of the mission In case any officer whose signature shall appear on any bonds or coupons shall cease to be such officer before the delivery of such bonds such signature shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery All turnpike revenue bonds issued under the provisions of this act shall have and are hereby declared to have all the qualities and incidents of negotiable instruments under the negotiable instruments law of the Commonwealth The bonds may be issued in coupon or in registered form or both as the commission may determine and provision may be made for the registration of any coupon bond as to principal alone and also as to both principal and interest and registered and coupon bonds shall be interchangeable The commission may sell such bonds in such manner and for such price as it may determine to be for the best interest of the Commonwealth but no such sale shall be made at a price so low as to require the payment of interest on the money received therefor at more than six per centum per annum computed with relation to the absolute maturity of the bonds in accordance with standard tables of bond values The proceeds of such bonds shall be used solely for the payment of the cost of the turnpike and shall be disbursed upon requisition of the chairman of the commission under which restrictions if any as the resolution authorizing the issuance of the bonds or the trust indenture hereinafter mentioned may provide If the proceeds of such bonds by error of calculation or otherwise shall be less than the cost of the turnpike additional bonds may in like manner be issued to provide the amount of such deficit and unless otherwise provided in the resolution authorizing the issuance of the bonds or in the trust indenture shall be deemed to be of the same issue and shall be entitled to payment from the same fund without preference or priority of the bonds first issued If the proceeds of the bonds shall exceed the cost of the turnpike the surplus shall be paid into the fund hereinafter provided for the payment of principal and interest of such bonds Prior to the preparation of definitive bonds the commission may under like restrictions issue temporary bonds with or without coupons exchangeable for definite bonds upon the issuance of the latter The commission may also provide for the replacement of any bond which shall become mutilated or be destroyed or lost Such turnpike revenue bonds may be issued without any other proceedings or the happening of any other condition or things than those proceedings conditions and things which are specified and required by this act

Such bonds are hereby made securities in which all State and municipal officers and administrative departments boards and commissions of the Commonwealth all banks bankers savings banks trust companies saving and loan associations investment companies and other persons carrying on a banking business all insurance companies insurance associations and other persons carrying on an insurance business and all administrative executors guardians trustees and other fiduciaries and all other persons whatsoever who now or may hereafter be authorized to invest in bonds or other obligations of the Commonwealth may properly and legally invest any funds including capital belonging to them or within their control and said bonds or other securities or obligations are hereby made securities which may properly and legally be deposited with and received by any State or municipal officers or agency of the Commonwealth for any purpose for which the deposit of bonds or other obligations of the Commonwealth is now or may hereafter be authorized by law

(b) The commission is hereby authorized to provide by resolution from time to time for the issuance of turnpike revenue notes or other revenue obligations of the Commonwealth to provide for preliminary or interim financing up to but not exceeding the estimated total cost of

the turnpike and to pledge as collateral for such notes turnpike revenue bonds issued under the provisions of this act All such notes or other obligations shall contain a statement on their face that the Commonwealth is not obligated to pay the same or interest thereon except from revenues of the commission including tools or from such funds as may be available to the commission for that purpose and that the faith and credit of the Commonwealth is not pledged to the payment of the principal or interest of such notes or other obligations The issuance of turnpike notes or other obligations under the provisions of this act shall not directly or indirectly or contingently obligate the Commonwealth to levy or to pledge any form of taxation therefor or make any appropriation for their payment

Section 12 All moneys received from any bonds notes or other obligations issued pursuant to this act shall be applied solely to the payment of the cost of the turnpike or to the appurtenant fund and there shall be and hereby is created and granted a lien upon such moneys until so applied in favor of holders of such bonds notes or other obligations or the trustees hereinafter provided for in respect of such bonds notes or other obligations

Section 13 In the discretion of the commission such bonds notes or other obligations may be secured by a trust indenture by and between the commission and a corporate trustee which may be any trust company or bank having the powers of a trust company within or outside of the Commonwealth Such trust indenture may pledge or assign tolls and revenue to be received but shall not convey or mortgage the turnpike or any part thereof Either the resolution providing for the issuance of such bonds notes or other obligations or such trust indenture may contain such provisions for protecting and enforcing the rights and remedies of the bondholders or holders of notes or other obligations as may be reasonable and proper and not in violation of law including covenants setting forth the duties of the commission in relation to the acquisition of properties and the construction the turnpike and the custody safeguarding and application maintenance operation and repair and insurance of tion of all moneys It shall be lawful for any bank or trust company incorporated under the laws of this Commonwealth to act as depository of the proceeds of bonds notes or other obligations or revenues and to furnish such indemnity bonds or to pledge such securities as may be required by the commission Such indenture may set forth the rights and remedies of the bondholders or holders of notes or other obligations and of the trustee and may restrict the individual right of action of bondholders or holders of notes or other obligations as is customary in trust indentures securing bonds debentures of corporations notes or other obligations In addition to the foregoing such trust indenture may contain such other provisions as the commission may deem reasonable and proper for the security of bondholders or holders of notes or other obligations All expenses incurred in carrying out such trust indenture may be treated as part of the cost of maintenance operation and repair of the turnpike

Section 14 The accomplishment by the commission of the authorized purposes stated in this act being for the benefit of the people of the Commonwealth and for the improvement of their commerce and prosperity in which accomplishment the commission will be performing essential government functions the commission shall not be required to pay any taxes or assessments on any property acquired or used by it for the purposes provided in this act and the bonds notes or other obligations issued by the commission their transfer and the income therefrom including any profits made on the sale thereof shall at all times be free from taxation within the Commonwealth

Section 15 The commission is hereby authorized to fix and to revise from time to time tolls for the use of the turnpike and the different parts or sections thereof and to charge and collect the same and to contract with any person partnership association or corporation desiring the

use of any part thereof including the right of way adjoining the paved portion for placing thereon telephone telegraph electric light or power lines gas stations garages stores hotels restaurants and advertising signs or for any other purpose except for tracks for railroad or railway use and to fix the terms conditions rents and rates of charges for such use Such tolls shall be so fixed and adjusted as to provide a fund at least sufficient with other revenues of the turnpike if any to pay (a) the cost of maintaining repairing and operating the turnpike and (b) the bonds notes or other obligations and the interest thereon and all sinking fund requirements and other requirements provided by the resolution authorizing the issuance of the bonds notes or other obligations or by the trust indenture as the same shall become due Such tolls shall not be subject to supervision or regulation by any other State commission board bureau or agency The tolls and all other revenues derived from the turnpike except such part thereof as may be required to pay the cost of maintaining repairing and operating the turnpike and to provide such reserves therefor as may be provided for in the resolution authorizing the issuance of the bonds notes or other obligations or in the trust indenture shall be set aside at such regular intervals as may be provided in such resolution or such trust indenture in a sinking fund which is hereby pledged to and charged with the payment of (1) the interest upon such bonds notes or other obligations as such interest shall fall due (2) the principal of the bonds notes or other obligations as the same shall fall due (3) the necessary fiscal agency charges for paying principal and interest and (4) any premium upon bonds retired by call or purchase as herein provided The use and disposition of such sinking fund shall be subject to such regulations as may be provided in the resolution authorizing the issuance of bonds notes or other obligations or in the trust indenture but except as may otherwise be provided in such resolution or trust indenture such sinking fund shall be a fund for the benefit of all bonds notes or other obligations issued hereunder without distinction or priority of one over another Subject to the provisions of the resolutions authorizing the issuance of bonds notes or other obligations or of the trust indenture any moneys in such sinking fund in excess of an amount equal to one year's interest on all bonds notes or other obligations then outstanding may be applied to the purchase or redemption of bonds notes or other obligations All bonds notes or other obligations so purchased or redeemed shall forthwith be cancelled and shall not again be issued

Section 16 The commission is hereby authorized to provide by resolution for the issuance of turnpike revenue refunding bonds of the Commonwealth for the purpose of refunding any turnpike revenue bonds notes or other obligations issued under the provisions of this act and then outstanding The issuance of such turnpike revenue refunding bonds the maturities and other details thereof the rights of the holders thereof and the duties of the Commonwealth and of the commission in respect to the same shall be governed by the foregoing provisions of this act in so far as the same may be applicable and by the following provisions

(a) No turnpike revenue refunding bonds shall be delivered unless delivered in exchange for turnpike revenue bonds notes or other obligations to be refunded thereby except in the amount necessary to provide for the payment of matured or redeemable turnpike revenue bonds notes or other obligations maturing or redeemable within three months including any redemption premium thereon

(b) No turnpike revenue refunding bonds shall be issued unless issued to refund turnpike bonds notes or other obligations which have matured or will mature within three months or unless the interest rate of the turnpike revenue refunding bonds shall be at least one-fourth of one per centum less than the interest rate borne by the turnpike revenue bonds notes or other obligations to be refunded

Section 17 Any holder of bonds notes or other obliga-

tions issued under the provisions of this act or any of the coupons attached thereto and the trustee under the trust indenture if any except to the extent he rights herein given may be restricted by resolution passed before the issuance of the bonds notes or other obligations or by the trust indenture may either at law or in equity by suit action mandamus or other proceedings protect and enforce any and all rights granted hereunder or under such resolution or trust indenture and may enforce and compel performance of all duties required by this act or by such resolution or trust indenture to be performed by the commission or any officer thereof including the fixing charging and collecting of tolls for the use of the turnpike

Section 18 When all bonds notes or other obligations and the interest thereon shall have been paid or a sufficient amount for the payment of all bonds notes or other obligations and the interest to maturity thereon shall have been set aside in trust for the benefit of the holders of such bonds notes or other obligations and shall continue to be held for that purpose the turnpike and the connecting roads tunnels and bridges shall become a part of the system of State highways and shall be maintained by the Department of Highways free of tolls and thereupon the commission shall be dissolved and all funds of the commission not required for the payment of the bonds notes or other obligations and all machinery equipment and other property belonging to the commission shall be vested in the Department of Highways

Section 19 The foregoing sections of this act shall be deemed to provide an additional and alternative method for the doing of things authorized thereby and shall be regarded as supplemental and additional to powers conferred by other laws and shall not be regarded as in derogation of any powers now existing Such sections being necessary for the welfare of the Commonwealth and its inhabitants shall be liberally construed to effect the purposes thereof

Section 20 The provisions of this act are severable and if any of its provisions shall be held unconstitutional by any court of competent jurisdiction the decision of such court shall not effect or impair any of the remaining provisions It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein

Section 21 All acts and parts of acts inconsistent with this act are hereby repealed

Section 22 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraaf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Woope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,

Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 320, as follows:

An Act to further amend subsection (a) of Section 621.1 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further defining and regulating group accident and health insurance

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of Section 621.1 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as last amended by the act approved the twenty-first day of June one thousand nine hundred forty-seven (P. L. 855) and by the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1305) is hereby further amended to read as follows

Section 621.1 Group Accident and Health Insurance (a)

Group Accident and Health Insurance is hereby declared to be that form of accident and health insurance covering not less than twenty-five employees or members [and in addition may include the employees' or member's dependents] written under a master policy issued to a summer camp scout troop college school system one or more schools or other institutions of learning or to the head or heads or principal or principals thereof who or which shall be deemed the policyholder or to any governmental corporation unit agency or department thereof or to any corporation copartnership individual employer or to the trustees of a fund established by any corporation copartnership or individual employer or to any association or organization of employees of one employer [its affiliates or subsidiaries or to the members of] or to any labor union bar association medical dental or other professional society volunteer fire department automobile club or association or to any organization or association of Federal or State employees or school teachers or school employees or nurses or to the trustees of a fund established by two or more employers in the same industry or by one or more labor unions or by one or more labor unions and one or more employers where officers members employees or classes or departments thereof may be insured for their individual benefit [or written under a master policy issued to the trustees of a fund established by two or more employers in the same industry for the benefit of persons other than the employees the premium for such policy to be paid by the trustees wholly from funds contributed by the employers of the insured persons] The policy may provide that the term "employer" shall include retired employees and the individual proprietors or partners if an employer is an individual proprietor or a partnership The policy may provide that the term "employees" shall include the employees of one or more subsidiary corporations and the employees individual proprietors and partners of one or more affiliated corporations proprietors or partnerships if the business of the employer and of such affiliated corporations proprietors or partnerships is under common control through stock ownership or contract A policy issued to trustees may provide that the term "employees" shall include the trustees or their employees or both if their duties are principally connected with such trusteeship The policy may provide benefits for hospital surgical or medical expense on account of families of the insured employees or members The premiums for a policy issued to trustees of a fund established by two or more employers in the same industry or by one or more labor unions or by one or more labor unions and one or more employers shall be paid by the trustees wholly from funds contributed by the employer or employers of the insured persons or by the union or unions or by both except that all or part of the premium for benefits for hospital surgical or medical expense for families of employees or members may be paid from funds contributed by the insured employees or members

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seoyer,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,

Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toil,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dairymple,	Kline,	Penglease,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weldner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Relly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovanssek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 341, as follows:

An Act to further amend Section 2 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 685) entitled "An act designating certain life insurance companies as limited life insurance companies and further describing the powers thereof" by further describing the powers of limited life insurance companies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 685) entitled "An act designating certain life insurance companies as limited life insurance companies and further describing the powers thereof" as last amended by the act approved the tenth day of June one thousand nine hundred forty-seven (P. L. 511) is hereby further amended to read as follows

Section 2 Powers All limited life insurance companies are hereby specifically empowered to issue policies agreeing to pay not more than twenty-dollars (\$20.00) per week in the event of disablement from sickness nor more than double that amount in the event of disability from accident nor more than five hundred dollars (\$500.00) in the event of death from natural or accidental causes and to issue policies of endowment insurance subject to the condition hereinafter provided notwithstanding any limitation to the contrary established by the act of Assembly pursuant to which such corporation shall have been incorporated or reincorporated or by any other act of Assembly or by the provisions of its charter

Any such company may issue policies agreeing to pay in excess of five hundred dollars (\$500.00) but not exceeding one thousand dollars (\$1000.00) in the event of death from natural and accidental causes provided it has

(a) In the case of stock companies a capital of fifty thousand dollars (\$50,000.00) and in addition thereto has accumulated a surplus in the sum of at least twelve thousand five hundred dollars (\$12,500.00) or

(b) In the case of mutual companies accumulated a surplus in the sum of at least fifty thousand dollars (\$50,000.00)

Any such company may issue policies of endowment insurance agreeing to pay not more than one thousand dollars (\$1000.00) upon maturity thereof provided it has

(a) In the case of stock companies a capital of one hundred thousand dollars (\$100,000.00) and in addition thereto has accumulated a surplus in the sum of at least twenty-five thousand dollars (\$25,000.00) or

(b) In the case of mutual companies accumulated a surplus in the sum of at least one hundred thousand dollars (\$100,000.00)

Any such company may issue policies agreeing to pay in excess of the weekly limitations herein prescribed but not exceeding [forty-five dollars (\$45)] fifty-five dollars (\$55) per week and agreeing to pay an additional benefit for hospital and medical expenses for any one sickness or accident not exceeding one hundred fifty dollars (\$150) in the event of disablement from sickness or accident provided such policies limit payment of benefits to periods during which insured shall have been admitted as a patient into and as such be necessarily wholly and continuously confined within a duly licensed and incorporated hospital provided it has

(a) In the case of stock companies additional capital of twenty-five thousand dollars (\$25,000.00) and has accumulated additional surplus in the sum of at least twenty-five thousand dollars (\$25,000.00) or

(b) In the case of mutual companies accumulated additional surplus in the sum of at least twenty-five thousand dollars (\$25,000.00)

Such additional capital and additional surplus as required by clauses (a) and (b) of this paragraph shall be deemed to be capital and surplus additional to that required by any of the previous paragraphs of this section or by the act under which such company was incorporated or reincorporated

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarrafa,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,

Glendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Fillip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yezzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 432, as follows:

An Act to amend the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing for nominations and elections of county officers in counties about to undergo a change in classification and imposing certain duties upon county commissioners county boards of elections and others

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" is hereby amended by adding to Article IX thereof a new subdivision subdivision (d) and two new sections therein sections 990 and 991 to read as follows

(d) Nominations and Elections in Counties about to Undergo a Change in Classification

Section 990 County Boards to Ascertain Offices to be Filled Whenever pursuant to the provisions of The General County Law the Governor certifies a change of classification to any county the board of county commissioners shall immediately after the recording of such change notify the county board of elections of the change in classification The board of elections shall thereupon promptly ascertain all county offices to be filled at the ensuing municipal election as a result of the impending change in classification and any existing county offices which are not to be filled at said election For this purpose it shall be the duty of the chairman of the county committee of each party to send to the board a written notice setting forth all party offices to be filled in the county at the ensuing municipal election

Section 991 Procedure upon Ascertainning Offices When the board shall have ascertained all offices to be filled at the ensuing municipal election it shall proceed as already provided in this article if it is still possible to secure nominations for such offices in accordance with this article at the primary election But if notice of an impending change in classification as hereinbefore provided for does not come to the election board in time for it to ascertain the county offices for the primary election then all candidates who have been or are nominated for county offices pursuant to subdivision (a) or to subdivision (b) of this article shall in all cases where the offices for which they are nominated are the same under the county's present classification and under its new classification which is impending as a result of the Governor's certification be the candidates for those offices except for deaths or withdrawals provided for in this act Provided however That no office which is not automatically established by law for the impending classification shall be deemed to be established by this section Any nomination either for joint county offices or for any separate county office when such offices or office will become either partly or wholly separate or will become joint with one or more presently separate county office upon the ensuing first Monday of January shall not be construed as a nomination for any of the said offices but any person being such a nominee may be nominated for any new office or offices ascertained All offices ascertained which are to be filled at the municipal election in anticipation of the new classification and for which nominations have not been made pursuant to the foregoing provisions of this subdivision may have candidates nominated for them as if vacancies had occurred as to the candidates for such offices and as if they were substituted nominations in accordance with the procedure insofar as it is applicable provided by sections 979 980 and 981 (b) of this act for substituted nominations except that the cause of vacancy set out in the nomination certificates shall not be death or withdrawal but that the office was not ascertained for nominations in time for the regular procedures established by this article

Upon the ascertainment of the offices to be filled at the ensuing municipal election if it shall appear that any candidates have been or will be nominated for offices which are to be abolished as a result of the impending change in classification the county board of elections shall proceed to keep off or to remove from the ballots or ballot labels all such nominations together with the offices involved

Upon the ascertainment of offices to be filled at the municipal election pursuant to notice of change in classification the board shall give notice of all such offices by newspaper publication at least twice in accordance with section 106 of this act indicating whether the nominations thereto were obtained at the primary election or are to be obtained as hereinbefore provided Notice of the November election shall be given as provided in section 1201 of this act and shall set forth (1) any existing county offices which will cease to exist on the ensuing first Monday of January indicating that those offices and any candidates therefor will not appear as such upon the ballots or ballot labels (2) existing county offices which will subsist and the candidates therefor (3) county

offices which will come into existence on the ensuing first Monday of January and the candidates therefor

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	
Frost,	Lovett,	Rigby,	
Gaffney,	Lutty,	Riley, R. L.,	
Geer,	Lyons,	Robertson,	
Gibson,	Madden,	Rose,	
Gleason,	Madigan,	Rosen,	
Good,	Markley,	Rovasek,	

Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendments.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair is pleased to welcome a former Member of the House, the gentleman from Philadelphia, Honorable B. Frank Bonham.

SENATE MESSAGES

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 341.

An Act giving liens against real property priority over each other in point of time; fixing the time from which priorities extend; and imposing duties on judges and certain court and county officers and employees.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend section 4, page 4, line 2, by inserting after the word "repealed" the following: "in so far as it is inconsistent with or supplied by this act"; line 6, by striking out after the word "of" the words "tax liens" and inserting in lieu thereof the words "any lien which now by law has priority to all other liens"

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,

Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 700.

An Act to further amend the act approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by further defining, clarifying, adding to, and otherwise changing the laws relating to the affairs of townships.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 4, page 6, line 16, by striking out after the word "property" the word "with" and inserting in lieu thereof the word "within."

Amend Section 7, page 12, line 19, by striking out after the word "officers" the words "and to regulate the method to be followed in the extinguishment of fires"; page 16, by inserting after line 9 the following "an informative note of the passage of"; line 11, by striking out after the word "advertised" the words "after passage"; line 12 by inserting after the word "township" the words "such ordinances."

Amend Section 10, page 27, by striking out all of lines 12, to 19 inclusive; page 28, by striking out lines 1 to 9 inclusive and inserting in lieu thereof the following:

Section 801.1 Evasion of advertising requirements no supervisor or supervisors shall evade the provisions of section eight hundred two as to advertising for bids by purchasing or contracting for services and personal properties piecemeal for the purpose of obtaining prices under seven hundred and fifty dollars upon transactions should in the exercise of reasonable discretion and prudence be conducted as one transaction amounting to more than seven hundred and fifty dollars this provision is intended to make unlawful the evading of advertising requirements by making a series of purchases or contracts each for less than the advertising requirement price or by making several simultaneous purchases or contracts each below said price when in either case the transactions involved should have been made as one transaction for one price any supervisors who so vote in violation of this provision and who know that the transaction upon which they so vote is or ought to be a part of a larger transaction and that it is being divided in order to evade the requirements as to advertising for bids shall be jointly and severally subject to surcharge for ten per centum of the full amount of the contract or purchase whenever it shall appear that a supervisor may have voted in violation of this section but the purchase or contract on which he so voted was not approved by the board of supervisors this section shall be inapplicable

Amend Section 12, page 31, line 19, by inserting after

the word "tax" the words "not exceeding two mills"; page 32 by striking out on line 2 the words "Except as herein otherwise provided"; by striking out all of lines 3, 4, 5, 6 and 7.

Amend Section 17, page 47, line 10, by inserting after the word "or" the words "curbs or."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarrafa,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olser,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Fillip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REPORTS FROM COMMITTEES

Mr. HOCKER from the Committee on Professional Licensure, reported as amended, House Bill No. 443, entitled:

An Act to further amend the ninth paragraph of Section 2 of the act, approved the seventh day of June, one thousand nine hundred one (P. L. 493), entitled, as amended "An act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage and cesspools, in cities of the second class, second class A and third class and imposing fines, penalties and forfeiture for violation thereof," by increasing the annual re-registration fee to be paid by master plumbers, firms or corporations and journeyman plumbers.

Mr. ROSE from the Committee on Judiciary, reported as amended, House Bill No. 753, entitled:

An Act limiting in certain cases the right of appeal to the court of common pleas from decisions of magistrates, aldermen and justices of the peace.

Mr. LOUIS LEONARD from the Committee on Workmen's Compensation, reported as committed, House Bill No. 854, entitled:

An Act to further amend clause (17) of subdivision (4) of subsection (1) of section four of the act approved the fifth day of December one thousand nine hundred thirty-six, 1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing

penalties" including services of industrial insurance agents within the definition of employment.

Mr. KOHL from the Committee on Townships, reported as committed, House Bill No. 866, entitled:

An Act to further amend section 622 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," by increasing the allowance for expenses of township officers at annual meeting of the State association.

COMMITTEE MEETINGS

Borough, Mr. Baumunk, Chairman, Room 324, Wednesday, May 9, at 9:30 a. m. EST.

Cities and County—Second Class, Mr. Ewing, Chairman, Room 521, Wednesday, May 9, at 9:30 a. m. EST.

Highways, Mr. Royer, Chairman, Room 329, Wednesday, May 9, at 9:45 a. m. EST.

Judiciary, Mr. McKinney, Chairman, Room 520, Wednesday, May 9, at 9:00 a. m. EST.

Labor Relations, Mr. Helm, Chairman, Room 323, Wednesday, May 9, at 9:15 a. m. EST.

Municipal Corporations, Mr. Boorse, Chairman, Room 521, Wednesday, May 9, at 9:00 a. m. EST.

Railroads and Railways, Mr. Leisey, Chairman, Room 325, Wednesday, May 9, at 9:30 a. m. EST.

ADJOURNMENT

Mr. BYRNE. Mr. Speaker, I move that this House do now adjourn until Wednesday, May 9, 1951, at 10:00 a. m. EST.

The motion was agreed to, and (at 4:57 p. m. EST) the House adjourned.

Legislative Journal.

Session 1951.

139th of the General Assembly.

Vol. 32.

HARRISBURG, PA., WEDNESDAY, MAY 9, 1951.

No. 46.

SENATE

WEDNESDAY, May 9, 1951.

The Senate met at 10:00 o'clock, a. m., Eastern Standard Time.

The MAJORITY FLOOR LEADER (John M. Walker) in the Chair.

PRAYER

The Chaplain, Rev. HARWOOD C. BOWMAN, JR., Pastor of St. Paul's Episcopal Church, Kittanning, Pennsylvania, offered the following prayer:

We are assembled in this Senate Chamber to serve our fellow men and ultimately thereby to serve God. I wonder if you would join your Chaplain this morning by saying with me a prayer to God, our common Father, in reciting the Lord's Prayer. Let us pray together.

Our Father Who art in Heaven, hallowed by Thy name, Thy kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread and forgive us our trespasses as we forgive those who trespass against us, and lead us not into temptation but deliver us from evil, for Thine is the kingdom and the power and the glory forever and ever. Amen.

O Lord, our Christ, may we have Thy mind and Thy spirit make us instruments of Thy peace. Where there is hatred, let us so love; where there is injury, pardon; where there is discord, union; where there is doubt, faith; where there is despair, hope; where there is darkness, light, and where there is sadness, joy. O Divine Master, grant that we may not so much seek to be consoled as to console; to be understood as to understand; to be loved as to love, for it is in giving that we receive, it is in pardoning that we are pardoned, and it is in dying that we are born to eternal life. Amen.

JOURNAL APPROVED

The MAJORITY FLOOR LEADER. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HARE and Mr. STEVENSON, further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. Hare asked and obtained leave of absence for Mr. TAYLOR, because of illness.

COMMUNICATION

The Chair cleared his table and laid before the Senate the following communication which was read by the Clerk:

OFFICER OF THE PRESIDENT PRO TEMPORE SENATE OF PENNSYLVANIA

May 7, 1951.

Honorable G. Harold Watkins
Secretary of the Senate
Harrisburg, Pennsylvania

Dear Senator Watkins:

Due to my physical disability as a result of my accident I am unable to preside over the Senate in the absence of the Lieutenant-Governor, the Honorable Lloyd H. Wood.

By virtue of the authority vested in me as President Pro Tempore of the Senate I hereby designate the gentleman from Allegheny, Senator John M. Walker, Majority Floor Leader, to preside over the Senate, with the right and power to call to the chair any other member of the Senate he so desires to relieve him of the duties of presiding officer from time to time as he may see fit.

Very truly yours,

M. HARVEY TAYLOR, President Pro Tempore

HOUSE MESSAGES

HOUSE BILL FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 52, entitled:

An Act empowering cities of the first class of the Commonwealth to make and enforce by ordinances, fire prevention codes regulating the occupation and use of buildings and structures, and the conduct of trades or businesses which, due to the nature thereof, create a fire hazard or danger to life or property by fire or explosion and providing penalties.

Which was committed to the Committee on Local Government.

House Bill No. 109, entitled:

An Act providing that an appeal or certiorari to the court of common pleas in a suit or action by a landlord to recover possession of property, shall be a supersedeas.

Which was committed to the Committee on Judiciary General.

House Bill No. 378, entitled:

An Act to further amend the act, approved the fifteenth day of June, one thousand nine hundred thirty-seven (P. L. 1743), entitled as amended "1937 Magistrate's Court Act," by making the increase in salaries of magistrates applicable to all magistrates, including the additional salary of the chief magistrates, including the additional salary of the chief magistrate for his duties as such and increasing the same; and by further providing for the costs of transcripts or reports.

Which was committed to the Committee on Judiciary General.

House Bill No. 517, entitled:

An Act creating the Pennsylvania State Apple Board and defining its powers and duties providing for the registration and regulation of persons engaged in the growing producing and harvesting of apples for profit and prescribing fees therefor prescribing penalties creating a special fund in the State Treasury to be known as the Apple Promotion Fund and making an appropriation

Which was committed to the Committee on Agriculture.

House Bill No. 647, entitled:

An Act to further amend Section 4 to amend subsection (d) of Section 4.1 to add Sections 4.2 and 4.3 and to amend paragraph (1) of Section 14 of the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" by clarifying the amount of contributions by certain pensioners and the method of computing lesser pensions changing date of completing certain payments and the age to which pension increments may be computed fixing minimum pensions and providing benefits for surviving spouse

Which was committed to the Committee on Local Government.

House Bill No. 684, entitled:

An Act providing for the observance of the 175th anniversary of the adoption of the Declaration of Independence creating a commission to cooperate with like commissions of the government of the United States and of the City of Philadelphia in arranging ceremonies and making an appropriation

Which was committed to the Committee on Appropriations.

House Bill No. 703, entitled:

An Act to amend subsection three of section one and section four of the act approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1210) entitled "An act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder limiting the amount of such insurance prescribing standard policy provisions and requiring notice of conversion privileges" by extending the types permitted

Which was committed to the Committee on Insurance.

House Bill No. 776, entitled:

An Act to amend Section 506 of the act, approved the seventeenth day of May, one thousand nine hundred

twenty-one (P. L. 789), entitled, as amended, "Insurance Department Act of 1921," by requiring notice of dissolution of stock or mutual fire insurance companies, association or exchanges to be given to policyholders or members.

Which was committed to the Committee on Insurance.

House Bill No. 794, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by enlarging the jurisdiction of said court in certain cases of appeals and making said jurisdiction exclusive

Which was committed to the Committee on Judiciary General.

House Bill No. 795, entitled:

An Act to further amend Section 12 of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class creating and prescribing the powers and duties of a Board of Property Assessment Appeals and Review imposing duties on certain county and city officers abolishing the board for the assessment and revision of taxes in such counties and prescribing penalties" by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from the Board of Property Assessment Appeals and Review

Which was committed to the Committee on Judiciary General.

House Bill No. 796, entitled:

An Act to further amend Section 616 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code" by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals by persons whose operator's license or learner's permit has been suspended or who has been deprived of the privilege of applying for an operator's license or learner's permit.

Which was committed to the Committee on Judiciary General.

House Bill No. 797, entitled:

An Act to amend subsection (b) of Section 9 of the act, approved the twentieth day of June, one thousand nine hundred forty-seven (P. L. 845), entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaging in certain occupations and businesses therein; providing for its levy and collection; for the issuance of mercantile licenses upon the payment of fees therefor; conferring and imposing powers and duties on boards of public education; receivers of school taxes and school treasurers in such districts; saving certain ordinances of council of certain cities, and providing compensation for certain officers, and employes and imposing penalties," as reenacted and made permanent, by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from decisions of the collector in administering and enforcing the provisions of the act.

Which was committed to the Committee on Judiciary General.

House Bill No. 798, entitled:

An Act to further amend subsection (a) and (b) of Section 9 of the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "Pennsylvania Labor Relations Act," by conferring exclusive jurisdiction on the County Court of Allegheny County in cases of appeals from the Labor Relations Boards.

Which was committed to the Committee on Judiciary General.

House Bill No. 826, entitled:

An Act to further amend the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "School Employes' Retirement Law," by redefining the term "final salary" and further providing the manner of computing employes' annuities.

Which was committed to the Committee on Education.

House Bill No. 827, entitled:

An Act to further amend the act approved the twentieth day of May, one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities, and all county or other public employes, if any, paid by appropriation of the city councils thereof, and out of the treasury of said cities; and regulating the administration and the payment of such pensions," by reducing the retirement age to fifty-five.

Which was committed to the Committee on Local Government.

House Bill No. 867, entitled:

An Act transferring money from the Banking fund to the General Fund.

Which was committed to the Committee on Appropriations.

House Bill No. 960, entitled:

An Act to amend Section 8 of the act approved the first day of May one thousand nine hundred seven (P. L. 135) entitled "An act relating to the appointment of stenographers and assistant stenographers to report proceedings in the several courts of common pleas and orphans' courts courts of oyer and terminer and general jail delivery and courts of quarter sessions of the peace of this Commonwealth as well as before commissioners masters and special masters in chancery referees examiners auditors and other officers prescribing their powers and duties and when such reports shall be evidence of the facts reported prescribing their compensation and allowances for expenses when the same shall be paid by the county wherein such stenographers or assistant stenographers are employed and when by the parties to such proceedings and repealing an act entitled 'An act directing the appointment of official stenographers in the several civil courts of this Commonwealth authorizing the appointment of stenographers by examiners masters referees commissioners and auditors authorizing the appointment of assistant stenographers repealing 'An act to authorize the appointment of stenographers in the several courts of this Commonwealth prescribing their duties and fixing their compensation' approved May fifteenth one thousand eight hundred and seventy-four repealing 'An act to authorize the appointment of stenographers in the several courts of this Commonwealth prescribing their duties and fixing their compensation' approved May eighth one thousand eight hundred and seventy-six and repealing 'An act defining the duty of court stenographers in the several counties in this State' approved June tenth one thousand eight hundred

and eighty-one' approved the twenty-fourth day of May one thousand eight hundred and eighty-seven but such repeal not to revive any law repealed by the said act of twenty-fourth of May one thousand eight hundred and eighty-seven" by increasing the compensation of official stenographers for copies of stenographic notes

Which was committed to the Committee on Judiciary General.

House Bill No. 990, entitled:

An Act to further amend the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 566), entitled "The Pennsylvania Occupational Disease Act," by amplifying the provisions thereof as to persons entitled to such payments.

Which was committed to the Committee on Labor and Industry.

House Bill No. 1020, entitled:

An Act transferring money from the Manufacturing Fund to the General Fund.

Which was committed to the Committee on Appropriations.

House Bill No. 1022, entitled:

An Act to amend section 1 and 7 of the act, approved the twenty-ninth day of May, one thousand nine hundred thirty-five (P. L. 244), entitled "Local Government Commission Law," by providing for the expenditure of any biennial appropriation made to the Local Government Commission.

Which was committed to the Committee on Appropriations.

House Bill No. 1023, entitled:

An Act making an appropriation to the Local Government Commission to continue its work.

Which was committed to the Committee on Appropriations.

HOUSE CONCURS IN SENATE BILL No. 82

He also returned to the Senate, Senate Bill No. 82, entitled:

An Act to further amend Sections 202, 401 and 1311 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by changing the name of the Pennsylvania Soldiers' Orphan School.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 127

He also returned to the Senate, Senate Bill No. 127, entitled:

An Act to further amend section 15 and to amend section 29 of the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing process providing penalties for any violations of the act the Insurance Commissioner as attorney for service of exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" by regulating the transfer of excess insurance funds to the expense and other funds and providing for the consolidation of any society's funds further regulating reports of valuation of death benefit fund obligations regulating reserves and contributions for benefits

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 128

He also returned to the Senate, Senate Bill No. 128, entitled:

An Act to amend subsections (d) and (f) of section 211.1 and to further amend section 212 and subsection (a) of section 301 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by further regulating assessments made by the Insurance Commissioner against life insurance companies to defray certain expenses providing for reciprocity with other states in assessing taxes and fees on insurance companies permitting foreign companies to write workmen's compensation insurance in Pennsylvania limiting the basis for valuation of reserve liability of life insurance companies organized in foreign countries

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 136

He also returned to the Senate, Senate Bill No. 136, entitled:

An Act to amend Section 1 Clause (8) of Section six and Section nine of the act approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1210) entitled "An act relating to group life insurance describing permitted policies and restrictions thereon the

premium basis thereof and rights thereunder limiting the amount of such insurance prescribing standard policy provisions and requiring notice of conversion privileges" by further defining policies of group life insurance limiting the amount of an individual policy issued to a person entitled thereto and changing the premium basis and rate of interest thereon.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 320

He also returned to the Senate, Senate Bill No. 320, entitled:

An Act to further amend subsection (a) of Section 621.1 of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges including insurance carried by the State Workmen's Insurance Fund; providing penalties and repealing existing laws," by further defining and regulating group accident and health insurance.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 432

He also returned to the Senate, Senate Bill No. 432, entitled:

An Act to amend the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing for nominations and elections of county officers in counties about to undergo a change in classification and imposing certain duties upon county commissioners county boards of elections and others.

with the information that the House has passed the same without amendments.

The MAJORITY FLOOR LEADER. At this time the Chair would like to call to the rostrum the distinguished gentleman from Philadelphia, Senator Kephart, to preside.

The PRESIDING OFFICER (A. Evans Kephart) in the Chair.

HOUSE MESSAGES

SENATE BILL No. 305 RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 305, entitled:

An Act to facilitate vehicular traffic across the Commonwealth by providing for the construction, operation and maintenance of a turnpike from a connection with the Eastern Extension of the Pennsylvania Turnpike Sys-

tem at such point as the Pennsylvania Turnpike Commission may decide is most feasible and practicable to a point on the Delaware River on the boundary line between the Commonwealth of Pennsylvania and the State of New Jersey and authorizing the Pennsylvania Turnpike Commission to construct a bridge across the Delaware River or to acquire the use of a bridge heretofore or hereafter constructed for the further extension of the Pennsylvania Turnpike System and conferring powers and imposing duties on the Pennsylvania Turnpike Commission; authorizing the issuance of turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such turnpike; and to issue notes or other evidences of indebtedness; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds, notes or other evidences of indebtedness and for the cost of maintenance, operation and repair of the turnpike; making such turnpike bonds, notes or other evidences of indebtedness exempt from taxation; constituting such bonds legal investments in certain instances; requiring suits against the commission to be brought in Dauphin County; prescribing conditions on which such turnpike shall become free; providing for grade separations, grade changes, relocations, restoration and vacation of public roads and State highways effected by the turnpike; providing for the purchasing or condemnation of land and procedure for determining damages in condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the Commission; and authorizing the issuance of turnpike revenue refunding bonds.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended will appear on Monday's Calendar.

SENATE BILL No. 341 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 341, entitled:

An Act to further amend Section 2 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 685) entitled "An act designating certain life insurance companies as limited life insurance companies, and further describing the powers thereof," further describing the powers of limited life insurance companies.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended will appear on Monday's Calendar.

AMENDMENT TO HOUSE BILL No. 188 RECALLED FROM THE GOVERNOR

He also presented for concurrence, House Bill No. 188, entitled:

An Act relating to the admissibility in evidence and the proof of official records documents and proceedings both domestic and foreign and of copies thereof and extracts therefrom and certificates in reference thereto

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended, will appear on Monday's Calendar.

AMENDMENT TO HOUSE BILL No. 247 RECALLED FROM THE GOVERNOR

He also presented for concurrence, House Bill No. 247, entitled:

An Act to amend the title and the act approved the sixth day of April one thousand nine hundred forty-five (P. L. 164) entitled "An act authorizing and empowering minors seventeen years of age or older to contract for and to make loans in accordance with the provisions of the act of Congress known as the "Servicemen's Readjustment Act of 1944" or any agency of the Commonwealth hereafter created and saving and relieving the parents guardians and trustees of such minors from any liability therefor unless joining therein" by extending the provisions thereof to include certain adults and empowering the minor spouses of such persons to join in the execution of certain contracts and validating the actions of minor spouses of such adults in heretofore joining in the execution of any such contracts under certain conditions

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended, will appear on Monday's Calendar.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, May 7, 1951.

Resolved (if the House of Representatives concur), that when the Senate adjourns this week, it reconvene on Monday, May 14, 1951, at two o'clock P. M., Eastern Standard Time, and when the House of Representatives adjourn this week, it reconvene on Monday, May 14, 1951, at three-thirty o'clock P. M., Eastern Standard Time.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 341

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 341, entitled:

An Act giving liens against real property priority over each other in point of time fixing the time from which priorities extend and imposing duties on judges and certain court and county officers and employees.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 700

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 700, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law" by further defining, clarifying, adding to, and otherwise changing the laws relating to the affairs of townships.

REPORTS FROM COMMITTEES

Mr. WOOD, from the Committee on Finance reported House Bill No. 840, entitled:

An Act imposing an income tax on residents of Pennsylvania as herein defined including trusts and estates and on income of non-residents derived from property business or other sources in Pennsylvania defining taxable income and requiring filing of returns thereof providing for the assessment collection and lien of said tax providing for administration and enforcement of the act by the Department of Revenue conferring powers and imposing duties on certain persons fiduciaries partnerships associations corporations political subdivisions State officers employees and departments saving certain local taxes and imposing penalties

He also, from the Committee on Finance reported House Bill No. 844, entitled:

An Act to reenact and further amend the title and the act, approved the fourteenth day of June, one thousand nine hundred thirty-five (P. L. 341), entitled, as amended, "An act to provide revenue by imposing a State tax upon sales or gifts of cigarettes by dealers as herein defined: requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits; prescribing the method and manner of collecting such tax; conferring powers and imposing duties on the Department of Revenue, and persons, as herein defined, engaged in the sale of cigarettes at retail or wholesale; and providing penalties," by providing that the provisions of said act shall continue in effect until repealed and providing that such tax shall be in lieu of other taxes on the same subject imposed by the Commonwealth or any political subdivision thereof.

He also, from the Committee on Finance reported House Bill No. 845, entitled:

An Act to reenact and amend the title and the act, approved the ninth day of June, one thousand nine hundred thirty-six (Special Session of one thousand nine hundred thirty-six, P. L. 13), entitled "An act imposing an emergency State tax for a limited period of time on liquor, as herein defined, sold by the Pennsylvania Liquor Control Board; providing for the collection and payment of such tax; and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board" by providing that the provisions of said act shall continue in effect until repealed.

He also, from the Committee on Finance reported House Bill No. 846, entitled:

An Act to further amend section three of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 285), entitled, as amended "An act imposing a State tax, payable by those herein defined as manufacturers and by others, on malt or brewed beverages used, sold, transported, or delivered within the Commonwealth; prescribing the method and manner of evidencing the payment and collection of such tax; conferring powers and imposing duties on the Department of Revenue, and those using or engaged in the sale, at retail or wholesale, or in the transportation of malt or brewed beverages taxable hereunder and providing penalties" by making permanent the increase in rates of such tax.

He also, from the Committee on Finance reported House Bill No. 841, entitled:

An Act to reenact and further amend the title and the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (P. L. 208), entitled, as amended, "An act to provide revenue for State purposes by imposing an excise tax, for a limited period of time, on the net incomes of certain corporations, joint-stock associations, and limited partnerships; providing for the assessment, collection, settlement and re-settlement of taxes, and reviews and appeal therefrom; conferring powers, and imposing duties on certain persons, corporations, joint-stock

associations, limited partnerships, State, and county officers, boards, and departments; making an appropriation; and providing penalties," by increasing the rate of tax, and extending the provisions of the act for a further limited period of time.

He also, from the Committee on Finance reported House Bill No. 843, entitled:

An Act to further amend section twenty-three of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," by increasing for a further limited period of time the rate of tax imposed upon the gross receipts of certain companies, limited partnerships, associations, joint-stock associations, copartnerships and persons.

He also, from the Committee on Finance reported House Bill No. 842, entitled:

An Act to further amend section twenty-one of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 520), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," postponing the manufacturing exemption with regard to capitol stock tax and the franchise tax on domestic and foreign corporations, joint-stock associations, limited partnerships and companies, for a further limited period of time.

Mr. RUTH, from the Committee on Education, reported as amended, Senate Bill No. 489, entitled:

An Act relating to the practice of psychology; defining and providing for the licensing and registration of psychologists and psychological technicians, and for the revocation and suspension of such licenses and registration, subject to appeal, and for their reinstatement; defining the powers and duties of the State Board of Psychological Examiners and the Department of Public Instruction; and prescribing penalties.

He also, from the Committee on Education reported as committed, Senate Bill No. 488, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," by creating the State Board of Psychological Examiners and defining its powers and duties.

He also, from the Committee on Education reported as committed, Senate Bill No. 535, entitled:

An Act to amend Section 784 of the act, approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by extending the authority of school districts to lease property from the State Public School Building Authority.

He also, from the Committee on Education reported as committed, House Bill No. 33, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for filling the office of county superintendent when the only candidate for election becomes unavailable therefor within thirty days of the election date

He also, from the Committee on Education reported as committed, House Bill No. 73, entitled:

An Act to amend Article V of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by permitting school directors to attend meetings of educational or financial interest to districts and providing for the payment of their expenses

He also, from the Committee on Education reported as committed, House Bill No. 257, entitled:

An Act to further amend section 652 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing the measure of pupil teacher ratio in computing the real estate tax for school purposes in school districts of the first class and first class A

He also, from the Committee on Education reported as committed, House Bill No. 432, entitled:

An Act to further amend Sections 2562 and 2564 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by changing the provisions for payments by districts for pupils attending in other districts.

He also, from the Committee on Education reported as committed, House Bill No. 491, entitled:

An Act to amend the title and further amend the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 733) entitled "An act to provide revenue in school districts of the first class by imposing a temporary tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county assessing authority board of revision of taxes receiver of school taxes county treasurer board of public education in such districts and courts providing for compensation to certain officers and employees and imposing penalties" by eliminating certain classes of taxable items providing that corporations limited partnerships and joint-stock associations holding certain taxable securities as mere custodian for the real owner shall not be taxed therefor and providing

that the act shall apply only to school districts of the first class A

He also, from the Committee on Education reported as committed, House Bill No. 656, entitled:

An Act to add Section 1709 to the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L.), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing for traveling expenses of members of joint school boards and joint school committees in attending meetings of the same.

BILL RE-REFERRED

Mr. McCREESH, from the Committee on Military Affairs and Aeronautics, reported as committed, Senate Bill No. 150, entitled:

An Act providing for the payment of Commonwealth annuities to certain veterans suffering from paraplegia; conferring powers and imposing duties upon the Adjutant General and making an appropriation.

which was re-referred to the Committee on Appropriations.

REPORT FROM COMMITTEE

Mr. STEVENSON, from the Committee on Military Affairs and Aeronautics, reported as committed, House Bill No. 909, entitled:

An Act to further amend section 889 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by prohibiting the unauthorized wearing of the insignia, badge, shield or button of the Air Force Association.

BILLS INTRODUCED AND REFERRED

Messrs. FREED and DENT read in place and presented to the Chair Senate Bill No. 629, entitled:

An Act relating to the issuance of liquor and malt or brewed beverages licenses to clubs and other organizations, regulating the purchase, possession and sale of liquor and malt or brewed beverages by subordinate corporate units of certain nationally organized bodies; restricting the issuance of licenses to clubs not included among said units; conferring powers and imposing duties on the Pennsylvania Liquor Control Board, and prescribing penalties.

Which was committed to the Committee on Law and Order.

They also read in place and presented to the Chair Senate Bill No. 630, entitled:

An Act to amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 806), entitled "An act limiting the number of licenses for the retail sale of liquor, malt or brewed beverages, or malt and brewed beverages, to be issued by the Pennsylvania Liquor Control Board; defining hotels, and prescribing the accommodations required of hotels in certain municipalities," by exempting certain units of national organizations and fire companies and the home associations thereof from the limitations of said act.

Which was committed to the Committee on Law and Order.

Mr. SNOWDEN read in his place and presented to the Chair Senate Bill No. 631, entitled:

An Act making appropriations from the Motor License Fund to the Board of Finance and Revenue to meet interest, sinking fund and service requirements on the State debt.

Which was committed to the Committee on Highways.

Mr. HARE read in his place and presented to the Chair Senate Bill No. 632, entitled:

An Act making an appropriation of moneys in the Toll Bridge Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

Which was committed to the Committee on Highways.

Mr. STIEFEL read in his place and presented to the Chair Senate Bill No. 633, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of the Kensington Hospital, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Messrs. BARR and FLEMING (By Request) read in place and presented to the Chair Senate Bill No. 634, entitled:

An Act regulating bondsmen and sureties; defining and providing for the registration and licensure of professional bondsmen; imposing powers and duties on courts of quarter sessions, district attorneys and the Insurance Commissioner, and providing penalties.

Which was committed to the Committee on Judiciary General.

Mr. BARR read in his place and presented to the Chair Senate Bill No. 635, entitled:

An Act to further amend subsection (a) of Section 614 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways and operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances and legal claims; registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by providing for various tests to determine degree of intoxication and presumptions arising therefrom.

Which was committed to the Committee on Highways.

CALENDAR

THIRD READING CALENDAR

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 525, on third reading, entitled:

An Act to further amend Section 2 of the act, approved the twenty-fifth day of June, one thousand eight hundred ninety-five (P. L. 275), entitled "An act dividing the cities of this State into three classes with respect to their population, and designating the mode of ascertaining and changing the classification thereof in accordance therewith," by providing for the regression in classification of cities upon their decrease in population.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 592, as follows:

A Supplement to the act approved the twelfth day of June one thousand nine hundred thirty-one (P. L. 575) entitled "An act providing for joint action by Pennsylvania and New Jersey in the development of the ports on the lower Delaware River and the improvement of the facilities for transportation across the river authorizing the Governor for these purposes to enter into an agreement with New Jersey creating The Delaware River Joint Commission and specifying the powers and duties thereof including the power to finance projects by the issuance of revenue bonds transferring to the new commission all the powers of the Delaware River Bridge Joint Commission and making an appropriation" authorizing the Governor on behalf of the Commonwealth of Pennsylvania to enter into a supplemental compact or agreement with the State of New Jersey amending Articles I II IV XI and XII of and adding a new article to the compact and agreement between the Commonwealth of Pennsylvania and the State of New Jersey authorized and made pursuant to the act herein supplemented by changing the name of The Delaware River Joint Commission to The Delaware River Port Authority and the method of appointment of commissioners removing the present Pennsylvania members of the commission extending the jurisdiction powers and duties of the Delaware River Port Authority and defining such additional jurisdiction powers and duties to take effect upon the enactment of substantially similar legislation by the State of New Jersey embodying the supplemental agreement between the two States in this act set forth and authorizing the Governor to apply on behalf of the Commonwealth to the Congress of the United States for its consent thereto The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Governor is hereby authorized to enter into a supplemental compact or agreement on behalf of the Commonwealth of Pennsylvania with the State of New Jersey amending and supplementing the compact or agreement between the Commonwealth of Pennsylvania and the State of New Jersey entitled "Agreement between the Commonwealth of Pennsylvania and the State of New Jersey Creating The Delaware River Joint Commission as a body corporate and politic and defining its powers and duties" which was executed on behalf of the Commonwealth of Pennsylvania by its Governor on July first one thousand nine hundred and thirty-one and on behalf of the State of New Jersey by the New Jersey

Interstate Bridge Commission by its members on July first one thousand nine hundred and thirty-one and which was consented to by the Congress of the United States by Public Resolution Number twenty-six being chapter two hundred fifty-eight of the Public Laws Seventy-second Congress approved June fourteenth one thousand nine hundred and thirty-two which supplemental compact and agreement shall be in substantially the following form

"Supplemental agreement between the Commonwealth of Pennsylvania and the State of New Jersey amending and supplementing the agreement entitled 'Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating The Delaware River Joint Commission as a body corporate and politic and defining its powers and duties' changing the name of The Delaware River Joint Commission to The Delaware River Port Authority changing the method of appointment of the commissioners extending the jurisdiction powers and duties of said The Delaware River Port Authority and defining such additional jurisdiction powers and duties

The Commonwealth of Pennsylvania and the State of New Jersey do hereby solemnly covenant and agree each with the other as follows

(1) Article I of the "Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating The Delaware River Joint Commission as a body corporate and politic and defining its powers and duties" which was executed on behalf of the Commonwealth of Pennsylvania by its Governor on the first day of July one thousand nine hundred and thirty-one and on behalf of the State of New Jersey by the New Jersey Interstate Bridge Commission by its members on the first day of July one thousand nine hundred and thirty-one and which was consented to by the Congress of the United States by Public Resolution Number twenty-six being chapter two hundred fifty-eight of the Public Laws Seventy-second Congress approved the fourteenth day of June one thousand nine hundred and thirty-two is amended to read as follows

Article I

[There is hereby created a] The body corporate and politic [to be] heretofore created and known as The Delaware River Joint Commission hereby is continued under the name of The Delaware River Port Authority (hereinafter in this agreement called the "Commission") which shall constitute the public corporate instrumentality of the Commonwealth of Pennsylvania and the State of New Jersey for the following public purposes and which shall be deemed to be exercising an essential governmental function in effectuating such purposes to wit

(a) The operation and maintenance of the bridge owned jointly by the two States [and the city of Philadelphia as its interests may appear] across the Delaware River between the City of Philadelphia in the Commonwealth of Pennsylvania and the City of Camden in the State of New Jersey including its approaches and the making of additions and improvements thereto

(b) The effectuation establishment construction operation and maintenance of railroad or other facilities for the transportation of passengers across [the said] any bridge or tunnel owned or controlled by the Commission including extensions [thereof to the vicinity of Race Street and Eighth Street in the City of Philadelphia and to the vicinity of Carman Street and Haddon Avenue in the City of Camden] of such railroad or other facilities within the City of Camden and the City of Philadelphia necessary for efficient operation in the Port District

(c) [The investigation of the necessity for additional means of communication between the Commonwealth of Pennsylvania in the vicinity of Philadelphia and the State of New Jersey opposite thereto and between the ports of Philadelphia and Camden and the seat and making of such studies surveys and estimates as may be necessary to determine the feasibility and cost of any such additional means of communication whether the same be by bridge tunnel canal or otherwise and] The improvement and development of the Port District for

port purposes by or through the acquisition construction maintenance or operation of any and all projects for the improvement and development of the Port District for port purposes or directly related thereto either directly by purchase lease or contract or by lease or agreement with any other public or private body or corporation or in any other manner

(d) Cooperation with all other bodies interested or concerned with or affected by the promotion or use of the Delaware River and the Port District

(e) The procurement from the Government of the United States of any consents which may be requisite to enable any project within its powers to be carried forward

(f) The construction acquisition operation and maintenance of other bridges and tunnels across or under the Delaware River between the City of Philadelphia and the State of New Jersey including approaches and the making of additions and improvements thereto

[(f)] (g) The promotion [of the Delaware River] as a highway of commerce [between Philadelphia and Camden and the sea] of the Delaware River and the

[(g) The] promotion of increased passenger and freight commerce on the Delaware River [both freight and passenger] and for [this] such purpose the publication of [such] literature and the adoption of [such] any other means as may be deemed appropriate

(h) To study and make recommendations to the proper authorities for the improvement of terminal lighterage wharfage warehouse and other facilities necessary for the promotion of commerce on the Delaware River

(i) Institution through [the Attorneys General of Pennsylvania and New Jersey of] its counsel or such other counsel as it shall designate or intervention in any litigation involving rates preferences rebates or other matters vital to the [interests of the ports of the Delaware River]

[(j) Any other functions which may be of mutual benefit to the Commonwealth of Pennsylvania and the State of New Jersey insofar as concerns the promotion and development of the ports of Philadelphia and of Camden and the use by commercial vessels of their facilities] interest of the Port District Provided that notice of any such institution of or intervention in litigation shall be given promptly to the Attorney General of the Commonwealth of Pennsylvania and to the Attorney General of the State of New Jersey and provision for such notices shall be made in a resolution authorizing any such intervention or litigation and shall be incorporated in the minutes of the Commission

(j) The establishment maintenance rehabilitation construction and operation of a rapid transit system for the transportation of passengers express mail and baggage between points in New Jersey communities within the Port District and within a thirty-five (35) mile radius of the City of Camden New Jersey and points within the City of Philadelphia Pennsylvania and intermediate points Such system may be established by either utilizing existing rapid transit systems railroad facilities highways and bridges within the territory involved or by the construction or provision of new facilities where deemed necessary

(k) The performance of such other functions which may be of mutual benefit to the Commonwealth of Pennsylvania and the State of New Jersey insofar as concerns the promotion and development of the Port District for port purposes and the use of its facilities by commercial vessels

(2) Article II of said agreement is amended to read as follows

Article II

The Commission shall consist of sixteen Commissioners eight resident voters of the Commonwealth of Pennsylvania and eight resident voters of the State of New Jersey who shall serve without compensation

[The first eight Commissioners for the Commonwealth of Pennsylvania shall be the Governor of the Commonwealth the Auditor General the State Treasurer the Mayor of the City of Philadelphia and the four additional persons

now serving as members of the Pennsylvania Commission existing by virtue of Act number three hundred thirty-eight of the Commonwealth of Pennsylvania approved July nine one thousand nine hundred and nineteen (P. L. 814) and acts amendatory thereof and supplementary thereto]

[The first eight Commissioners for the State of New Jersey shall be the eight individuals now holding office as members of the New Jersey Interstate Bridge Commission existing by virtue of Chapter two hundred seventy-one of the laws of said state of one thousand nine hundred and twenty-nine approved May sixth one thousand nine hundred twenty-nine and acts amendatory thereof and supplementary thereto which said eight individuals are hereby appointed by said State as such Commissioners who shall serve for their unexpired terms as members of the New Jersey Interstate Bridge Commission Succeeding Commissioners shall be elected by the Legislature to serve for terms of five years]

[For the Commonwealth of Pennsylvania the Governor the Auditor General the State Treasurer and the executive head of the City of Philadelphia in office at the time shall always be members of the Commission and in addition thereto there shall be four members appointed by the Governor who shall be known as appointive members Whenever a vacancy occurs in the appointive membership of the Commission the Governor shall appoint a member to serve for a term of five years from the date of his appointment]

[For the State of New Jersey whenever a vacancy in the office of Commissioner shall occur such vacancy shall be filled for the unexpired term by the Legislature If the Legislature shall not be in session when the vacancy occurs such vacancy shall be filled by the Governor and such appointee shall hold office until the Legislature convenes]

The present members of the Commission including ex-officio members shall continue to serve respectively as Commissioners until the expiration of their terms or the terms of office by virtue of the holding of which they are members of the Commission and until succeeding Commissioners shall be appointed and qualify except that the terms of the present member of the Commission for the Commonwealth of Pennsylvania shall expire as of the date of the coming into force of the supplemental compact or agreement authorized by the Act of the 1951 General Assembly of said Commonwealth providing for amendment of this Article

The Commissioners for the State of New Jersey shall be appointed by the Governor of New Jersey with the advice and consent of the Senate of New Jersey for terms of five years and in case of a vacancy occurring in the office of Commissioner during a recess of the Legislature it may be filled by the Governor by an ad interim appointment which shall expire at the end of the next regular session of the Senate unless a successor shall be sooner appointed and qualify and after the end of the session no ad interim appointment to the same vacancy shall be made unless the Governor shall have submitted to the Senate a nomination to the office during the session and the Senate shall have adjourned without confirming or rejecting it and no person nominated for any such vacancy shall be eligible for an ad interim appointment to such office if the nomination shall have failed of confirmation by the Senate

Six of the eight Commissioners for the Commonwealth of Pennsylvania shall be appointed by the Governor of Pennsylvania for terms of five years The Auditor General and the State Treasurer of said Commonwealth shall ex-officio be Commissioners for said Commonwealth each having the privilege of appointing a representative to serve in his place at any meeting of the Commission which he does not attend personally

All Commissioners shall continue to hold office after the expiration of the terms for which they are appointed or elected [unless and] until their respective successors are appointed and [qualified] qualify but no period during which any Commissioner shall hold over shall be deemed

to be an extension of his term of office for the purpose of computing the date on which his successor's term expires

(3) Article IV of said agreement is amended to read as follows

Article IV

For the effectuation of its authorized purposes the Commission is hereby granted the following powers

- (a) To have perpetual succession
- (b) To sue and be sued
- (c) To adopt and use and official seal
- (d) To elect a chairman vice-chairman secretary and treasurer and to adopt suitable by-laws for the management of its affairs The secretary and treasurer need not be members of the Commission
- (e) To appoint hire or employ counsel and such other officers and such agents and employees as it may require for the performance of its duties by contract or otherwise and fix and determine their qualifications duties and compensation
- (f) To enter into contracts
- (g) To acquire own hire use operate and dispose of personal property
- (h) To acquire own use lease operate mortgage and dispose of real property and interests in real property and to make improvements thereon
- (i) To grant [the use of] by franchise lease or otherwise [and to make changes for the use of any property or facility owned or controlled by it] the use of any property or facility owned or controlled by the Commission and to make charges therefor
- (j) To borrow money upon its bonds or other obligations either with or without security and to make enter into and perform any and all such covenants and agreements with the holders of such bonds or other obligations as the Commission may determine to be necessary or desirable for the security and payment thereof including without limitation of the foregoing covenants and agreements as to the management and operation of any property or facility owned or controlled by it the tolls rents rates or other charges to be established levied made and collected for any use of any such property or facility or the application use and disposition of the proceeds of any bonds or other obligations of the Commission or the proceeds of any such tolls rents rates or other charges or any other revenues or moneys of the Commission
- (k) To exercise the right of eminent domain within the Port District
- (l) To determine the exact location system and character of and all other matters in connection with any and all improvements or facilities which it may be authorized to own construct establish effectuate operate or control
- (m) In addition to the foregoing to exercise the powers duties authority and jurisdiction heretofore conferred and imposed upon the aforesaid [Pennsylvania Commission and upon the aforesaid New Jersey Interstate Bridge Commission severally or upon both of said commissions jointly by the Commonwealth of Pennsylvania or the State of New Jersey] The Delaware River Joint Commission by the Commonwealth of Pennsylvania or the State of New Jersey or both of the said two States [and]
- (n) To exercise all other powers not inconsistent with the constitutions of the two States or of the United States which may be reasonably necessary or incidental to the effectuation of its authorized purposes or to the exercise of any of the foregoing powers except the power to levy taxes or assessments and generally to exercise in connection with its property and affairs and in connection with property within its control any and all powers which might be exercised by a natural person or a private corporation in connection with similar property and affairs
- (o) To acquire purchase construct lease operate maintain and undertake any project including any terminal terminal facility transportation facility or any other facility of commerce and to make charges for the use thereof
- (p) To make expenditures anywhere in the United States and foreign countries to pay commissions and hire

or contract with experts and consultants and otherwise to do indirectly anything which the Commission may do directly

The Commission shall also have such additional powers as may hereafter be delegated to or imposed upon it from time to time by the action of either State concurred in by legislation of the other

It is the policy and intent of the Legislatures of the Commonwealth of Pennsylvania and the State of New Jersey that the powers granted by this Article shall be so exercised that the American system of free competitive private enterprise is given full consideration and is maintained and furthered. In making its reports and recommendations to the Legislatures of the Commonwealth of Pennsylvania and the State of New Jersey on the need for any facility or project which the Commission believes should be undertaken for the promotion and development of the Port District the Commission shall include therein its findings which fully set forth that the facility or facilities operated by private enterprise within the Port District and which it is intended shall be supplanted or added to are not adequate

(4) Article XI of said agreement is amended to read as follows

Article XI

The effectuation of its authorized purposes by the Commission is and will be in all respects for the benefit of the people of the Commonwealth of Pennsylvania and the State of New Jersey for the increase of their commerce and prosperity and for the improvement of their health and living conditions and since the Commission will be performing essential governmental functions in effectuating said purposes the Commission shall not be required to pay any taxes or assessments upon any property acquired or used by it for such purposes and the bonds or other securities or obligations issued by the Commission ther transfer and the income therefrom (including any profits made on the sale thereof) shall at all times be free from taxation within the Commonwealth of Pennsylvania and the State of New Jersey

To the end that municipalities may not suffer undue loss of tax revenue by reason of the acquisition and ownership of property therein by the Commission the Commission is hereby authorized and empowered in its discretion to enter into a voluntary agreement or agreements with any municipality whereby it will undertake to pay a fair and reasonable sum or sums to compensate the said municipality for any loss of tax revenue in connection with any property acquired by the Commission after 1950 other than property acquired for bridge tunnel or passenger transportation purposes. Any such payment or payments which the Commission is hereby authorized and empowered to make may be made on an annual basis in which case the payment or payments shall not be in excess of the amount of the taxes upon the property when last assessed prior to the time of its acquisition by the Commission or such payment or payments may be made in a lump sum or sums or over a stated period of years as shall be agreed upon by and between the Commission and such municipality. Every municipality wherein the property shall be acquired by the Commission is authorized and empowered to enter into such agreement or agreements with the Commission to accept the payment or payments which the Commission is herein authorized and empowered to make

(5) Article XII of said agreement is amended to read as follows

Article XII

The Commission shall make annual reports to the Governors and Legislatures of the Commonwealth of Pennsylvania and the State of New Jersey setting forth in detail its operations and transactions and may make such additional reports from time to time to the Governors and Legislatures as it may deem desirable. Copies thereof shall be available for public information and use

Whenever the Commission after investigation and study shall have concluded plans with estimates of costs and means of financing for any new project for a purpose

other than any [those] described in Article [One] I [subdivision (b)] subdivisions (b) or (j) hereof for transportation across or under the Delaware River within the [area hereinbefore described] Port District [any new project for the] or improvement of the Delaware River's port facilities [or any other project for the mutual advantage of Pennsylvania and New Jersey and coming within the purposes for which it is created] the Commission shall make to the Legislatures of each State a detailed report dealing only with the contemplated project and shall request of said Legislatures authority to proceed with the project described and it shall not be within the power of the Commission to construct erect or otherwise acquire any new facility or project for a purpose other than any [except those] described in Article [One] I [subdivision (b)] subdivisions (b) or (j) hereof unless and until the Legislatures of both States shall have authorized the Commission to proceed with the project outlined in its special report thereon

In addition to other powers conferred upon it and not in limitation thereof the Commission may acquire all right title and interest in and to the Tacony-Palmyra Bridge across the Delaware River at Palmyra New Jersey together with any approaches and interests in real property necessary thereto. The acquisition of such bridge approaches and interests by the Commission shall be by purchase or by condemnation in accordance with the provisions of the Federal law consenting to or authorizing the construction of such bridge and approaches or the acquisition of such bridge approaches or interests by the Commission shall be pursuant to and in accordance with the provisions of sections 48:5-22 and 48:5-23 of the Revised Statutes of New Jersey and for all the purposes of said provisions and sections the Commission is hereby appointed as the agency of the State of New Jersey and the Commonwealth of Pennsylvania exercising the rights and powers granted or reserved by said Federal law or sections to the State of New Jersey and Commonwealth of Pennsylvania jointly or to the State of New Jersey acting in conjunction with the Commonwealth of Pennsylvania. The Commission shall have authority to so acquire such bridge approaches and interests whether the same be owned held operated or maintained by any private person firm partnership company association or corporation or by any instrumentality public body commission public agency or political subdivision (including any county or municipality) of or created by or in the State of New Jersey or the Commonwealth of Pennsylvania or by any instrumentality public body commission or public agency of or created by or in a political subdivision (including any county or municipality) of the State of New Jersey or the Commonwealth of Pennsylvania. None of the provisions of the preceding paragraph shall be applicable with respect to the acquisition by the Commission pursuant to this paragraph of said Tacony-Palmyra Bridge approaches and interests. The power and authority herein granted to the Commission to acquire said Tacony-Palmyra Bridge approaches and interests shall not be exercised unless and until the Governor of the State of New Jersey and the Governor of the Commonwealth of Pennsylvania have filed with the Commission their written consents to such acquisition

It shall not be within the power of the Commission to construct erect or otherwise acquire any new facility or project for a purpose described in Article I subdivision (j) hereof unless and until the Commission shall have made to the Legislature and Governor of the State of New Jersey and to the Legislature and Governor of the Commonwealth of Pennsylvania a detailed report dealing only with such contemplated facility or project and the Governor of said State and the Governor of said Commonwealth shall have filed with the Commission their written consents to such construction erection or acquisition

Notwithstanding any provision of this Agreement nothing herein contained shall be construed to limit or impair any right or power granted or to be granted to the Pennsylvania Turnpike Commission or the New Jersey Turnpike Authority to finance construct operate and

maintain the Pennsylvania Turnpike System or any turnpike project of the New Jersey Turnpike Authority respectively throughout the Port District including the right and power acting alone or in conjunction with each other to provide for the financing construction operation and maintenance of one bridge across the Delaware River south of the City of Trenton in the State of New Jersey provided that such bridge shall not be constructed within a distance of ten miles measured along the boundary line between the Commonwealth of Pennsylvania and the State of New Jersey from the existing bridge operated and maintained by the Commission across the Delaware River between the City of Philadelphia in the Commonwealth of Pennsylvania and the City of Camden in the State of New Jersey so long as there are any outstanding bonds or other securities or obligations of the Commission for which the tolls rents rates or other revenues or any part thereof of said existing bridge shall have been pledged Nothing contained in this Agreement shall be construed to authorize the Commission to condemn any such bridge

Anything herein contained to the contrary notwithstanding no bridge or tunnel shall be constructed acquired operated or maintained by the Commission across or under the Delaware River north of the boundary line between Bucks County and Philadelphia County in the Commonwealth of Pennsylvania as extended across the Delaware River to the New Jersey shore of said river and any new bridge or tunnel authorized by or pursuant to this compact or agreement to be constructed or erected by the Commission may be constructed or erected at any location south of said boundary line notwithstanding the terms and provisions of any other agreement between the Commonwealth of Pennsylvania and the State of New Jersey Except as may hereafter be otherwise provided in conformity with Article IX hereof with respect to specific properties designated by action of the Legislatures of both of the signatory States no property or facility owned or controlled by the Commission shall be acquired from it by any exercise of powers of condemnation or eminent domain

(6) Said agreement is further amended by adding thereto following the last Article thereof a new Article reading as follows

Article XIII

As used herein unless a different meaning clearly appears from the context

"Port District" shall mean all the territory within the counties of Delaware and Philadelphia in Pennsylvania and all the territory within the counties of Atlantic Burlington Camden Cape May Cumberland Gloucester Ocean and Salem in New Jersey

"Commission" shall mean The Delaware River Port Authority and when required by the context the board constituting the governing body thereof in charge of its property and affairs

"Commissioner" shall mean a member of the governing body of The Delaware River Port Authority

"Terminal" shall include any marine motor truck railroad and air terminal also any coal grain and lumber terminal and any union freight and other terminals used or to be used in connection with the transportation of passengers and freight and equipment materials and supplies therefor

"Transportation facility" and "facilities for transportation of passengers" shall include railroads operated by steam electricity or other power rapid transit lines motor trucks tunnels bridges airports boats ferries carfloats lighters tugs floating elevators barges scows or harbor craft of any kind and aircraft and equipment materials and supplies therefor

"Terminal facility" shall include wharves piers slips ferries docks drydocks ship repair yards bulkheads dock walls basins carfloats floatbridges dredging equipment radio receiving and sending stations grain or other storage elevators warehouses cold storage tracks yards sheds switches connections overhead appliances bunker coal oil and fresh water stations markets and every kind

of terminal storage or supply facility now in use or hereafter designed for use to facilitate passenger transportation and for the handling storage loading or unloading of freight at terminals and equipment materials and supplies therefor

"Transportation of passengers" and "passenger transportation" shall mean the transportation of passengers by railroad or other facilities

"Rapid transit system" shall mean a transit system for the transportation of passengers express mail and baggage by railroad or other facilities and equipment materials and supplies therefor

"Project" shall mean any improvement betterment facility or structure authorized by or pursuant to this compact or agreement to be constructed erected acquired owned or controlled or otherwise undertaken by the Commission "Project" shall not include undertakings for purposes described in Article I subdivisions (a) (d) (e) (g) (h) and (i)

"Railroad" shall include railways extensions thereof tunnels subways bridges elevated structures tracks poles wires conduits powerhouses substations lines for the transmission of power carbarns shops yards sidings turnouts switches stations and approaches thereto cars and motive equipment

"Bridge" and "tunnel" shall include such approach highways and interests in real property necessary therefor in the Commonwealth of Pennsylvania or the State of New Jersey as may be determined by the Commission to be necessary to facilitate the flow of traffic in the vicinity of a bridge or tunnel or to connect a bridge or tunnel with the highway system or other traffic facilities in said Commonwealth or said State Provided however That the power and authority herein granted to the Commission to construct new or additional approach highways shall not be exercised unless and until the Department of Highways of the Commonwealth of Pennsylvania shall have filed with the Commission its written approval as to approach highways to be located in said Commonwealth and the State Highway Department of the State of New Jersey shall have filed with the Commission its written approval as to approach highways to be located in said State

"Facility" shall include all works buildings structures property appliances and equipment together with appurtenances necessary and convenient for the proper construction equipment maintenance and operation of a facility or facilities or any one or more of them

"Personal property" shall include choses in action and all other property now commonly or legally defined as personal property or which may hereafter be so defined

"Lease" shall include rent or hire

"Municipality" shall include a county city borough village township town public agency public authority or political subdivision

Words importing the singular number include the plural number and vice versa

Wherever legislation or action by the Legislature of either signatory State is herein referred to it shall mean an act of the Legislature duly adopted in accordance with the provisions of the Constitution of such State

Section 2 Upon its signature on behalf of the State of New Jersey and the Commonwealth of Pennsylvania such supplemental compact or agreement and the compact or agreement so amended and supplemented shall become binding and shall have the force and effect of a statute of the Commonwealth of Pennsylvania and The Delaware River Port Authority shall thereupon become vested with all the powers rights and privileges and be subject to the duties and obligations contained therein as though the same were specifically authorized and imposed by statute and the Commonwealth of Pennsylvania shall be bound by all of the obligations assumed by it under such supplemental compact or agreement and under such compact or agreement so amended and supplemented and the Governor shall transmit an original signed copy thereof to the Secretary of the Commonwealth for filing in his office

Section 3 The Governor is hereby authorized to apply

on behalf of the Commonwealth of Pennsylvania to the Congress of the United States for its consent and approval of such supplemental compact or agreement but in the absence of such consent and approval the Commission referred to in such supplemental compact or agreement shall have all of the powers which the Commonwealth of Pennsylvania and the State of New Jersey may confer upon it without the consent and approval of Congress

Section 4 Nothing contained in this act or in the said supplemental compact or agreement shall be deemed to affect any contract agreement or obligation heretofore entered into or created or any appointment heretofore made by The Delaware River Joint Commission and after the coming into force of said supplemental compact or agreement any and all agreements contracts or obligations or appointments of said Commission shall be assumed performed and recognized by The Delaware River Port Authority as fully and to the same extent as required by the terms thereof to be performed and recognized by said Commission

Section 5 The powers vested in The Delaware River Port Authority by this act shall be construed as being in addition to and not in diminution of the powers heretofore vested by law in The Delaware River Joint Commission

Section 6 As used herein the term "Department of Highways of the Commonwealth of Pennsylvania" means the Secretary of Highways of the Commonwealth of Pennsylvania

Section 7 Except where specifically amended or repealed by this act the provisions of the agreement authorized by the act approved the twelfth day of June one thousand nine hundred thirty-one (P. L. 575) and the supplements thereto are maintained in full force and effect

Section 8 The provisions of this act shall not be construed to repeal any of the provisions of the act approved the twenty-fifth day of June one thousand nine hundred thirty-one (P. L. 1352) entitled "An act providing for joint action by the Commonwealth of Pennsylvania and the State of New Jersey in the administration operation and maintenance of bridges over the Delaware River and for the construction of additional bridge facilities across said river authorizing the Governor for these purposes to enter into an agreement with the State of New Jersey creating a Delaware River Joint Toll Bridge Commission and specifying the powers and duties thereof including the power to finance the construction of additional bridges by the issuance of revenue bonds to be redeemed from revenues derived from tolls collected at such bridges transferring to said commission all powers now exercised by existing commission created to acquire toll bridges over the Delaware River and making an appropriation" its amendments or supplements or apply to or affect in any manner any agreement made between the Commonwealth of Pennsylvania and the State of New Jersey pursuant to the provisions of said acts except to the extent provided in the last paragraph added by said supplemental compact or agreement to Article XII of said compact or agreement executed on the first day of July one thousand nine hundred thirty-one

Section 9 The provisions of this act shall be severable and if any of the provisions thereof shall be held to be unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 10 This act shall become effective immediately upon its final enactment but the Governor shall not enter into the supplemental compact or agreement hereinabove set forth on behalf of the Commonwealth of Pennsylvania until the passage by the State of New Jersey of a substantially similar act embodying the supplemental compact or agreement between the two States

And said bill having been read at length the third time, and agreed to.

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blase,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Scarlett,	Wood,
DiSilvestro,	McGinnis,	Silver,	Yosko,
Fleming,	McMenamin,	Snowden,	Kephart,
Freed			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMENDED

Mr. WALKER. Mr. President, I move that House Bill No. 702, on third reading, entitled:

An Act to further amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by further regulating the affairs of boroughs and revising amending and changing the law relating thereto

be recommended to the Committee on Local Government, for the purpose of further study.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

SECOND READING CALENDAR

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 24, entitled:

An Act to amend Section 304 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by increasing the membership of the Pennsylvania Historical and Museum Commission

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 60, entitled:

An Act authorizing the court in any proceeding to establish paternity to order the parties therein to submit to blood grouping tests and prescribing the conditions under which such evidence may be admitted

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 122, entitled:

An Act to further amend paragraph (8) of subsection A and subsection B of section 1208 section 1209 and subsection C of section 1210 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existing corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers directors trustees shareholders attorneys and other employees of all such corporations employees' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for authorized investments and limitations on loans and discounts of savings banks

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 123, entitled:

An Act to re-enact and amend the title and the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 796) entitled "An act providing for the preservation of the records of banks bank and trust companies trust companies savings banks and private banks and imposing penalties for violations" by extending the provisions thereof to national banking associations making photostatic film reproductions or photographic or photostatic copies of original records admissible in evidence equally and with the same force and effect as such original records providing a means for

the final adjustment and settlement of depositors' accounts and saving certain parts of acts from repeal

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 124, entitled:

An Act to further amend subsection A of Section 1006 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existing corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers directors trustees shareholders attorneys and other employees of all such corporations employees' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and limitations upon powers of banks and banks and trust companies

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 125, entitled:

An Act to further amend subsection E of section nine hundred eight of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existing corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers directors trustees shareholders attorneys and other employees of all such corporations employees' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers im-

posing penalties and repealing certain acts and parts of acts" by further providing for the powers and limitations on powers of corporations authorized to engage in the banking business

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 242, on second reading, entitled:

An Act to amend the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers directors trustees shareholders attorneys and other employees of all such corporations employees' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for establishment of branch offices agencies and facilities and the approval thereof by the Department of Banking

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 363, on second reading, entitled:

An Act to amend the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" by further prescribing the nature and kind of investments which may be made and retained by fiduciaries

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 370, entitled:

An Act relating to adverse claims to bank deposits prescribing the manner in which such claims must be supported to be entitled to recognition and limiting the effect to attachments or restraining orders against banking institutions having branch officers

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 381, entitled:

An Act to further amend Section 1146 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by establishing minimum salaries for leaders and directors of general extension education schools and classes revising minimum salaries for teachers and supervisors employed in such programs and prescribing teachers and leaders loads in certain cases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 383, on second reading, entitled:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by permitting employees to make up back payments to the retirement system from the time they entered school service and securing to such employees the full benefits of the retirement system from the time they entered school service

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 423, entitled:

An Act to further amend section four hundred fifty-two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative de-

partments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended by further changing the provisions relating to the maximum compensation of the State Civil Service Commission.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 439, on second reading, entitled:

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "A supplement to the act approved the second day of June one thousand nine hundred and fifteen (P. L. 736) entitled as amended 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties' as reenacted and amended providing for the payment of compensation to volunteer firemen or their dependents" by extending the provisions thereof to certain persons who extinguish forest fires and further defining compensation in the case of self employ-
ers

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 457, entitled:

An Act to add clause (m) to Section 108 of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" by including tuberculosis within the meaning of the term occupational disease in the case of nurses in hospitals and sanitarium.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 508, entitled:

An Act to amend Sections 1 and 2 of the act approved the eighteenth day of April one thousand nine hundred forty-five (P. L. 253, No. 114) entitled "An act relating to suits by shareholders against officers or directors in a corporation domestic or foreign to enforce a secondary right because the corporation refuses to enforce rights which may be asserted by it requiring that plaintiff be a shareholder at the time of the transaction of which he complains or that his shares thereafter devolved upon him by operation of law requiring security for defendant's expenses including attorneys' fees and providing for the assessment and recovery of such expenses including attorneys' fees" by extending the provisions thereof to corporation having no capital stock and authorizing corporations to indemnify directors officers and other persons against certain expenses.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 520, entitled:

An Act to further amend Section 3 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled as amended "An act relating to the support of indigent persons providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" by providing proceedings for support shall not be on petition of indigent person imposing duty to first ascertain financial responsibility of nearest relatives and making such orders enforceable in any county of this Commonwealth.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 531, on second reading, entitled:

An Act to amend the last paragraph of subsection E of section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled "An act empowering cities of the second class of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitation for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" by providing an effective date for tax levies on persons subjects businesses transactions or privileges within two or more political subdivisions when another such political subdivision has previously levied such tax.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 533, entitled:

An Act concerning contributions among joint tortfeasors defining the rights and duties of contribution in such cases making uniform the law with reference thereto and repealing certain acts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 603, entitled:

An Act prescribing the persons who may administer the oath of office to the Governor and the Lieutenant-Governor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 611, entitled:

An Act creating the Pennsylvania Public Safety Commission as a commission providing for the appointment of a director of Public Safety setting forth the powers and duties of the commission and the director defining the scope of existing safety agencies and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HOUSE BILL No. 534 CALLED UP FROM POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up from the Second Reading Postponed Calendar House Bill No. 534.

BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that House Bill No. 534, on second reading, entitled:

An Act to further amend Section 1304 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing the provisions relating to admission of beginners.

be recommitted to the Committee on Education, for the purpose of further study.

Mr. WADE. Mr. President, I second the motion. The motion was agreed to.

BILLS INTRODUCED AND REFERRED

Mr. SNOWDEN. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. SNOWDEN, read in place and presented to the Chair Senate Bill No. 636, entitled:

An Act to amend subsection (a) of Section 9 of the act, approved the twenty-sixth day of May, one thousand nine hundred forty-nine (P. L. 1828), entitled "An act concerning the investment powers and duties of guardians, committees, trustees, and other fiduciaries, except personal representatives, and prescribing the nature and kind of investments which may be made and retained by such fiduciaries," authorizing investments in common stocks and similar securities of unincorporated associations meeting certain qualifications; and eliminating the requirement that stock and similar securities must be listed on an exchange as to the stock and securities of banks and insurance and investment companies.

Which was committed to the Committee on Judiciary General.

Mr. FLEMING. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Messrs. FLEMING and MAHANY read in place and presented to the Chair Senate Bill No. 637, entitled:

An Act relating to oleomargarine, yellow oleomargarine, butterine and other similar products; providing for a referendum to determine the will of the electorate on permitting the sale of yellow oleomargarine as such, and if approved by the electorate, providing for the regulated sale thereof; regulating the serving thereof at public eating places and regulating the advertising thereof; conferring powers and imposing duties on the Department of Agriculture; and prescribing penalties.

Which was committed to the Committee on Agriculture.

RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for ten minutes, to permit a meeting of the Committee on Corporations.

Mr. MALLERY. Mr. President, I second the motion. The motion was agreed to.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by

His Excellency, the Governor, of the Commonwealth, on May 9, 1951.

Mr. SNOWDEN. Mr. President, I second the motion. The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 9, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the dates shown:

To compute from date of confirmation

ADAMS COUNTY

H. W. Knouse, Gettysburg.

ALLEGHENY COUNTY

Mrs. Enid Burk, Pittsburgh, 824 Brookline Blvd.
Miss Anna E. Miller, Pittsburgh, 1010 E. Ohio St.

FRANKLIN COUNTY

Richard M. Rinehart, Waynesboro.

LACKAWANNA COUNTY

Albert H. French, Moosic.

LAWRENCE COUNTY

Joseph A. Iannarelli, Taylor Twp., West Pittsburg.

LUZERNE COUNTY

J. L. Alexander, West Pittston, Pittston.
Miss Florence H. Tatar, West Hazleton.

PHILADELPHIA COUNTY

Miss Elsie C. Muller, 1717 Sansom St.
Mrs. Hilda E. Palmer, 1439 Brown St.
Leon Paul, 1139 S. 58th St.

YORK COUNTY

Mrs. Betty J. Bortner, York.

NORTHAMPTON COUNTY

Miss Modesta Roche, Bethlehem.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. SNOWDEN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Freed,	McMenamin,	Stevenson,
Barr,	Haluska,	McPherson, Jr.,	Stiefel,
Barrett,	Hare,	Meade,	Toole,
Berger,	Holland,	Neff,	Wade,
Biam,	Kessler,	Pechan,	Wagner,
Byrne,	Lane,	Peelor,	Walker,
Chapman,	Leader,	Probert,	Watkins,
Crowe,	Letzler,	Robinson,	Watson,
Dent,	Mahany,	Rosenfeld,	Wolfe,
Diehm,	Mallery,	Ruth,	Wood,
DiSilvestro,	McCreech,	Scarlett,	Yosko,
Fleming,	McGinnis,	Silver,	Kephart,
		Snowden,	Presiding Officer

NAYS—0

Two-third of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

MEMBERS OF THE CAMERON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 9, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Cameron County Board of Assistance:

William H. Smith (Republican), Emporium, from December 13, 1950, until December 31, 1951, and until his successor is duly appointed and qualified.

H. Auchu Regelman (Republican), Emporium, from January 1, 1951, until December 31, 1953, and until his successor is duly appointed and qualified.

Earl L. Towner (Republican), Emporium, from January 1, 1951, until December 31, 1953, and until his successor is duly appointed and qualified.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 9, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Wilnot C. Draper, West Springfield, Erie County, for appointment as Justice of the Peace in and for the Township of Springfield, Erie County, until the first Monday of January 1952, vice Mark H. King, resigned.

JOHN S. FINE.

PUPILS FROM FRANKLIN JUNIOR HIGH SCHOOL, BETHLEHEM, PRESENTED TO SENATE

Mr. YOSKO. Mr. President, I am happy to welcome and present two hundred young men and young women from the Franklin Junior High School, of the City of Bethlehem, the youths of today and the leaders of tomorrow. They are led by members of the faculty, Paul Handwerk, the Principal; John Sawina, Marianne Witmeyer, Paul Kuklentz, Philip Hilaire, Marjorie Lenzel, Warren Huser, Ruth Eckert and Martin Sonnenfeld.

Mr. President, I present these two hundred young men and women.

The PRESIDING OFFICER. The Chair is happy to welcome the guests of Senator Yosko and request that they kindly rise and take a bow.

REPORTS FROM COMMITTEE

Mr. BARRETT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. BARRETT, from the Committee on Corporations, reported as committed, Senate Bill No. 378, entitled:

An Act authorizing and requiring municipal authorities and public utility companies engaged in the supplying of water, to shut off the supply of water for nonpayment of sewer, sewerage, or sewage treatment rentals, rates, or charges imposed by municipalities; authorizing and requiring them to supply to such municipalities lists of metered water readings and flat-rate water bills and other data; authorizing them to act as billing and collecting agents for such municipalities; and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith.

He also, from the Committee on Corporations reported as committed, Senate Bill No. 502, entitled:

An Act to amend the title and section 1 of the act approved the fourteenth day of April, one thousand nine hundred forty-nine (P. L. 482), entitled "An act authorizing and requiring cities, boroughs, townships, municipal authorities and public utility companies engaged in the supplying of water, to shut off the supply of water for nonpayment of sewer, sewerage, or sewage treatment rentals, rates, or charges imposed by municipal authorities organized by counties of the second class; authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data; authorizing them to act as billing and collecting agents for such authorities; and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith," by requiring certain political subdivisions to shut off water supply for nonpayments to municipal authorities organized by cities of the third class.

He also, from the Committee on Corporations reported as committed Senate Bill No. 503, entitled:

An Act to amend the title and Section 1 of the act, approved the fourteenth day of April, one thousand nine hundred forty-nine (P. L. 482), entitled "An act authorizing and requiring cities, boroughs, townships, municipal authorities and public utility companies engaged in the supplying of water, to shut off the supply of water for nonpayment of sewer, sewerage, or sewage treatment rentals, rates, or charges imposed by municipal authorities organized by counties of the second class authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data; authorizing them to act as billing and collecting agents for such authorities; and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith," by extending to any municipal authority organized by any city of the third class the powers granted therein.

He also, from the Committee on Corporations, reported as committed, Senate Bill No. 504, entitled:

An Act to further amend the title and section 2.1 of the act, approved the eighteenth day of July, one thousand nine hundred thirty-five (P. L. 1286), entitled as amended "An act empowering counties of the second class, cities, boroughs, incorporated towns, and townships to charge and collect from owners of and water users in property served thereby, annual rentals, rates or charges for the use of certain sewers, sewerage systems and sewage treatment works, including charges for operation, inspection, maintenance, repair, depreciation, and the amortization of indebtedness and interest thereon; empowering counties of the second class, cities boroughs, incorporated towns and townships to contract with authorities organized by counties of the second class; for sewer, sewerage and sewage treatment services; to grant, convey, lease, transfer, encumber, mortgage and pledge to such authorities, their sewers, sewerage systems and sewerage treatment works;

to assign and pledge to such authorities rentals, rates and charges charged and collected by them for the use thereof, and to assign to such authorities their power to charge and collect the same; and validating all such contracts, grants, conveyances, leases, transfers, assignments, encumbrances, mortgages and pledges, heretofore made," by authorizing political subdivisions to contract with authorities organized by cities of the third class for sewer, sewerage and sewage treatment services.

He also, from the Committee on Corporations, reported as committed, House Bill No. 204, entitled:

An Act to amend Section 1512 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103 entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by requiring water utility companies to furnish to townships lists of water meter readings flat-rate bills and other data for the purpose of determining sewer charges and providing reimbursement for their expenses.

He also, from the Committee on Corporations, reported as committed, House Bill No. 206, entitled:

An Act to further amend Section 2401 of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," by requiring water utility companies to furnish to the township lists of water meter readings, flat-rate water bills, and other data for the purpose of determining sewer and drainage rates.

He also, from the Committee on Corporations, reported as committed, House Bill No. 492, entitled:

An Act to further amend Section 1311 of the act approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender, or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicles and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed or kept by persons, associations, companies, corporations, or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation protection or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets

of public utilities; imposing upon persons, associations, companies and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of the commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by providing for sentences of imprisonment in default of fines imposed under that section for first and second offenses by motor carriers, common carriers by airplane or brokers.

PERMISSION TO ADDRESS SENATE

Mr. BARR asked and obtained unanimous consent to address the Senate.

Mr. BARR. Mr. President, I have just been informed that the Committee on Corporations just met and from that Committee is being reported Senate Bill No. 14, which is known to Members of the House as the Ripper Bill on urban redevelopment authorities and housing authorities. Those who are interested in public housing and urban development authorities should get to work over the weekend and let the people know at home that this bill will appear on the calendar next week.

BILLS ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. SNOWDEN. Mr. President, I second the motion. The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 33, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for filling the office of county superintendent when the only candidate for election becomes unavailable therefor within thirty days of the election date

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 73, entitled:

An Act to amend Article V of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by permitting school directors to attend meetings of educational or financial interest to districts and providing for the payment of their expenses

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 204, entitled:

An Act to amend Section 1512 of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by requiring water utility companies to furnish to townships, lists of water meter readings, flat-rate bills and other data for the purpose of determining sewer charges.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 206, entitled:

An Act to further amend Section 2401 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by requiring water utility companies to furnish to the township lists of water meter readings flat-rate water bills and other data for the purpose of determining sewer and drainage rates

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 257, entitled:

An Act to further amend section 652 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private parochial schools amending revising consolidating and changing the laws relating thereto" by changing the measure of pupil teacher ratio in computing the real estate tax for school purposes in school districts of the first class and first class A

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 378, entitled:

An Act authorizing and requiring municipal authorities and public utility companies engaged in the supplying of water, to shut off the supply of water for nonpayment of sewer, sewerage, or sewage treatment rentals, rates or charges imposed by municipalities; authorizing and requiring them to supply to such municipalities lists of metered water readings and flat-rated water bills and other data; authorizing them to act as billing and collecting agents for such municipalities; and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 432, entitled:

An Act to further amend Sections 2562 and 2564 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions

applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing the provisions for payments by districts for pupils attending in other districts.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 488, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards, and commissions shall be determined," by creating the State Board of Psychological Examiners and defining its powers and duties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 489, entitled:

An Act relating to the practice of psychology defining and providing for the licensing and registration of psychologists and psychological technicians and for the revocation and suspension of such licenses and registration subject to appeal and for their reinstatement defining the powers and duties of the State Board of Psychological Examiners and the Department of Public Instruction and prescribing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 491, entitled:

An Act to amend the title and further amend the act, approved the twentieth day of June, one thousand nine hundred forty-seven (P. L. 733), entitled "An act to provide revenue in school districts of the first class by imposing a temporary tax upon certain classes of personal property; providing for its levy and collection; conferring and imposing powers and duties on the county assessing authority, board of revision of taxes, receiver of school taxes, county treasurer, board of public education in such districts and courts; providing for compensation to certain officers and employees and imposing penalties," by eliminating certain classes of taxable items, providing that corporations, limited partnerships and joint-stock associations holding certain taxable securities as mere custodian for the real owner shall not be taxed therefor, and providing that the act shall apply only to school districts of the first class A.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 492, entitled:

An Act to further amend Section 1311 of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicles and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by providing for sentences of imprisonment in default of fines imposed under that section for first and second offenses by motor carriers common carriers by airplane or brokers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 502, entitled:

An Act to amend the title and Section 1 of the act approved the fourteenth day of April, one thousand nine hundred forty-nine (P. L. 482), entitled "An act authorizing and requiring cities, boroughs, townships, municipal authorities and public utility companies engaged in the supplying of water, to shut off the supply of water for nonpayment of sewer, sewerage, or sewage treatment rentals, rates, or charges imposed by municipal

authorities organized by counties of the second class; authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data; authorizing them to act as billing and collecting agents for such authorities; and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith," by requiring certain political subdivisions to shut off water supply for nonpayments to municipal authorities organized by cities of the third class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 503, entitled:

An Act to amend the title and Section 1 of the act approved the fourteenth day of April, one thousand nine hundred forty-nine (P. L. 482), entitled "An act authorizing and requiring cities, boroughs, townships, municipal authorities and public utility companies engaged in the supplying of water, to shut off the supply of water for nonpayment of sewer, sewerage, or sewage treatment rentals, rates, or charges imposed by municipal authorities organized by counties of the second class; authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data; authorizing them to act as billing and collecting agents for such authorities; and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith," by requiring extending to any municipal authority organized by any city of the third class the powers granted therein.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 504, entitled:

An Act to further amend the title and section 2.1 of the act, approved the eighteenth day of July, one thousand nine hundred thirty-five (P. L. 1286) entitled as amended "An act empowering counties of the second class, cities, boroughs, incorporated towns, townships to charge and collect from owners of and water users in property served thereby, annual rentals, rates or charges for the use of certain sewers, sewerage systems and sewage treatment works, including charges for operation, inspection maintenance, repair, depreciation, and the amortization of indebtedness and interest thereon; empowering counties of the second class, cities, boroughs, incorporated towns and townships to contract with authorities organized by counties of the second class; for sewer, sewerage and sewage treatment services; to grant convey, lease transfer, encumber, mortgage and pledge to such authorities, their sewers, sewerage systems and sewage treatment works; to assign and pledge to such authorities rental, rates and charges charged and collected by them for the use thereof, and to assign to such authorities their power to charge and collect the same; and validating all such contracts, grants, conveyances, leases, transfers, assignments, encumbrances, mortgages and pledges heretofore made," by authorizing political subdivisions to contract with the authorities organized by cities of the third class for sewer, sewerage and sewage treatment services.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 535, entitled:

An Act to amend Section 784 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by extending the authority of school districts to lease property from the State Public School Building Authority.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 656, entitled:

An Act to add Section 1709 to the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for traveling expenses of members of joint school boards and joint school committees in attending meetings of the same

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 840, entitled:

An Act imposing an income tax on residents of Pennsylvania as herein defined including trust and estates and on income of nonresidents derived from property business or other sources in Pennsylvania defining taxable income and requiring filing of returns thereof providing for the assessment collection and lien of said tax providing for administration and enforcement of the act by the Department of Revenue conferring powers and imposing duties on certain persons fiduciaries partnerships associations corporations political subdivisions State officers employees and department savings certain local taxes and imposing penalties

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 841, entitled:

An Act to reenact and further amend the title and the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and re-settlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by increasing the rate of tax and extending the provisions of the act for a further limited period of time

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 842, entitled:

An Act to further amend section twenty-one of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" postponing the manufacturing exemption with regard to capital stock tax and the franchise tax on domestic and foreign corporations joint-stock associations limited partnerships and companies for a further limited period of time

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 843, entitled:

An Act to further amend section twenty-three of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by increasing for a further limited period of time the rate of tax imposed upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 844, entitled:

An Act to reenact and further amend the title and the act approved the fourteenth day of June one thousand nine hundred thirty-five (P. L. 341) entitled as amended "An act to provide revenue by imposing a State tax upon sales or gifts of cigarettes by dealers as herein defined requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits prescribing the method and manner of collecting such tax conferring powers and imposing duties on the Department of Revenue and persons as herein defined engaged in the sale of cigarettes at retail or wholesale and providing penalties" by providing that the provisions of said act shall continue in effect until repealed.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 845, entitled:

An Act to reenact and amend the title and the act approved the ninth day of June one thousand nine hundred thirty-six (Special Session of one thousand nine hun-

dred thirty-six Pamphlet Laws 13) entitled "An act imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board providing for the collection and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board" as previously reenacted and amended by extending the provisions thereof for a further limited period of time.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 846, entitled:

An Act to further amend section three of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 284) entitled as amended "An act imposing a State tax payable by those herein defined as manufacturers and by others on malt or brewed beverages used sold transported or delivered within the Commonwealth prescribing the method and manner of evidencing the payment and collection of such tax conferring powers and imposing duties on the Department of Revenue and those using or engaging in the sale at retail or wholesale or in the transportation of malt or brewed beverages taxable hereunder and providing penalties" increasing the rates of certain taxes for further limited period of time.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 909, entitled:

An Act to further amend section 889 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by prohibiting the unauthorized wearing of the insignia badge shield or button of the Air Force Association.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Monday, May 14, 1951, at 2:00 o'clock, p. m., Eastern Standard Time.

Mr. WOOD. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:13 o'clock, a. m., Eastern Standard Time, until Monday, May 14, 1951, at 2:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, May 9, 1951

The House met at 10:00 a. m. EST.

The SPEAKER (Herbert P. Sorg) in the Chair.

PRAYER

The Chaplain, Reverend William Hugh Fryer, offered the following prayer:

Almighty God, give ear to the prayers which we humbly present before Thee; grant that they may be acceptable and well-pleasing unto Thee through the grace and power of Thy Holy Spirit. Grant our petitions and accept our resolutions, strengthen our good hopes and fulfill our holy desires; that we may ever draw nigh to the gift of Thy grace with conscience sound and undefiled; through Jesus Christ our Lord. Amen.

JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Tuesday, May 8, 1951? If not, and without objection, the Journal is approved.

BILLS INTRODUCED AND REFERRED

By Mr. DALRYMPLE. HOUSE BILL No. 1210.

An Act to further amend Sections 1 and 2 of the act, approved the twenty-fifth day of June, one thousand eight hundred ninety-five (P. L. 275), entitled "An act dividing the cities of this State into three classes with respect to their population, and designating the mode of ascertaining and changing the classification thereof in accordance therewith," by reclassifying cities of the second class A and third class; and further providing for the government of certain cities of the second class A.

Referred to the Committee on Municipal Corporations.

By Messrs. HAROLD G. MILLER and BOIES. HOUSE BILL No. 1211.

An Act establishing The Pennsylvania State School for the Deaf; providing for its operation and maintenance by the Department of Public Instruction and for the admission of pupils thereto and the expense of maintaining pupils therein; authorizing the acquisition of a site by the Commonwealth or The General State Authority or the use of land now owned by the Commonwealth; the conveying of Commonwealth owned land to The General State Authority and the erection or construction and the furnishing and equipping of buildings and structures by The General State Authority, or the Department of Property and Supplies, and the leasing thereof by the Commonwealth; conferring powers and imposing duties on district and county superintendents of schools; and making an appropriation.

Referred to the Committee on Appropriations.

By Messrs. SOLLENBERGER and HELM. HOUSE BILL No. 1212.

An Act to further amend the title and subsection (1) of section 1 of the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 951), entitled as amended "An act defining and providing for the licensing and regulation of private academic schools; conferring powers and imposing duties on the private academic schools; conferring powers and imposing duties on the Department of Public Instruction; and imposing penalties," by excluding certain private schools from the operation of the act.

Referred to the Committee on Education.

By Messrs. STIMMEL, YOUNG, MILLS and MIHM. HOUSE BILL No. 1213.

An Act to further amend Section 1 of the act, approved the twenty-fourth day of June, one thousand eight hundred eighty-five (P. L. 159) entitled "An act relative to costs in suits before aldermen, and justices of the peace, and the collection of the same," by depriving appellants of the right to give bail in lieu of payment of costs before appeal.

Referred to the Committee on Judiciary.

By Messrs. STIMMEL, YOUNG, MILLS and MIHM. HOUSE BILL No. 1214.

An Act to amend Section 1 of the act, which became a law on the seventh day of July, one thousand eight hundred seven-nine (P. L. 194) entitled "An act to enlarge the jurisdiction of justices of the peace, and regulating the fees of constables making sales under this act," by further enlarging the jurisdiction of aldermen, magistrates and justices of the peace.

Referred to the Committee on Judiciary.

By Messrs. STIMMEL, YOUNG, MILLS and MIHM. HOUSE BILL No. 1215.

An Act fixing the fees or costs to be charged by aldermen, magistrates, and justices of the peace; and imposing liability therefor upon the county in certain cases.

Referred to the Committee on Judiciary.

By Messrs. STIMMEL, YOUNG, MILLS and MIHM. HOUSE BILL No. 1216.

An Act requiring aldermen and justices of the peace to receive instruction offered by the Public Service Institute Board.

Referred to the Committee on Judiciary.

By Mr. SMITH. HOUSE BILL No. 1217.

An Act making an appropriation to the Trustees of the University of Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. JOHNSON. HOUSE BILL No. 1218.

An Act to further amend Section 208 of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions, defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, board, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," by clarifying the holding over after expiration of the term of office of persons appointed by the Governor; and repealing inconsistent provisions.

Referred to the Committee on State Government.

By Mr. WILBUR H. HAMILTON.

HOUSE BILL No. 1219.

An Act to further amend Clause (1) of Subsection (d) of Section 3, and subsection (a) of Section 205 of the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 752), entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth; vesting in the State Civil Service Commission and a Personnel Director certain powers and duties; providing for classification of positions, adoption of compensation schedules and certification of payrolls; imposing duties upon certain officers and employees of the Commonwealth; authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service; defining certain crimes and misdemeanors; imposing penalties; making certain appropriations, and repealing certain acts and parts thereof," by classifying the position of Executive Director of the Civil Service Commission as classified service and giving the director the status of a regular employee.

Referred to the Committee on State Government.

By Messrs. FERSTER and KENT.

HOUSE BILL No. 1220.

An Act providing that retired judges not engaged in the practice of law may be called upon to preside specially at any session of the several courts in any county by the Chief Justice of the Supreme Court.

Referred to the Committee on Judiciary.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 18.

An Act to amend Section 5 of the act approved the eleventh day of June, one thousand nine hundred forty-seven (P. L. 565), entitled "An act providing compensation to certain persons who served in the military or naval forces of the United States or of any of her allies during World War II; providing the method of making payment to representatives of persons who, because of death or incapacity, cannot personally receive compensation; imposing certain duties on the Adjutant General; making an appropriation, and providing penalties," by extending the time during which applications may be filed for veterans' compensation.

SENATE BILL No. 140.

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further regulating investments of insurance companies

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, pre-

sented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION

May 8, 1951

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution extending to the Republican National Committee at Tulsa, Oklahoma, its most cordial invitation to hold its 1952 convention for the nomination of president and vice-president in Philadelphia, and expressing its assurance that every convenience and comfort shall be available for the delegates in the discharge of their privileged duties.

JOHN S. FINE.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. TAHL asked and obtained permission for the Committee on City and County—First Class to meet during the session of the House.

REPORTS FROM COMMITTEES

Mr. SAX from the Committee on City and County—First Class, reported as committed, House Bill No. 100, entitled:

An Act proposing an amendment to article nine, section eight of the Constitution of the Commonwealth of Pennsylvania to increase the debt limit of the city of Philadelphia.

Mr. LEDERER from the Committee on City and County—First Class, reported as committed, House Bill No. 101, entitled:

An Act proposing an amendment to article nine, section eight of the Constitution of the Commonwealth of Pennsylvania to increase the debt limit of the city of Philadelphia.

Mr. GUARNIERI from the Committee on City and County—First Class, reported as committed, House Bill No. 102, entitled:

A Joint Resolution proposing an amendment to article nine, section eight of the Constitution of the Commonwealth of Pennsylvania to increase the debt limit of the City of Philadelphia.

Mr. LOFTUS from the Committee on Municipal Corporations, reported as amended, House Bill No. 107, entitled:

An Act to further amend subsection A of section I, of the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 1145), entitled "An act empowering cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, townships of the first class, school districts of the second class, school districts of the third class and school districts of the fourth class to levy, assess, and collect or to provide for the levying, assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court," prohibiting the levy and collection of taxes, on real estate transfers without consideration involving husband and wife.

Mr. PFAFF from the Committee on Railroads and Railways, reported as committed, House Bill No. 170, entitled:

An Act to amend the act, approved the first day of June, one thousand nine hundred thirty-seven (Pamphlet Laws 1120), entitled "An act to promote the safety of employes and travelers upon railroads by compelling common carriers by railroad to man locomotive trains, or other self propelled engines or machines with competent employes; to provide the least number of men that may be employed on locomotive trains, and other self propelled engines or machines; to provide the qualifications of certain employes; and to provide a penalty for the violation thereof, and the enforcement thereof by the Public Utility Commission," by further regulating the size of locomotive crews.

Mr. TAYLOR from the Committee on Railroads and Railways, reported as amended, House Bill No. 346, entitled:

An Act to promote the safety of employes and travelers upon railroads by requiring common carriers by railroad to furnish flag protection to all trains occupying the main track; imposing powers and duties on the Public Utility Commission and other agencies of the Commonwealth relative thereto, and providing penalties.

Mr. ROBERTSON from the Committee on Municipal Corporations, reported as amended, House Bill No. 479, entitled:

An Act providing for the destruction and removal of houses condemned as unsafe and unfit for habitation, by the owner or at his cost by the political subdivision in which they are located.

Mr. MINTESS from the Committee on Labor Relations, reported as committed, House Bill No. 829, entitled:

An Act to amend clause (b) of Section 1 of the act, approved the thirtieth day of June, one thousand nine hundred forty-seven (P. L. 1183), entitled "An act relating to strikes by public employes; prohibiting such strikes; providing that such employes by striking terminate their employment; providing for reinstatement under certain conditions; providing for a grievance procedure; and providing for hearings before civil service and tenure authorities, and in certain cases before the Pennsylvania Labor Relations Board," by requiring panel to be set up within five days after the receipt of a request therefor.

Mr. WHITE from the Committee on Judiciary, reported as committed, House Bill No. 897, entitled:

An Act to further amend Section 7 of the act, approved the twenty-ninth day of May, one thousand nine hundred thirty-one (P. L. 280), entitled "An act relating to delinquent taxes on seated lands, and prescribing interest charges on nonpayment thereof; requiring the receivers and collectors of county, city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances," by further prescribing the effect of a sale where written notice thereof is not given as required by the act.

Mr. McINROY from the Committee on Railroads and Railways, reported as committed, House Bill No. 1037, entitled:

An Act providing for the merger of certain existing railroad corporations into street passenger railway corporations setting forth the procedure to be followed; the

effect of the merger upon property and franchises; and defining the rights, powers and privileges of the surviving company.

Mr. WELSH from the Committee on Labor Relations, reported as committed, House Bill No. 1042, entitled:

An Act to amend subsection (h) of section 2 of the act, approved the eighteenth day of May, one thousand nine hundred thirty-seven (P. L. 654), entitled "An act to provide for the safety and to protect the health and morals of persons while employed; prescribing certain regulations and restrictions concerning places where persons are employed, and the equipment, apparatus, devices and machinery used therein; prescribing certain powers and duties of the Department of Labor and Industry relative to the enforcement of this act; and fixing penalties," by providing further health and safety requirements.

Mr. BLAIR from the Committee on Boroughs, reported as committed, House Bill No. 1044, entitled:

An Act to amend Section 1178 of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by excepting the positions of chief or assistant chief of the fire department or equivalent from civil service provisions, providing for reinstatement of such persons to former positions as paid operators of fire apparatus.

Mr. BEECH from the Committee on Cities and County—Second Class, reported as committed House Bill No. 1089, entitled:

An Act fixing the minimum pensions of policemen and firemen in certain cities.

Mr. GREER from the Committee on Judiciary, reported as committed, Senate Bill No. 96, entitled:

An Act validating certain deeds and conveyances made by trustees without setting forth the authority to convey.

Mr. KRATZ from the Committee on Highways, reported as committed, Senate Bill No. 141, entitled:

An Act authorizing the Secretary of Highways to lay out, open, construct and maintain a road to be a part of the system of State Highways in Bucks County.

Mr. LOFTUS from the Committee on Municipal Corporations, reported as committed, Senate Bill No. 119, entitled:

An Act regulating the suspension removal furloughing and reinstatement of police officers in boroughs and townships of the first class having police forces of less than three members and in townships of the second class.

Mr. McDERMITT from the Committee on Highways, reported as committed, Senate Bill No. 152, entitled:

An Act to amend Sections Fifteen and Seventeen of the act approved the twenty-second day of April, one thousand nine hundred forty-nine (P. L. 715), entitled "An act empowering, authorizing and directing the Secretary of Highways to acquire toll bridges located wholly within Pennsylvania; providing the procedure therefor, and prescribing certain duties of the Governor, the Auditor General and the State Treasurer to be exercised in connection therewith; conferring jurisdiction in condemnation proceedings on certain courts of common pleas; authorizing the Secretary of Highways to enter into agreements with a state authority or agency for the acquisition of such toll bridges; providing for the operation of such bridges as toll bridges after acquisition, providing a plan for making such bridges free bridges under

certain terms and conditions, and for their control and maintenance after acquisition; and making an appropriation," by authorizing the Secretary of Highways to procure and pay for certain insurance for bridges acquired under the provisions of said act and providing for the assignment of route numbers to such bridges.

Mr. SCHMIDT from the Committee on Judiciary, reported as committed, Senate Bill No. 190, entitled:

An Act relating to the change of corporate names of churches or religious corporations as a result of the union merger or consolidation of the national or international church body of which such corporation is an affiliate subsidiary or component part providing for the filing of a certificate of change of name by such corporations with the Department of State and the effect thereof.

Mr. FENRICH from the Committee on Highways, reported as committed, Senate Bill No. 273, entitled:

An Act to amend Subsection (d) of Section 4 and Section 11 of the act approved the eighteenth day of April, one thousand nine hundred forty-nine, (P. L. 604), entitled "An act to promote the welfare of the people of the Commonwealth; creating a State Highway and Bridge Authority as a body corporate and politic with power to construct, reconstruct, improve, maintain, equip, furnish, and operate highway and bridge projects, and roadside rests, and to lease the same, and to fix and collect fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds by said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Highways to grant, assign, convey, or lease to the Authority lands, easements, or rights of way of the Commonwealth and interests therein, and to acquire lands therefor; authorizing said Authority and the Department of Highways to enter into agreements providing for mutual cooperation in furtherance of the construction of any project hereby authorized; granting the right of eminent domain; empowering said Authority to sell and convey projects and property to the Commonwealth; and providing that no debt of the Commonwealth or any of its political subdivisions shall be incurred in the exercise of any of the powers granted by this act; and making an appropriation," by authorizing the leasing of certain projects upon their being opened to public use.

Mr. GREER from the Committee on Judiciary, reported as committed, Senate Bill No. 416, entitled:

An Act to amend Section 704 of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by changing and clarifying the provisions with respect to payment of dividends from paid-in surplus.

Mr. WATERHOUSE from the Committee on Labor Relations returned House Bill No. 738 with the request

that it be recommitted to the Committee on Judiciary, entitled:

An Act to amend the act, approved the twenty-fifth day of April, one thousand nine hundred twenty-seven (P. L. 381), entitled "An act concerning arbitration, and to make valid and enforceable written provisions and agreements for the arbitration of disputes in certain contracts, including contracts to which the State or any municipal subdivision thereof may be a party; regulating the procedure under such provisions and agreements; and conferring certain powers and imposing certain duties upon the courts with reference thereto," by permitting the enforcement of agreements to arbitrate and agreements to reinstate employees, providing for docketing of arbitration, and further providing for effect of judgment entered in prothonotary's docket.

Referred to the Committee on Judiciary.

Mr. HEWITT from the Committee on Labor Relations returned House Bill No. 272 with the request that it be recommitted to the Committee on Liquor Control, entitled:

An Act making it unlawful for a minor to purchase, attempt to purchase, induce another to purchase for him, or to consume any alcoholic beverage on licensed premises, or for any person to misrepresent his age or the age of any minor for the purpose of purchasing alcoholic beverages, or causing the same to be purchased, or served, and providing penalties.

Referred to the Committee on Liquor Control.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. McMILLEN asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. DENNISON asked and obtained permission for the Committee on Motor Vehicles to meet during the session of the House.

Mr. WATKINS asked and obtained permission for the Committee on State Government to meet during the session of the House.

JERSEY SHORE HIGH SCHOOL PUPILS WELCOMED

The SPEAKER. The Chair is pleased to welcome to the House today the class in Problems of Democracy of the Jersey Shore High School under the direction of their teacher, Mr. Max Cook. They are here today as the guests of the gentlemen from Lycoming, Messrs. Gleason and Riley.

SENATE MESSAGES

CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, May 8, 1951.

Whereas, Philadelphia is truly a national shrine where our American liberty was conceived and attained;

Whereas, Philadelphia is intimately identified with the earliest beginning of our colonial era in which the stirring qualities of tolerance, good will, and peaceful living became dominant;

Whereas, Philadelphia has builded upon said colonial background a great metropolitan area, characterized with adequate facilities for transporting, housing and feeding thousands of visitors;

Whereas, Philadelphia offers rich rewards in culture, art, recreation and entertainment to its countless visitors who seek esthetic enjoyment or healthful relaxation;

Whereas, Philadelphia by virtue of its geographical site and historical lore, has become the epitome of American democracy; therefore be it

Resolved, That this House of Representatives (if the Senate concur) extend to the Republican National Committee at Tulsa, Oklahoma, its most cordial invitation to hold its 1952 convention for the nomination of president and vice-president in Philadelphia and express its assurance that every convenience and comfort shall be available for the delegates in the discharge of their privileged duties.

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 14.

An Act to amend clause (c) of Section 3 of the act approved the thirty-first day of May, one thousand nine hundred forty-seven (P. L. 359), entitled "A supplement to the act, approved the twenty-fifth day of April, one thousand nine hundred forty-five (P. L. 299), entitled 'An act providing for the establishment in counties of the second class of the lot and block plan for the registration of land titles, for the accumulation of county tax liens, and for the enumeration of the parcels of real estate to be assessed for county, city, borough, township, school and institution district taxation; providing for the incurring of indebtedness for the installation thereof; and imposing duties upon the county controller and the deed registrar in each of such counties,' providing for the use in counties of the second class of the lot and block descriptive number in the making of assessments in the preparation of tax bills and tax receipts; in the filing of liens for delinquent taxes; and in the sale of real estate for taxes; and imposing duties upon certain county officials in second class counties; and upon treasurers, tax collectors and solicitors of cities, boroughs, towns, townships, and school districts in said counties," by further providing for the content of instruments to be received for recording by the recorder of deeds and imposing duties on him relating thereto.

HOUSE BILL No. 369.

An Act to further amend Sections 202 418 and 1310 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by changing the name of the State Board of Examiners for Registration of Nurses

HOUSE BILL No 398.

An Act to further amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1050), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class; creating a board for the management thereof; providing the mode and manner of payment to beneficiaries, and for the care and disposition of its funds; and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created" by changing the compensation of the Secretary-Treasurer of the Board and changing the amounts of contributions by members to the fund, and changing the amounts of payments to beneficiaries.

With information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 14.

An Act to amend clause (c) of Section 3 of the act approved the thirty-first day of May, one thousand nine hundred forty-seven (P. L. 359), entitled "A supplement to the act, approved the twenty-fifth day of April, one thousand nine hundred forty-five (P. L. 299), entitled 'An act providing for the establishment in counties of the second class of the lot and block plan for the registration of land titles, for the accumulation of county tax liens, and for the enumeration of the parcels of real estate to be assessed for county, city, borough, township, school and institution district taxation; providing for the incurring of indebtedness for the installation thereof; and imposing duties upon the county controller and the deed registrar in each of such counties,' providing for the use in counties of the second class of the lot and block descriptive number in the making of assessments in the preparation of tax bills and tax receipts; in the filing of liens for delinquent taxes; and in the sale of real estate for taxes; and imposing duties upon certain county officials in second class counties; and upon treasurers, tax collectors and solicitors of cities, boroughs, towns, townships and school districts in said counties," by further providing for the contents of instruments to be received for recording by the recorder of deeds and imposing duties on him relating thereto.

HOUSE BILL No. 369.

An Act to further amend Sections 202 418 and 1310 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of

certain departments boards and commissions shall be determined" by changing the name of the State Board of Examiners for Registration of Nurses

HOUSE BILL No. 398.

An Act to further amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class creating a board for the management thereof providing the mode and manner of payment to beneficiaries and for the care and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board therein created" by changing the compensation of the Secretary-Treasurer of the board and changing the amounts of contributions by members to the fund and changing the amounts of payments to beneficiaries.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 36, entitled:

An Act providing temporarily for the grant without examination of certificates of licensure to practice medicine and surgery to certain persons who become members of the armed forces of the United States and suspending inconsistent laws

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 443, entitled:

An Act to further amend the ninth paragraph of Section 2 of the act approved the seventh day of June one thousand nine hundred one (P. L. 493) entitled as amended "An act providing for the examination licensure and registration of persons firms or corporations engaged or engagin in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class second class A and third class and imposing fines penalties and forfeitures for violation thereof" by increasing the annual re-registration fee to be paid by master plumbers firms or corporations and journeyman plumbers

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 444, entitled:

An Act to protect the blind and incapacitated pedestrian on public street and highways requiring vehicles to come to a full stop in certain cases restricting the use of certain colored canes by other pedestrians and imposing penalties

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 471, entitled:

An Act to further amend subsection (b) of Section 1376 and subsection (b) of Section 1377 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending, revising consolidating and changing the laws relating thereto" by authorizing payments by the Commonwealth for tuition and maintenance at hearing centers and for instruction of parents of certain deaf children in caring for such children

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 711, entitled:

An Act to further amend subsections (a) and (b) of section 16 of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by further providing for hours of registration and removing certain obsolete provisions

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 712, entitled:

An Act to further amend subsections (a) and (b) of section 17 of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" by further providing for hours of registration

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 753, entitled:

An Act limiting in certain cases the right of appeal to the court of common pleas from decisions of magistrates aldermen and justices of the peace

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 834, entitled:

An Act to amend Section 1 of the act approved the nineteenth day of June one thousand nine hundred eleven (P. L. 1070) entitled "A further supplement to an act entitled 'An act relative to Berks County Prison and to discharged convicts' approved the eighth day of April Anno Domini one thousand eight hundred and forty-eight" by increasing the compensation for expenses of members of the board of inspectors

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 854, entitled:

An Act to further amend clause (17) of subdivision (4) of subsection (1) of section four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personal (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed person providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating special funds in the custody of the State Treasurer and prescribing penalties" including services of industrial insurance agents within the definition of employment

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 859, entitled:

An Act to amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by making drivers of fire-fighting apparatus or ambulances for certain volunteer fire companies eligible to the city pension fund

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 866, entitled:

An Act to further amend section 622 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating

and changing the law relating thereto" by increasing the allowance for expenses of township officers at annual meeting of the State association

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 871, entitled:

An Act to amend subsection (a) of Section 921 and Sections 924 and 1025 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for terms of office of county school directors changing certain payments made to them by the Commonwealth and certain items of procedure at conventions to elect county superintendents

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1059, entitled:

An Act to further amend subsections (a) and (b) of Section 411 and to amend Section 506 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registrations of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon certain owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing for the transfer of registration of motor vehicles trailers and semi-trailers involving a husband and wife and the assignment of registration plates in such cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1112, entitled:

An Act to amend the title of and the act approved the twenty-eighth day of April 1887 (P. L. 63) entitled "An act in relation to the imprisonment government and release of convicts in the Pennsylvania Industrial Reformatory at Huntingdon" by correcting the name of said institution and of the governing board thereof and changing the age limit of persons who may be committed to and detained therein.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1151, entitled:

An Act to amend sections one thousand seventy-one and one thousand seventy-two of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for the appointment of district and assistant district superintendents.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 121, entitled:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by authorizing the classification of real estate into buildings on land and land exclusive of the buildings for city assessment and tax-levying purposes at separate and different rates.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 170, entitled:

An Act to further amend sections one and two of the act approved the thirty-first day of May one thousand eight hundred ninety-three (P. L. 188) entitled "An act designating the days and half days to be observed as legal holidays and for the payment acceptance and protesting of bills notes drafts checks and other negotiable paper on such days" authorizing bank holidays in the event of public calamities and permitting banking institutions at their option to engage in banking transactions on certain holidays.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 171, entitled:

An Act to further amend subsection B of section one thousand one hundred nine of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers directors trustees shareholders attorneys and other employees of all such corporations employees' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments com-

missions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and duties and limitation on powers of corporations authorized to engage in a banking or fiduciary business.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 209, entitled:

An Act to further amend section 1 of the act approved the eleventh day of June one thousand eight hundred seventy-nine (P. L. 147) entitled "An act fixing the compensation of persons called to serve as coroner's jurors in this Commonwealth" by increasing the compensation of coroner's jurors.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 244, entitled:

An Act to further amend the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled as amended "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employees' Retirement System and for Pension Annuity Contracts and in certain other cases into the State Employees' Retirement Fund for certain purposes" by redefining Pension Annuity Contract vesting certain (equities benefits dividends or) rights under pension annuity contracts in the municipality or in the policemen (or their dependents) providing for deductions to defray expense for auditing providing for return of funds if not used within a certain time by the various political subdivisions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 264, entitled:

An Act to amend Section 1412 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by setting forth the duties of the Deputy Adjutant General in Charge of Veteran Affairs

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 568, entitled

An Act to further amend section one of the act approved the twenty-fourth day of May one thousand eight hundred and ninety-three (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same" by further prescribing for the management administration application and regulation of such fund in cities of the first class

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 896, entitled

An Act to further amend the act approved the thirtieth day of March one thousand nine hundred and thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commission commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school director and imposing penalties" by further changing the provisions of said act as to the registration of electors before certain elections the correction of registers and the preparation of street lists

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1092, entitled

An Act to amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing for the filing of nomination petitions of candidates for district councilmen in cities of the first class and of nomination papers in electoral districts newly created

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL ON SECOND READING POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar, by Mr. BLAIR,

The House resumed the consideration on second reading of House Bill No. 767, entitled

An Act to amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by authorizing the issuance of non-debt revenue bonds for improvement of a boroughs electric light plant.

The first section was read.

On the question,

Will the House agree to the section?

Mr. BLAIR offered the following amendment:

Amend Section 1 (Sec. 2480), page 2, line 11, by inserting after the word "plant" the following: "for service wholly within its boundaries."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

MAYTOWN PUPILS WELCOMED

The SPEAKER. The Chair is pleased to welcome to the House sixty-nine students of the fifth and sixth grades of the school of Maytown, Lancaster County, under the supervision of Miss Mischlick and Miss Martin. They are here as the guests of the gentlemen from Lancaster, Messrs. Wood, Royer, Bomberger and Murray.

BILLS ON THIRD READING

BILL PASSED OVER

There being no objection

House Bill No. 350, Printer's No. 78,
was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 499, as follows:

An Act to further amend section eleven of the act approved the seventh day of February one thousand nine hundred six (P. L. 45) entitled "An act to regulate the deposits of State funds to prescribe the method of selecting State depositories to limit the amount of State deposits to provide for the security of such deposits to fix the rate of interest thereon to provide for the publication of monthly statements of moneys in the general and sinking funds to declare it a misdemeanor to give or take anything of value for obtaining the same and prescribing penalties for violations of this act" by further regulating the rendition of statements of moneys to the credit of the various funds in the State Treasury

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eleven of the act approved the seventeenth day of February one thousand nine hundred six

(P. L. 45) entitled "An act to regulate the deposits of State funds to prescribe the method of selecting State depositories to limit the amount of State deposits to provide for the security of such deposits to fix the rate of interest thereon to provide for the publication of monthly statements of moneys in the general and sinking funds to declare it a misdemeanor to give or take anything of value for obtaining the same and prescribing penalties for violations of this act" as last amended by the act approved the twelfth day of June one thousand nine hundred thirty-nine (P. L. 330) is hereby further amended to read as follows

Section 11 The State Treasurer on the [first] last business day of [June September December and March] May August November and February shall render a statement of account to the Auditor General giving in detail the different sums which go to make up the grand total of the amount on that day in the State Treasury including moneys appropriated to the sinking fund Such statement shall include the names of banks banking institutions or trust companies with whom the public funds are deposited with the various amounts of such deposits and shall be verified by oath or affirmation of the State Treasurer and recorded in a book kept for that purpose in the Auditor General's office and such record shall be open for the inspection of the Governor heads of departments members of the Legislature or any citizen of the State desiring to inspect the same and shall be correctly published in not more than six newspapers one of which shall be published at Harrisburg to be selected by the Auditor General for general information payment of publication to be made from moneys in the State Treasury appropriated for this purpose

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dairymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,

Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 577, as follows:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by further regulating the security required for deposits of State moneys and permit the designation of additional banks or trust companies as active depositories The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers col-

lecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as last amended by the act approved the sixth day of June one thousand nine hundred thirty-nine (P. L. 261) is hereby further amended to read as follows

Section 505 State Depositories The Board of Finance and Revenue shall have the power and its duty shall be

(a) To select and designate as depositories for the State moneys banks banking institutions or trust companies which are subject to national or State supervision and each of which

1 Has made written application to the State Treasurer for a deposit of State moneys designating the amount of deposit solicited and accompanying its application by a written statement showing the amount of its capital actually paid in the amount of its surplus the number of its stockholders and whether its stock is well distributed or largely held by a few individuals and the length of time that said institution has been engaged in business under its charter Each such statement shall be verified by the oath or affirmation of the president cashier or trust officer as the case may be and the State Treasurer shall present the same to the board for its consideration within thirty days after the receipt thereof

2 Shall upon the receipt of notice of its selection as a depository of State moneys furnish a bond to secure payment of deposits and interests to the Commonwealth of Pennsylvania with a proper warrant of attorney to confess judgment in favor of the Commonwealth secured by a surety company or individual sureties to be approved by the board in the amount of the deposit to be made If a corporate bond be given no one surety company shall be approved in an aggregate amount in excess of five times its capital surplus and reserve and whenever individual sureties are presented for approval they shall qualify in an aggregate over and above their individual liabilities to three times the amount of the deposit No one person may qualify for more than one-fourth of the total amount of the bond required Provided That when any deposit of State moneys is insured with the Federal Deposit Insurance Commissioner or any other corporation hereafter organized by the United States for the purpose of insuring deposits such depository shall not be required to furnish bond or security to cover the amount of such deposit so insured And provided further That in lieu of the surety bonds of surety companies or of individuals as aforesaid the deposit of State moneys may be secured by the deposit with the State Treasurer or with the Federal Reserve Bank of Philadelphia or Pittsburgh subject to such regulations as may be prescribed by the Board of Finance and Revenue or the State Treasurer or both as the case may be of bonds or notes of the United States or bonds or notes which the United States fully guarantees both as to principal and interest bonds of the Delaware River Joint Commissions bonds of the Pennsylvania Turnpike Commission bonds of the [General State Authority of Pennsylvania] State Public School Building Authority bonds of The General State Authority bonds of the State Highway and Bridge Authority bonds or tax anticipation notes of this Commonwealth or of any municipal subdivision institution district or school district or county thereof to be approved by the board in an amount measured by their actual market value equal to the amount of deposit so secured and twenty per centum in addition thereto Said bonds shall be accompanied by proper assignment or power of attorney to transfer the same and said trust deposit of securities shall be maintained on request at the amount aforesaid in case of any

depreciation in the value thereof Provided That no bonds or other security shall be required of State depositories for State deposits to the extent that such State deposits are insured under the provisions of Section 12 B of the Federal Reserve Act approved the twenty-third day of December one thousand nine hundred and thirteen its amendments and supplements

3 Shall agree to pay interest upon all State deposits at the rate to be fixed every six months by the Board of Finance and Revenue having due regard to the then prevailing money market Provided That such agreement is not in conflict with law or any regulation of the Comptroller of the Currency or of the Federal Reserve Board of the United States The said board may fix different rates of interest for active and inactive depositories not in conflict with law or any regulation of the Comptroller of the Currency or of the Federal Reserve Board of the United States and may adopt and promulgate rules governing the time when interest shall begin to run on deposits of uncollected items The board shall fix the specific day on which any change in interest rate shall become effective and shall notify in writing every depository of such change and the effective date thereof Pending action by the board the interest rates heretofore fixed by law shall remain in force All collections shall be made for the Commonwealth without cost or compensation

(b) To select as depositories for State funds private banking institutions located and doing business in this Commonwealth if such private banking institutions shall file a statement in writing with the board and the Department of Banking agreeing that they will subject themselves to the same supervision in all respects including an examination by the bank examiners of the Department of Banking at any time as banks banking institutions or trust companies which are depositories of State funds and if and after compliance with the conditions required of any other depository

(c) To designate two banks or trust companies in Allegheny County two banks or trust companies in Philadelphia County and thirteen banks or trust companies in any part of the Commonwealth to be known as active depositories in which shall be deposited a sufficient amount of the daily receipts of the State Treasury to transact the current business of the Commonwealth The board may designate [two] four other banks or trust companies located anywhere in the Commonwealth to be known as active depositories and to be used for the purpose above mentioned

(d) To see that no bank banking institution or trust company except those designated as active depositories shall receive a deposit of State moneys in excess of twenty-five per centum of its paid-in capital and surplus or have at any one time an aggregate of deposits in excess of five hundred thousand dollars Provided however That in the case of any particular depository these limitations may be waived by the Board of Finance and Revenue so as to permit the State Treasurer to deposit State moneys not in excess of one million dollars in any bank banking institution or trust company designated as an inactive depository

(e) To see that the combined deposits in the active depositories shall not exceed at any time such total sum as it shall by resolution have prescribed

(f) In case it is of the opinion that the credit of any depository is impaired the safety of the State deposits imperiled or for any other cause whatsoever to require the State Treasurer to reduce change or wholly withdraw within thirty days any deposit or deposits held by any such depository of State moneys

(g) Whenever it is considering applications for State deposits to invite the Secretary of Banking to sit with and advise the board The secretary shall however not vote on any question coming before the board

Section 2 This act shall become immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Praff,	Watkins,
DuBols,	Kubacki,	Pichney,	Weldner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Relly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovanssek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 678, as follows:

An Act to further amend Section 1803 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth of the Executive Department thereof and the administrative departments boards commissions and officers thereof in-

cluding the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and others assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" is hereby amended by adding subsection (h) to authorize the Department of Forests and Waters to grant certain rights of way to utility companies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1803 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended by the act approved the sixteenth day of July one thousand nine hundred thirty-five (P. L. 1052) is hereby further amended by adding to Section 1803 subsection (h) to read as follows

Section 1803 Forests Powers The Department of Forests and Waters shall have the power

(h) To give to public utility companies duly incorporated under the laws of this Commonwealth the privilege to construct maintain and operate their lines over along and upon public highways now laid out and in actual use which lie within or border on any State forests and to grant right of access by such companies to or through State forest lands in order to bring public utilities to camps and cottages in State forest lands and in other homes and farms adjacent to State forest lands where such rights of way do not mar the scenic beauty of the State forests and further that such rights of way shall be laid out so there shall be no destruction of ornamental historical or other desirable trees or tree groups Further no right of way shall be granted if the distance is considered by the State Forest Commission to be excessive or the destruction too great in consideration of the service to be rendered

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudensfield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBols,	Kubacki,	Pichney,	Welgner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, K. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 872, as follows:

An Act authorizing certain municipal corporations of other states to acquire use encumber and dispose of real property and appurtenances attached thereto in this Commonwealth necessary to the beneficial use of certain real property in such other state defining certain of their rights and liabilities in connection therewith and validating certain acquisitions and holdings of real property and appurtenances attached thereto by such municipal corporations heretofore consummated

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 (a) Whenever any municipal corporation of another state in the United States of America acting in its governmental and proprietary capacity acquires real property and appurtenances attached thereto in such

other state for public use and benefit and other real property and appurtenances attached thereto in this Commonwealth is necessary to the beneficial use thereof the municipal corporation may acquire real property and the appurtenances attached thereto in this Commonwealth necessary to the beneficial use of the real property and appurtenances acquired in such other state

(b) The real property and appurtenances attached thereto in this Commonwealth may be acquired either in the corporate name of the municipal corporation or in the name of some person either natural or artificial as trustee for the municipal corporation

(c) The municipal corporation may hold use enjoy improve develop mortgage lease and convey the real property and appurtenances attached thereto or any part thereof in this Commonwealth in such manner as may be necessary for the beneficial use of the real property and appurtenances it holds in the other state so long as it complies with the Constitution and relevant laws of this Commonwealth

Section 2 Nothing contained in this act shall be construed to prevent or relieve any real property or appurtenances attached thereto acquired and held by any such municipal corporation under the provisions of this act from being taxed as other real property within this Commonwealth is taxed

Section 3 Whenever heretofore any municipal corporation of another state in the United States of America acting in its governmental and property capacity has acquired and held real property and appurtenances attached thereto in such other state for public use and benefit and has acquired and held real property and appurtenances attached thereto in this Commonwealth (whether in the corporate name of the municipal corporation or in the name of some person either natural or artificial as trustees for the municipal corporation) which was necessary to the beneficial use of the property in such other state such acquisition and holding of real property and appurtenances attached thereto in this Commonwealth is hereby validated and confirmed and made lawful to the same extent as if acquired after the effective date of this act

Section 4 Section 5 of the act approved the twenty-sixth day of April one thousand eight hundred fifty-five (P. L. 328) entitled "An act relating to Corporations and to Estates held for Corporate Religious and Charitable uses" is hereby repealed in so far as inconsistent with the provisions of this act

The act approved the twenty-fourth day of May one thousand nine hundred twenty-three (P. L. 438) entitled "An act authorizing corporations incorporated under the laws of any other State of the United States to acquire use encumber and dispose of such real estate and rights and interest in in the nature of or in respect to real estate in Pennsylvania as may be necessary and proper for the exercise of such of their corporate purposes as it may be lawful for them to exercise in this State defining certain of their powers rights and liabilities in connection therewith regulating the exercise of said rights by foreign public service corporations repealing certain acts and validating certain titles rights and interests heretofore acquired" is hereby repealed in so far as inconsistent with the provisions of this act

All other acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarrafa,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelschi,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBols,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fenster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,

House Bill No. 947, Printer's No. 256, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 972, as follows:

An Act to further amend section seven hundred eleven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State

Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by regulating the dismissal suspension demotion reenlistment and retirement of enlisted members of the Pennsylvania State Police

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven hundred eleven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" as last amended by the act approved the twenty-eighth day of April one thousand nine hundred forty-three (P. L. 94) is hereby further amended to read as follows

Section 711 Commissioner of Pennsylvania State Police (a) The Commissioner of Pennsylvania State Police shall be the head and executive officer of the Pennsylvania State Police He shall provide for the members of the State Police Force suitable uniforms arms equipment and where it is deemed necessary horses or motor vehicles and make rules and regulations subject to the approval of the Governor prescribing qualifications prerequisite to or retention of membership in the force for the enlistment training discipline and conduct of the members of the force for the selection and promotion of such members on the basis of merit for the filing and hearing of charges against such members and such other rules and regulations as are deemed necessary for the control and regulation of the State Police Force The commissioner shall maintain a training school to be known as the Pennsylvania State Police Training School for the proper instruction of members of the State Police Force which shall be situated at such place or places as the commissioner with the approval of the Governor may determine It shall also be the duty of the commissioner to establish local headquarters in various places so as best to distribute the force through the various sections of the Commonwealth where they will be most efficient in carrying out the purposes of this or any other act to preserve the peace prevent and detect crime and to police the highways

(b) (1) The only valid causes for termination of services of any enlisted member of the Pennsylvania State Police who shall have served continuously as such member for a period of more than two years shall be any violation of the general orders of the Pennsylvania State Police or the laws of the Commonwealth or the Federal Government or physical or mental disability

Nothing within the foregoing enumeration of causes however shall be interpreted to conflict with the retirement of enlisted members upon proper evidence of disability or the election by enlisted members to retire during the period of voluntary retirement

(2) Before any enlisted member is dismissed or refused reenlistment by the commissioner the commissioner shall furnish such enlisted member with a detailed written statement of the charges upon which his dismissal or refusal of reenlistment is based together with a written notice signed by the commissioner or the proper authority of a time and place where such enlisted member will be given an opportunity to be heard either in person or by counsel or both before a Court Martial Board appointed by the commissioner which board shall consist of three (3) commissioned officers Such hearing shall not be sooner than ten (10) days nor later than thirty (30) days after such written notice At such hearing all testimony offered including that of complaints and their witnesses as well as that of the accused enlisted member and his witnesses shall be recorded by a competent stenographer whose services shall be furnished by the Pennsylvania State Police at its expense Any such hearing may be postponed continued or adjourned by agreement by the person charged and the Court Martial Board with approval of the commissioner

(3) The Court Martial Board shall have power to issue subpoenas requiring the attendance of witnesses at any hearing and shall do so at the request of the party against whom a complaint is made If any person shall refuse to appear and testify in answer to any subpoena issued by the board any party interested may petition the court of common pleas of the county wherein the hearing is to be held setting forth the facts which court shall thereupon issue its subpoena commanding such person to appear before the Court Martial Board there to testify as to the matters being inquired into Any person refusing to testify before the Court Martial Board may be held for contempt by the court of common pleas All testimony at any hearing shall be taken under oath and any member of the Court Martial Board shall have power to administer oaths to such witnesses

After fully hearing the charges or complaints and hearing all witnesses produced by the Court Martial Board and the person against whom the charges are pending and after full impartial and unbiased consideration thereof the Court Martial Board shall by a two-thirds vote of all members thereof to be recorded by roll call determine whether or not such charges or complaints have been sustained and whether the evidence substantiates such charges and complaints and in accordance with such determination shall recommend the discharge demotion or refusal of reenlistment of such enlisted member to the commissioner However if one member of the Court Martial Board shall dissent from the findings of the other members he may state his reason for disagreement which shall be made a part of the records

Reports of findings of the Court Martial Board shall not be made public before being acted upon by the commissioner The Court Martial Board shall submit all records of the trial to the commissioner for review

A written notice of any decision of the commissioner discharging demoting or refusing the reenlistment of any member shall be sent by registered mail to such enlisted member at his last known address within thirty (30) days after such hearing is actually concluded Provided however That the commissioner may in his discretion follow or disregard the recommendations of the Court Martial Board

In all cases where the final decision is in favor of the enlisted member the records in the files of the Pennsylvania State Police shall show accordingly

(4) In case the enlisted member concerned considers himself aggrieved by the action of the commissioner an appeal may be taken by him to the court of common pleas of Dauphin County in accordance with the provisions of the act approved the fourth day of June one thousand

nine hundred forty-five (P. L. 1388) and its amendments known as "The Administrative Agency Law"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarrafa,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boies,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnar,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1040, as follows:

An Act authorizing the Secretary of Property and Supplies to sell and convey a tract of land situate in the Township of Cecil Washington County Pennsylvania providing for reversion to the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Secretary of Property and Supplies with the approval of the Governor is hereby authorized on behalf of the Commonwealth of Pennsylvania to sell and convey for the consideration of one thousand six hundred dollars (\$1600) and to make and execute a deed conveying the following described tract of land presently devoted to agricultural use by the Pennsylvania Training School at Morganza and situate in Cecil Township Washington County Pennsylvania to the boroughs of Canonsburg and Houston for the purpose of construction by such boroughs of a sewage treatment plant to serve the Boroughs of Canonsburg and Houston and portions of the townships of Chartiers and North Strabane and the Pennsylvania Training School at Morganza

Beginning at a point on the southerly right of way line of the Pennsylvania Railroad Company said point being on the common line between the property of the Pennsylvania Training School and the property of the Defense Plant Corporation and approximately 290 feet north-easterly from the centerline of a private road leading from State Highway Route 519 to the Defense Plant Corporation thence along said common property line in a southerly direction for a distance of approximately 525 feet to a point thence in a northerly direction through the property of the Pennsylvania Training School for a distance of approximately 250 feet to a point thence North 29 degrees 36 minutes East for a distance of 373.51 feet to a point thence North 31 degrees 44 minutes West for a distance of 275.36 feet to a point on said right of way line thence along said right of way line in a southwestwardly direction and following a circular curve to the right having a radius of 1943.08 feet for a distance of 397.35 feet to a point of tangency thence south 69 degrees 59 minutes West along said right of way for a distance of approximately 237 feet to the point of beginning containing 6.24 acres

Section 2 The deed of conveyance of the property and any necessary rights of way as executed shall contain the provision that title to the above parcel of land will revert to the Commonwealth in the event that the boroughs of Canonsburg and Houston shall discontinue its use for the purpose of construction maintenance and operation of a sewage treatment plant

Section 3 The deed of conveyance shall be approved by the Department of Justice and shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth of Pennsylvania

Section 4 The provisions of this act shall be come effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,

Buechlin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBols,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Flo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1043, as follows:

An Act to further amend section 1026 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by limiting the eligibility of candidates for county superintendent of schools

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1026 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" as amended by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 983) is hereby further amended to read as follows

Section 1026 Candidates' Proof of Eligibility No votes for a candidate for county superintendent at any such convention shall be counted unless said candidate has at least thirty (30) days before such election filed with the secretary of the county board of school directors notice of his intention to be a candidate for election to the office of county superintendent and has also filed a county or district [or assistant county or district] superintendent's commission which has been issued within the previous six years or an assistant county or district superintendent's commission which had been issued prior to the first day of July 1951 by the Superintendent of Public Instruction or such other evidence of eligibility as is required by this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Sorg,
Bower,	Hersch,	Miller, J. C.,	Spencer,
Breisch,	Hewitt,	Mills,	Stank,
Breth,	Hocker,	Mintess,	Stimmel,
Brown,	Hoggard,	Monroe,	Stoner,
Bucchin,	Hunter,	Moore, C. E.,	Swartz,
Byrne,	Jenkins,	Moore, H. A.,	Swope,
Cella,	Johnson,	Moran,	Tahl,
Clapper,	Jones, G. E.,	Muldowney,	Taylor,
Clendenning,	Jones, J. M.,	Munley,	Thompson, E. F.,
Cochran,	Jones, P. F.,	Murray,	Thompson, R. L.,
Conway,	Jones, T. H. W.,	Musto,	Toll,
Cooper,	Jump,	Najaka,	Tompkins,
Corr,	Kamyk,	Naugle,	Toomey,
Costa,	Keller,	Needham,	VanSant,
Coyle,	Kent,	Olsen,	Varallo,
Dalrymple,	Kline,	Penglase,	Varnier,
Davis,	Kohl,	Peta,	Verona,
Dennison,	Kolankiewicz,	Petrosky,	Wachhaus,
Dougherty,	Kornick,	Pettigrew,	Wargo,
Dowling,	Kratz,	Pfaff,	Waterhouse,
DuBols,	Kubacki,	Pichney,	Watkins,
Duffy,	Lafore,	Pitzer,	Weidner,
Dunn,	Lederer,	Polaski,	Welsh,
Erb,	Leisey,	Polen,	Wescott,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Westrick,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Whalley,
Ferster,	Leven,	Readinger,	Wheeler,
Filip,	Light,	Reagan,	White,
Filo,	Limper,	Reese,	Williams,
Firmstone,	Loftus,	Reidenbach,	Wilt,
Flack,	Lopresti,	Reilly, J. M.,	Wood,
Frost,	Lovett,	Rigby,	Yeakel,
Gaffney,	Lutty,	Riley, R. L.,	Yester,
Geer,	Lyons,	Robertson,	Yetzer,
Gibson,	Madden,	Rose,	Young,
Gleason,	Madigan,	Rosen,	Ziegler,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 80, as follows:

An Act to further amend the title and to amend Section 1 of the act approved the twenty-seventh day of May one thousand eight hundred ninety-three (P. L. 171) entitled as amended "An act providing for the acquisition of land and the erection equipment management and operation of the Pennsylvania Soldiers Orphans' School the maintenance of chil-

dren admitted thereto and regulating the admissions to and discharges from the said Pennsylvania Soldiers Orphans' School" by changing the name of the Pennsylvania Soldiers Orphans' School

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the twenty-seventh day of May one thousand eight hundred ninety-three (P. L. 171) entitled as amended "An act providing for the acquisition of land and the erection equipment management and operation of the Pennsylvania Soldiers Orphans' School and the maintenance of children admitted thereto and regulating the admissions to and discharges from the said Pennsylvania Soldiers Orphans' School" as amended by the act approved the fifth day of June one thousand nine hundred thirty-five (P. L. 267) is hereby further amended to read as follows

An Act

Providing for the acquisition of land and the erection equipment management and operation of the [Pennsylvania Soldiers Orphans' School] Scotland School for Veterans' Children the maintenance of children admitted thereto and regulating the admissions to and discharges from the said [Pennsylvania Soldiers Orphans' School] Scotland School for Veterans' Children

Section 2 Sections 1 9 and 11 of said act are hereby amended to read as follows

Section 1 Be it enacted &c That there shall be erected at some point within the State easily accessible a building or buildings to be known as the [Pennsylvania Soldiers Orphans' Industrial School] Scotland School for Veterans' Children

Section 9 The per capita rate of the appropriation for the education and maintenance of the children admitted [in the Pennsylvania Soldiers Orphans' Industrial School] to the Scotland School for Veterans' Children shall not exceed the sum of two hundred (\$200) dollars per annum

Section 11 The [said commission] Board of Trustees of the Scotland School for Veterans' Children shall [on or before the third Wednesday in January of each year present to the Legislature under oath a detailed report of the financial transaction of the preceding year] at every regular session of the General Assembly present to the Legislature under oath a report setting forth in detail the amount of all moneys or other property received on account of such [Pennsylvania Soldiers Orphans' Industrial School] Scotland School for Veterans' Children and an itemized statement of the disbursements thereof

Section 3 The provisions of this act shall become effective the first day of June one thousand nine hundred fifty-one

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,

Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Verner,
Dairymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weldner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 81, as follows:

An Act to amend the title and Sections 1 2 3 and 4 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 302) entitled "An act providing for the admission of children to and their education and maintenance in and their discharge from the Pennsylvania Soldier's Orphan School prohibiting discharging children or taking children from said school or children from leaving the same without an order of the Board of Trustees of the Pennsylvania Soldiers' Orphan School and prescribing penalties" by changing the name of the Pennsylvania Soldiers' Orphan School

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and Sections 1 2 3 and 4 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 302) entitled "An act providing for the admission of children to and their education and maintenance in and their discharge from the Pennsylvania Soldiers' Orphan School prohibiting discharging children or taking children from said school or children from leaving the same without an order of the Board of Trustees of the Pennsylvania Soldiers' Orphan School and prescribing penalties" are hereby amended to read as follows

An Act

Providing for the admission of children to and their education and maintenance in and their discharge from the [Pennsylvania Soldiers' Orphan School] Scotland School for Veterans' Children prohibiting discharging children or taking children from said school or children from

leaving the same without an order of the Board of Trustees of the [Pennsylvania Soldiers' Orphan School] Scotland School for Veterans' Children and prescribing penalties

Section 1 The Board of Trustees of [Pennsylvania Soldiers' Orphan School] the Scotland School for Veterans' Children shall admit to the [Pennsylvania Soldiers' Orphan School] Scotland School for Veterans' Children under such rules and forms of application as it may adopt children over six (6) and under fourteen (14) years of age of parents who have resided in this Commonwealth for a continuous period of not less than five years prior to application for admission of such children or prior to the death of the last survivor of such parents and one or both of whose parents has served in any branch of the armed forces of the United States during any war in which the United States has been is now or may hereafter be engaged or in any movement or campaign in connection therewith or resulting therefrom and has died in such service or has been honorably discharged therefrom

Preference in admission shall be as follows (1) Children both of whose parents are dead (2) Children whose fathers are dead and whose mothers are living (3) Destitute children not being in either of the two foregoing classes

Section 2 Children so admitted shall be educated and maintained in the [Pennsylvania Soldiers' Orphan School] Scotland School for Veterans' Children until they shall severally become nineteen years of age unless sooner discharged for cause by order of the board Provided That the board may at its discretion extend the time of the discharge of any child until the end of the school year during which such child reaches the age of nineteen years For the purposes of this proviso the school year shall be deemed to commence the first day of September of each year

Section 3 No child admitted to the [Pennsylvania Soldiers' Orphan School] Scotland School for Veterans' Children shall be discharged therefrom or leave the same or be taken therefrom by any person except on order of the board of trustees In discharging a child from the school or in permitting a child to leave or be taken from the school the board of trustees shall be governed by the best interests of the child or the best interests of the other children in the school as the case may be

Section 4 Whoever takes any child from the [Pennsylvania Soldiers' Orphan School] Scotland School for Veterans' Children or assists any child to leave the same without an order from the board permitting such taking or leaving and any child who leaves said school without permission so to do shall upon upon summary conviction thereof be sentenced to pay a fine or not more than fifty dollars (\$50.00) and in default of the payment thereof and costs shall undergo imprisonment not to exceed ten days or in the case of a minor subject to the jurisdiction of the juvenile courts shall be dealt with by such court as in other cases of juvenile delinquency

Section 2 The provisions of this act shall become effective the first day of June one thousand nine hundred fifty-one

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bea,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstreiser,	Hall,	McKinney,	Seyler,

Blair,	Hamilton, R. E.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudensfield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnar,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunin,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fenster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 103, as follows:

An Act to reenact and amend the title and Section 4 of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 982) entitled "An act to authorize State public bodies as defined to aid redevelopment authorities in the elimination of blighted areas and their redevelopment by entering into contracts to furnish and by furnishing to said authorities and to any Federal governmental agency parks playgrounds streets and other improvements and facilities and by donating or lending money and making appropriations therefor by accepting payments and exercising certain other powers and duties" by confirming authorization heretofore granted to the Commonwealth or State public bodies to dedicate sell convey or lease any of its property to a redevelopment authority and by providing for the execution of instruments therefor on behalf of the Commonwealth and validating dedications sales conveyances and leases heretofore made.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 982) entitled "An act to authorize State public bodies as defined to aid redevelopment authorities in the

elimination of blighted areas and their redevelopment by entering into contracts to furnish and by furnishing to said authorities and to any Federal governmental agency parks playgrounds streets and other improvements and facilities and by donating or lending money and making appropriations therefor by accepting payments and exercising certain other powers and duties" is hereby amended to read as follows

An Act to authorize the Commonwealth or State public bodies as defined to aid redevelopment authorities in the elimination of blighted areas and their redevelopment by dedicating selling conveying or leasing any of its property by entering into contracts to furnish and by furnishing to said authorities and to any Federal governmental agency parks playgrounds streets and other improvements and facilities and by donating or lending money and making appropriations therefor by accepting payments and exercising certain other powers and duties

Section 2 Section four of said act as amended by the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1628) is hereby reenacted and further amended to read as follows

Section 4 Cooperation in Redevelopment For the purpose of aiding and cooperating in the operation of an authority and in the planning acquisition clearance re-planning and redevelopment activities of an authority the Commonwealth or any State public body may upon such terms with or without consideration as it may determine

(a) Dedicate sell convey or lease any of its property to a redevelopment authority

(b) Cause parks playgrounds recreational or community facilities or any other works which it is otherwise empowered to undertake to be furnished in or adjacent to any area selected for redevelopment

(c) Furnish dedicate close pave install grade regrade plan or replan street roads roadways alleys sidewalks or other places which it is otherwise empowered to undertake

(d) Enter into agreements extending over any period with a redevelopment authority or with the Federal government respecting action to be taken by the Commonwealth or such State public body pursuant to any of the powers granted by this act and

(e) Do any and all things necessary or convenient to aid and cooperate in the redevelopment undertaken by a redevelopment authority

(f) In connection with any public improvements made by the Commonwealth or a State public body in exercising the powers herein granted the Commonwealth or such State public body may incur the entire expense thereof

(g) The Secretary of Property and Supplies is authorized with the approval of the Governor and the Attorney General to execute and deliver on behalf of the Commonwealth conveyances deeds and leases authorized under the provisions of subsection (a) of this section

Section 3 Every dedication sale conveyance and lease of any of its property heretofore made by the Commonwealth or any State public body to any redevelopment authority for any purpose authorized by this act and the titles transferred thereby if valid in other respects is hereby made valid notwithstanding any defect in the title of the act amended hereby

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,

Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 216, as follows:

An Act authorizing the Department of Property and Supplies to sell and convey a tract of land situate in the Township of Reed Dauphin County Pennsylvania with the approval of the Governor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Secretary of Property and Supplies with the approval of the Governor is hereby authorized on behalf of the Commonwealth of Pennsylvania to sell and convey for such consideration as may be agreed upon to make and execute a deed conveying the following described tract of land situate in Reed Township Dauphin County Pennsylvania

Beginning at an iron pin in a public road leading east from State highway Route 195 just North of the Clarks Ferry Bridge thence North thirteen degrees one minute ten seconds West (N 13 degrees 01 minute 10 seconds W) a distance of seventy-five (75) feet to a point thence South eighty-six degrees twenty-eight minutes ten seconds East (S 86 degrees 28 minutes 10 seconds E) a distance of two

hundred eleven and six tenths (211.6) feet to an iron pin at the Susquehanna River then South twenty-one degrees nine minutes fifty seconds West (S 21 degrees 09 minutes 50 seconds W) a distance of seventy-five and forty-four one hundredths (75.44) feet to a point thence North eighty-six degrees twenty-eight minutes ten seconds West (N 86 degrees 28 minutes 10 seconds W) a distance of one hundred sixty-seven and thirty-eight one hundredths (167.38) feet to the place of beginning containing three-tenths of an acre more or less

Section 2 The deed of conveyance shall be approved by the Department of Justice and shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth of Pennsylvania

Section 3 All monies received from the sale of the land herein authorized shall be deposited in the Motor License Fund

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraff,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 247, as follows:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by regulating the authority of school districts to purchase supplies and to perform and contract for construction reconstruction repairs and work of any nature
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 751 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" as amended by the act approved the fourteenth day of April one thousand nine hundred forty-nine (P. L. 459) is hereby further amended to read as follows

Section 751 Work to be Done Under Contract Let on Bids Exception (a) All construction reconstruction repair or work of any nature including the introduction of plumbing heating ventilating or lighting systems upon any school building or upon any school property made by any school district where the entire cost value or amount of such construction reconstruction repairs or work including labor and material shall exceed [three hundred dollars (\$300) in school districts other than school districts of the first class and in school districts of the first class where such entire cost value shall exceed six hundred dollars (\$600)] one thousand dollars (\$1000) shall be done under [contract or] separate contracts to be entered into by such school district with the lowest responsible bidder upon proper terms after due public notice has been given asking for competitive bids Provided That if due to an emergency a school plant or any part thereof becomes unusable competitive bids for repairs or replacement may be solicited from at least three responsible bidders and upon the approval of any of these bids by the State Superintendent of Public Instruction the board of school directors may proceed at once to make the necessary repairs or replacements in accordance with the terms of said approved bid or bids

(b) The board of school directors in any school district either may perform any construction reconstruction repairs or work of any nature where the entire cost or value including labor and material is less than one thousand dollars (\$1000) by its own maintenance personnel or may have any such construction reconstruction repairs or work performed by contract after soliciting bids from at least three responsible bidders Provided That the board of school directors in any school district may authorize the secretary of the board or other executive to award contracts for construction reconstruction repair or work of any nature where the entire cost or value including labor and material is three hundred dollars (\$300) or less without soliciting competitive bids

Section 2 Sections 805 806 and 807 of said act are hereby amended to read as follows

Section 805 Classes of School Supplies Purchasing Agent School supplies shall be divided into two classes The first class shall include school desks chairs furniture typewriters and school apparatus The second class shall include [maps globes and] all other supplies except maps globes and textbooks necessary for school use not included

in the first class The board of school directors in any district may authorize or appoint the secretary of the board or other executive as purchasing agent for the district with authority to purchase supplies of either class costing less than [one hundred dollars (\$100)] three hundred dollars (\$300)

Section 806 Purchase of Supplies of the First Class [Costing \$100 or More] When it is deemed necessary to purchase desks or other supplies of the first class costing [one hundred dollars (\$100)] three hundred dollars (\$300) or more the board of school directors in any district shall solicit sealed quotations from two or more firms manufacturers or dealers in such supplies Such quotations shall be opened at a regular or special meeting of the board of school directors The board shall accept the bid of the lowest responsible bidder when the kinds and quality of supplies and equipment offered are the same or are equal but they shall have the right to reject any and all bids or select a single item from any bid Any school district may purchase school furniture and other equipment from another school district without asking for competitive bids

Section 807 Purchase of Supplies of the Second Class [Costing \$300 or More] (a) All supplies of the second class costing [three hundred dollars (\$300) or more] one thousand dollars (\$1000) or more in school districts of the first class first class A or second class or five hundred dollars (\$500) or more in school districts of the third or fourth class shall be purchased and contracts therefor awarded only after public notice has been given by advertisement published once each week for three weeks in not less than two newspapers of general circulation In any district where no newspaper is published said notice may in lieu of such publication be posted in at least five public places Such advertisement or notice shall give all necessary information or given notice of convenient access thereto in such manner that bidders can intelligently make bids for such contracts

The board of school directors shall accept the lowest bid or bids kind quality and material being equal but shall have the right to reject any and all bids or select a single item from any bid

(b) The board of school directors may purchase supplies of the second class costing less than one thousand dollars (\$1000) in school districts of the first class first class A or second class and less than five hundred dollars (\$500) in school districts of the third and fourth class from the lowest responsible bidder after soliciting sealed quotations from two or more firms manufacturers or dealers in such supplies when the kind quality and material are equal Provided That the board of school directors may authorize the secretary of the board or other executive to make such purchases of supplies of the second class in accordance with the provisions of this subsection

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraff,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Meiz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,

Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsich,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Poleh,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Fillip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 329, as follows:

An Act to amend Section 3 of the act approved the twenty-eighth day of May one thousand nine hundred thirty-one (P. L. 202) entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream artificial or natural body of water or non-tidal waters of any river within the Commonwealth conferring powers and imposing duties on certain police officers and the Board of Fish Commissioners including the enforcement of certain existing laws and prescribing penalties" by authorizing the department of Revenue to designate local agents to issue motor boat licenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 3 of the act approved the twenty-eighth day of May one thousand nine hundred thirty-one (P. L. 202) entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream artificial or natural body of water or non-tidal waters of any river within the Commonwealth conferring powers and imposing duties on certain police officers and the Board of Fish Commissioners including the enforcement of certain existing laws and prescribing penalties" as amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1984) is hereby further amended to read as follows

Section 3 A Any person owning a motor boat and desiring to operate or navigate the boat or cause it to be

operated or navigated on any inland water shall make a written application to the Department of Revenue or to any issuing agent authorized by the department as hereinafter provided for a license for such boat Such application shall be made on a form prescribed prepared and furnished by the Department of Revenue and together with such other information as the Department of Revenue may require shall state

(a) The name and address of the applicant and if the applicant is a partnership the names and addresses of all the partners and if the applicant is a corporation the names and addresses of the officers

(b) The size seating or other capacity gross weight and type of the boat

(c) The type number of cylinders the horse power and maximum speed of the motor and the type of muffler or under-water exhaust used in connection with such motor

(d) The engine number of the motor which propels the boat

B Upon receipt of an application and upon the payment of a license fee of one dollar for each cylinder of the motor built in or attached to the boat or a fee of two dollars in the case of electrically propelled boat and in the event that the license is issued by an issuing agent a fee of twenty-five cents (25c) for the use of the issuing agent the Department of Revenue or its issuing agent shall issue to the applicant owner a license for his boat together with aduplicate metallic license plates which plates shall contain a serial number corresponding with the number on the license issued to the owner and shall be displayed conspicuously at all times one on each side of the bow of the boat Such license plates shall be used only on the boat the engine of which bears the number set forth in the application

C The Department of Revenue may designate as issuing agents the county treasurer or such other persons in each county as it deems advantageous to provide for the issuance of motor boat licenses in accordance with the provisions of this section for services rendered in collecting and paying over such license fees each issuing agent shall charge and retain an additional fee of twenty-five cents (25c) from the person securing the license

D Every issuing agent unless already under bond with the department of revenue as an agent for the collection of its moneys shall give bond to the Commonwealth in the sum of one thousand dollars (\$1000) before any supply of licenses is delivered to him

E Each issuing agent other than a county treasurer shall remit all moneys collected for the Commonwealth within five (5) days after the end of each month to the State Treasurer through the Department of Revenue together with a copy of a list of licenses issued during the preceding month

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boies,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsich,	Hewitt,	Mills,	Stimmel,

Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weldner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Fillip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 342, as follows:

An Act to further amend Section 4 of the act approved the twenty-fifth day of July one thousand nine hundred seventeen (P. L. 1209) entitled "An act to authorize the acquisition by purchase or condemnation of lands for a park and the erection of a monument commemorative of Washington crossing the river Delaware and for the appointment of a commission to acquire said lands and erect such monument and making an appropriation for the purpose of this act" by authorizing the commission to establish and maintain a museum or museums for the preservation and display of relics and reproductions relating to Washington's Crossing of the Delaware

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 4 of the act approved the twenty-fifth day of July one thousand nine hundred seventeen (P. L. 1209) entitled "An act to authorize the acquisition by purchase or condemnation of lands for a park and the erection of a monument commemorative of Washington crossing the river Delaware and for the appointment of a commission to acquire said lands and erect such monument and making an appropriation for the purpose of this act" as amended by the act approved the tenth day of May one thousand nine hundred forty-nine (P. L. 1064) is hereby further amended to read as follows

Section 4 The commissioners of the said park after they shall have secured possession of the said grounds shall adopt plans for the improvement preservation beautification and maintenance thereof and shall have power and it shall be their duty to carry the same into execution in-

cluding the maintenance of the wild flower preserve on the land known as Bowman's Hill in the said park and all moneys expended shall be under their supervision but no contracts shall be made for said improvement unless an appropriation therefor shall have been first made by the Legislature

The commissioners are further authorized to establish and maintain a museum or museums in said park for the preservation and display of relics and reproductions commemorative of Washington's Crossing the Delaware and the commissioners are specifically authorized to perform all duties necessary and appropriate for this purpose including the acquisition by purchase or gift of relics and reproductions suitable for inclusion in such museum the employment of consultants to advise as to the authenticity of such relics and the accuracy of such reproductions Expenses incidental to the establishment and maintenance of such museum or museums shall be paid out of the general appropriations made to the commission

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarrafa,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weldner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Fillip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 360, as follows:

An Act relating to habeas corpus conferring jurisdiction upon the judges of the courts of Common Pleas Prescribing venue defining procedure in all cases authorizing service to be made upon persons anywhere in the Commonwealth providing for the imposition of costs allowing appeals specifying the appellate court to which appeals may be taken and repealing inconsistent legislation including that conferring jurisdiction on courts of Quarter Sessions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any judge of a court of Common Pleas within this Commonwealth shall have jurisdiction at any time to issue a writ of habeas corpus upon application by or on behalf of any person (hereafter called the relator) alleged to be unlawfully imprisoned or detained in any penitentiary prison reformatory house of detention mental institution or other place (a) within the judge's judicial district or (b) outside of his judicial district if the relator was committed by action of any court of the judge's judicial district provided that when relator's detention or confinement is by virtue of sentence after conviction for a criminal offense only a judge of the judicial district of conviction and sentencing shall exercise such jurisdiction

Section 2 The judges of the several Orphans' Court of the Municipal Court of Philadelphia and of the Allegheny County Court shall continue to exercise the jurisdiction of habeas corpus which they have under existing law

Section 3 An application for a writ of habeas corpus shall be by petition duly verified by the relator or by someone on his behalf in all instances where relator is undergoing detention or confinement as the result of conviction and sentence upon a criminal charge relator shall present his petition to a judge of the judicial district wherein he was convicted and sentenced in all other instances he may present his petition to any judge having jurisdiction

Section 4 Upon the presentation of a petition as aforesaid to any judge having jurisdiction he may if he believes the circumstances justify it direct the writ to issue forthwith or he may allow a rule to show cause why the writ should not be issued returnable in not more than twenty days service of the writ or the rule to show cause as the case may be shall be made forthwith in such manner as the judge shall direct anywhere in the Commonwealth upon the warden superintendent or other person in charge of the penitentiary prison reformatory house of detention mental institution or other place in which the relator is imprisoned or detained Notice shall also be given to such other interested parties (including the district attorney in proper cases) and in such manner as the judge shall direct If a rule has been allowed the judge who allowed it or in case of his absence or disability any other judge of his court may upon or after the return day order the writ to issue or discharge the petition

Section 5 In ordering the writ to issue or in awarding a rule to show cause the judge shall fix a date for a hearing which shall be held as promptly as may be and may or may not order the relator to be produced at the hearing as the circumstances may warrant and except when the relator is charged with a non-bailable offense or has been convicted and sentenced the judge may in

his discretion fix bail in such amount as he deems appropriate for the appearance of the relator at the time and place of hearing and may order his discharge meanwhile

Section 6 After hearing the judge shall dismiss the writ order the discharge of the relator or make such other order as shall be appropriate He shall impose costs which shall include the actual expenses if any of bringing the relator to the place of hearing

Section 7 From the decision of any judge upon any petition for a writ of habeas corpus or upon any order made pursuant to a hearing on the writ an appeal may be taken as in other cases When the basis of the petition is an alleged defect or illegality in a criminal proceeding the appeal shall be to the court which has appellate jurisdiction in cases involving the crime with which the person imprisoned or detained is charged or of which he has been convicted In all cases involving the custody of minors or of persons alleged to be mentally ill appeals shall be to the Superior Court In all other cases appeals shall be to the Supreme Court

Section 8 Section 2 of the act of April 4 1873 (P. L. 377) entitled "An act to alter the times of holding Courts in the county of Tioga and for the purposes" is hereby repealed insofar as it relates to the allowance and issuance of writs of habeas corpus and all other acts and parts of acts inconsistent herewith are hereby repealed

Section 9 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Beal,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Snider,
Bolton,	Haudenschild,	Mihm,	Sollenberger,
Bomberger,	Headlee,	Mikula,	Spencer,
Boorse,	Helm,	Miller, H. G.,	Stank,
Bower,	Hersch,	Miller, J. C.,	Stimmel,
Breisch,	Hewitt,	Mills,	Stoner,
Breth,	Hocker,	Mintess,	Swartz,
Brown,	Hoggard,	Monroe,	Swope,
Bucchin,	Hunter,	Moore, C. E.,	Tahl,
Byrne,	Jenkins,	Moore, H. A.,	Taylor,
Cella,	Johnson,	Moran,	Thompson, E. F.,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, R. L.,
Clendening,	Jones, J. M.,	Munley,	Toll,
Cochran,	Jones, P. F.,	Murray,	Tompkins,
Conway,	Jones, T. H. W.,	Musto,	Toomey,
Cooper,	Jump,	Najaka,	VanSant,
Corr,	Kamyk,	Naugle,	Varallo,
Costa,	Keller,	Needham,	Varner,
Coyle,	Kent,	Olsen,	Verona,
Dairymple,	Kline,	Penglase,	Wachhaus,
Davis,	Kohl,	Peta,	Wargo,
Dennison,	Kolankiewicz,	Petrosky,	Waterhouse,
Dougherty,	Kornick,	Pettigrew,	Watkins,
Dowling,	Kratz,	Pfaff,	Weldner,
DuBois,	Kubacki,	Pichney,	Welsh,
Duffy,	Lafore,	Pitzer,	Wescott,
Dunn,	Lederer,	Polaski,	Westrick,
Erb,	Lelsey,	Poleh,	Whalley,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Wheeler,
Fenrich,	Leonard, W. C.,	Price, R. A.,	White,
Ferster,	Leven,	Readinger,	Williams,
Filip,	Light,	Reagan,	Wilt,
Filo,	Limper,	Reese,	Wood,
Firmstone,	Loftus,	Reidenbach,	Yeakel,
Flack,	Lopresti,	Reilly, J. M.,	Yester,
Frost,	Lovett,	Rigby,	

Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 374, as follows:

An Act to amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further regulating health and accident insurance

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 617 618 619 620 621 subsection (c) of Section 621.1 and Sections 623 625 and 627 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (Pamphlet Laws 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" and hereby repealed.

Section 2 Said act is hereby amended by adding after Section 616 five new sections to read as follows

Section 617 Conditions Subject to Which Policies Are to Be Issued (A) No such policy shall be delivered or issued for delivery to any person in this Commonwealth unless

(1) the entire money and other considerations therefor are expressed therein and

(2) the time at which the insurance takes effect and terminates is expressed therein and

(3) it purports to insure only one person except that a policy may insure originally or by subsequent amendment upon the application of an adult head of a family who shall be deemed the policyholder any two or more eligible members of that family including wife dependent children or any children under a specified age which shall not exceed nineteen years and any other person dependent upon the policyholder and

(4) the style arrangement and over-all appearance of the policy give no undue prominence to any portion of the text and unless every printed portion of the text of the policy and of any endorsements or attached papers is plainly printed in light-faced type of a style in general use the size of which shall be uniform and not less than ten-point with a lower-case unspaced alphabet length not

less than one hundred and twenty-point (the "text" shall include all printed matter except the name and address of the insurer name or title of the policy the brief description if any and captions and subcaptions) and

(5) the exceptions and reductions of indemnity are set forth in the policy and except those which are set forth in the policy and except those which are set forth in section six hundred eighteen of this act are printed at the insurer's option either included with the benefit provision to which they apply or under an appropriate caption such as "exceptions" or "exceptions and reductions" provided that if an exception or reduction specifically applies only to a particular benefit of the policy a statement of such exception or reduction shall be included with the benefit provision to which it applies and

(6) each such form including riders and endorsements shall be identified by a form number in the lower left-hand corner of the first page thereof and

(7) it contains no provision purporting to make any portion of the charter rules constitution or by-laws of the insurer a part of the policy unless such portion is set forth in full in the policy except in the case of the incorporation of or reference to a statement of rates or classification of risks or short-rate table filed with the commissioner and

(8) if such policy is entitled or referred to as "non-cancellable"

(9) if such policy is entitled or referred to as "non-cancellable" such "non-cancellable" policy is automatically renewable until age sixty upon payment of the required premiums by the insured

(B) If any policy is issued by an insurer domiciled in this Commonwealth for delivery to a person residing in another state and if the official having responsibility for the administration of the insurance laws of such other state shall have advised the commissioner that any such policy is not subject to approval or disapproval by such official the commissioner may by ruling require that such policy meet the standards set forth in subsection (A) of this section and in section six hundred eighteen

Section 618 Policy Provisions (A) Required Provisions Except as provided in paragraph (C) of this section each policy delivered or issued for delivery to any person in this Commonwealth shall contain the provisions specified in this subsection in the words in which the same appear in this section provided however that the insurer may at its option substitute for one or more of such provisions corresponding provisions of different wording approved by the commissioner which are in each instance not less favorable in any respect to the insured or the beneficiary Such provisions shall be preceded individually by the caption appearing in this sub-section or at the option of the insurer by such appropriate individual or group captions or sub-captions as the commissioner may approve

(1) A provision as follows

Entire Contract Changes This policy including the endorsements and the attached papers if any constitutes the entire contract of insurance No change in this policy shall be valid until approved by an executive officer of the insurer and unless such approval be endorsed hereon or attached hereto No agent has authority to change this policy or to waive any of its provisions

(2) A provision as follows

Time Limit on Certain Defenses (a) After three years from the date of issue of this policy no misstatements except fraudulent misstatements made by the applicant in the application for such policy shall be used to void the policy or to deny a claim for loss incurred or disability (as defined in the policy) commencing after the expiration of such three year period

(The foregoing policy provision shall not be so construed as to affect any legal requirement for avoidance of a policy or denial of a claim during such initial three year period nor to limit the application of section six hundred eighteen (B) (1) (2) (3) (4) and (5) in the event of misstatement with respect to age or occupation or other insurance)

(In a policy where the premiums are payable weekly the words "if such application is made a part of the policy" may be inserted in the foregoing policy provision be-

tween the word "policy" and the word "shall" immediately following)

(A policy which the insured has the right to continue in force subject to its terms by the timely payment of premium (1) until at least age fifty or (2) in the case of a policy issued after age forty-four for at least five years from its date of issue may contain in lieu of the foregoing the following provision (from which the clause in parentheses may be omitted at the insurer's option) under the caption "Incontestable" After this policy has been in force for a period of three years during the lifetime of the insured (excluding any period during which the insured is disabled) it shall become incontestable as to the statements contained in the application)

(b) No claim for loss incurred or disability (as defined in the policy) commencing after three years from the date of issue of this policy shall be reduced or denied on the ground that a disease or physical condition not excluded from coverage by name or specific description effective on the date of loss had existed prior to the effective date of coverage of this policy

(In policies whereon the premiums are payable weekly the words "or from the date of any reinstatement thereof" may be inserted in the foregoing policy provision between the word "policy" and the word "shall" immediately following)

(3) A provision as follows

Grace Period A grace period of (insert a number not less than "7" for weekly premium policies "10" for monthly premium policies and "31" for all other policies) days will be granted for the payment of each premium falling due after the first premium during which grace period the policy shall continue in force

(A policy which contains a cancellation provision may add at the end of the above provision "subject to the right of the insurer to cancel in accordance with the cancellation provision hereof")

(A policy in which the insurer reserves the right to refuse any renewal shall have at the beginning of the above provision "unless not less than five days prior to the premium due date the insurer has delivered to the insured or has mailed to his last address as shown by the records of the insurer written notice of its intention not to renew this policy beyond the period for which the premium has been accepted")

(4) A provision as follows

Reinstatement If any renewal premium be not paid within the time granted the insured for payment a subsequent acceptance of premium by the insurer or by any agent duly authorized by the insurer to accept such premium without requiring in connection therewith an application for reinstatement shall reinstate the policy provided however that if the insurer or such agent requires an application for reinstatement and issues a conditional receipt for the premium tendered the policy will be reinstated upon approval of such application by the insurer or lacking such approval upon the forty-fifth day following the date of such conditional receipt unless the insurer has previously notified the insured in writing of its disapproval of such application The reinstated policy shall cover only loss resulting from such accidental injury as may be sustained after the date of reinstatement and loss due to such sickness as may begin more than ten days after such date In all other respects the insured and insurer shall have the same rights thereunder as they had under the policy immediately before the due date of the defaulted premium subject to any provisions endorsed hereon or attached hereto in connection with the reinstatement Any premium accepted in connection with a reinstatement shall be applied to a period for which premium has not been previously paid but not to any period more than sixty days prior to the date of reinstatement (The last sentence of the above provision may be omitted (a) from any policy which the insured has the right to continue in force subject to its terms by the timely payment of premiums (1) until at least age fifty or (2) in the case of a policy issued after age forty-four for at least five years from the date of its issue and (b) from any policy on which the premiums are payable weekly)

(5) A provision as follows

Notice of Claim Written notice of claim must be given to the insurer within twenty days after the occurrence or commencement of any loss covered by the policy or as soon thereafter as is reasonably possible Notice given by or on behalf of the insured or the beneficiary to the insurer at (insert the location of such office as the insurer may designate for the purpose) or to any authorized agent of the insurer with information sufficient to identify the insured shall be deemed notice to the insurer

(In a policy whereon the premiums are payable weekly the first sentence of the foregoing policy provision may read "written notice of claim must be given to the insurer within ten days of the commencement of any non-hospital confining sickness covered by the policy and within twenty days after the occurrence or commencement of any other loss covered by the policy or as soon thereafter as is reasonably possible")

(In a policy providing a loss-of-time benefit which may be payable for at least two years an insurer may at its option insert the following between the first and second sentences of the above provision Subject to the qualifications set forth below if the insured suffers loss of time on account of disability for which indemnity may be payable for at least two years he shall at least once in every six months after having given notice of claim give to the insurer notice of continuance of said disability except in the event of legal incapacity The period of six months following any filing of proof by the insured or any payment by the insurer on account of such claim or any denial of liability in whole or in part by the insurer shall be excluded in applying this provision Delay in the giving of such notice shall not impair the insured's right to any indemnity which would otherwise have accrued during the period of six months preceding the date on which such notice is actually given)

(6) A provision as follows

Claim Forms The insurer upon receipt of a notice of claim will furnish to the claimant such forms as are usually furnished by it for filing proofs of loss If such forms are not furnished within fifteen days after the giving of such notice the claimant shall be deemed to have complied with the requirements of this policy as to proof of loss upon submitting within the time fixed in the policy for filing proofs of loss written proof covering the occurrence the character and the extent of the loss for which claim is made

(7) A provision as follows

Proofs of Loss Written proof of loss must be furnished to the insurer at its said office in case of claim for loss for which this policy provides any periodic payment contingent upon continuing loss within ninety days after the termination of the period for which the insurer is liable and in case of claim for any other loss within ninety days after the date of such loss Failure to furnish such proof within the time required shall not invalidate nor reduce any claim if it was not reasonably possible to give proof within such time provided such proof is furnished as soon as reasonably possible and in no event except in the absence of legal capacity later than one year from the time proof is otherwise required

(8) A provision as follows

Time of Payment of Claims Indemnities payable under this policy for any loss other than loss for which this policy provides any periodic payment will be paid immediately upon receipt of due written proof of such loss Subject to due written proof of loss all accrued indemnities for loss for which this policy provides periodic payment will be paid (insert period for payment which must not be less frequently than monthly) and any balance remaining unpaid upon the termination of liability will be paid immediately upon receipt of due written proof

(9) A provision as follows

Payment of Claims Indemnity for loss of life will be payable in accordance with the beneficiary designation and the provisions respecting such payment which may be prescribed herein and effective at the time of payment If no such designation or provision is then effective such

indemnity shall be payable to the estate of the insured. Any other accrued indemnities unpaid at the insured's death may at the option of the insurer be paid either to such beneficiary or to such estate. All other indemnities will be payable to the insured.

(The following provisions or either of them may be included with the foregoing provision at the option of the insurer)

If any indemnity of this policy shall be payable to the estate of the insured or to an insured or beneficiary who is a minor or otherwise not competent to give a valid release the insurer may pay such indemnity up to an amount not exceeding \$..... (insert an amount which shall not exceed \$1000) to any relative by blood or connection by marriage of the insured or beneficiary who is deemed by the insurer to be equitably entitled thereto. Any payment made by the insurer in good faith pursuant to this provision shall fully discharge the insurer to the extent of such payment.

Subject to any written direction of the insured in the application or otherwise all or a portion of any indemnities provided by this policy on account of hospital nursing medical or surgical services may at the insurer's option and unless the insured requests otherwise in writing not later than the time of filing proofs of such loss be paid directly to the hospital or person rendering such services but it is not required that the service be rendered by a particular hospital or person.)

(10) A provision as follows

Physical Examinations and Autopsy The insurer at its own expense shall have the right and opportunity to examine the person of the insured when and as often as it may reasonably require during the pendency of a claim hereunder and to make an autopsy in case of death where it is not forbidden by law

(11) A provision as follows

Legal Actions No action at law or in equity shall be brought to recover on this policy prior to the expiration of sixty days after written proof of loss has been furnished in accordance with the requirements of this policy. No such action shall be brought after the expiration of three years after the time written proof of loss is required to be furnished.

(12) A provision as follows

Change of Beneficiary Unless the insured makes an irrevocable designation of beneficiary the right to change of beneficiary is reserved to the insured and the consent of the beneficiary or beneficiaries shall not be requisite to surrender or assignment of this policy or to any change of beneficiary or beneficiaries or to any other changes in this policy.

(The first clause of this provision relating to the irrevocable designation of beneficiary may be omitted at the insurer's option)

(B) Other Provisions Except as provided in paragraph

(C) of this section no such policy delivered or issued for delivery to any person in this Commonwealth shall contain provisions respecting the matters set forth below unless such provisions are in the words in which the same appear in this section provided however that the insurer may at its option use in lieu of any such provision a corresponding provision of different wording approved by the commissioner which is not less favorable in any respect to the insured or the beneficiary. Any such provision contained in the policy shall be preceded individually by the appropriate caption appearing in this subsection or at the option of the insurer by such appropriate individual or group captions or subcaptions as the commissioner may approve.

(1) A provision as follows

Change of Occupation If the insured be injured or contract sickness after having changed his occupation to one classified by the insurer as more hazardous than that stated in this policy or while doing for compensation anything pertaining to an occupation so classified the insurer will pay only such portion of the indemnities provided in this policy as the premium paid would have purchased at the rates and within the limits fixed by the insurer for such more hazardous occupation. If the insured changes his occupation to one classified by the in-

surer as less hazardous than that stated in this policy the insurer upon receipt of proof of such change of occupation will reduce the premium rate accordingly and will return the excess pro-rata unearned premium from the date of change of occupation or from the policy anniversary date immediately preceding receipt of such proof whichever is the more recent. In applying this provision the classification of occupational risk and the premium rates shall be such as have been last filed by the insurer prior to the occurrence of the loss for which the insurer is liable or prior to date of proof of change in occupation with the state official having supervision of insurance in the state where the insured resided at the time this policy was issued but if such filing was not required then the classification of occupational risk and the premium rates shall be those last made effective by the insurer in such state prior to the occurrence of the loss or prior to the date of proof of change in occupation.

(2) A provision as follows

Misstatement of Age If the age of the insured has been misstated all amounts payable under this policy shall be such as the premium paid would have purchased at the correct age.

(3) A provision as follows

Other Insurance in This Insurer If an accident or sickness or accident and sickness policy or policies previously issued by the insurer to the insured be in force concurrently herewith making the aggregate indemnity for (insert type of coverage or coverages) in excess of \$..... (insert maximum limit of indemnity or indemnities) the excess insurance shall be void and all premiums paid for such excess shall be returned to the insured or to his estate or in lieu thereof insurance effective at any one time on the insured under a like policy or policies in this insurer is limited to the one such policy elected by the insured his beneficiary or his estate as the case may be and the insurer will return all premiums paid for all other such policies.

(4) A provision as follows

Insurance with Others Insurers If there be other valid coverage not with this insurer providing benefits for the same loss on a provision of service basis or on an expense incurred basis and of which this insurer has not been given written notice prior to the occurrence or commencement of loss the only liability under any expense incurred coverage of this policy shall be for such proportion of the loss as the amount which would otherwise have been payable hereunder plus the total of the like amounts under all such other valid coverages for the same loss of which this insurer had notice bears to the total like amounts under all valid coverages for such loss and for the return of such portion of the premiums paid as shall exceed the pro-rata portion for the amount so determined. For the purpose of applying this provision when other coverage is on a provision of service basis the "like amount" of such other coverage shall be taken as the amount which the services rendered would have cost in the absence of such coverage.

(If the foregoing policy provision is included in a policy which also contains the next following policy provision there shall be added to the caption of the foregoing provision the phrase "Expense Incurred Benefits". The insurer may at its option include in this provision a definition of "other valid coverage" approved as to form by the commissioner which definition shall be limited in subject matter to coverage provided by organizations subject to regulation by insurance law or by insurance authorities of this or any other state of the United States or any province of Canada and by hospital or medical service organizations and to any other coverage the inclusion of which may be approved by the commissioner. In the absence of such definition such term shall not include group insurance automobile medical payments insurance or coverage provided by hospital or medical service organization or by union welfare plans or employer or employee benefit organizations. For the purpose of applying the foregoing policy provision with respect to any insured any amount of benefit provided for such insured pursuant to any compulsory benefit statute (including any

workmen's compensation or employer's liability statute) whether provided by a governmental agency or otherwise shall in all cases be deemed to be "other valid coverage" of which the insurer has had notice In applying the foregoing policy provision no third party liability coverage shall be included as "other valid coverage")

(5) A provision as follows

Insurance with Other Insurers If there be other valid coverage not with this insurer providing benefits for the same loss on other than an expense incurred basis and of which this insurer has not been given written notice prior to the occurrence or commencement of loss the only liability for such benefits under this policy shall be for such proportion of the indemnities otherwise provided hereunder for such loss as the like indemnities of which the insurer had notice (including the indemnities under this policy) bear to the total amount of all like indemnities for such loss and for the return of such portion of the premium paid as shall exceed the pro-rata portion for the indemnities thus determined

(If the foregoing policy provision is included in a policy which also contains the next preceding policy provision there shall be added to the caption of the foregoing provision the phrase "other benefits" The insurer may at its option include in this provision a definition of "other valid coverage" approved as to form by the commissioner which definition shall be limited in subject matter to coverage provided by organizations subject to regulation by insurance law or by insurance authorities of this or any other state of the United States or any province of Canada and to any other coverage the inclusion of which may be approved by the commissioner in the absence of such definition such term shall not include group insurance or benefits provided by union welfare plans or by employer or employee benefit organizations For the purpose any amount of benefit provided for such insured pursuant to any compulsory benefit statute (including any workmen's compensation or employer's liability statute) whether provided by a governmental agency or otherwise shall in all cases be deemed to be "other valid coverage" of which the insurer has had notice In applying the foregoing policy provision no third party liability coverage shall be included as "other valid coverage")

(6) A provision as follows

Relation of Earnings to Insurance If the total monthly amount of loss of time benefits promised for the same loss under all valid loss of time coverage upon the insured whether payable on a weekly or monthly basis shall exceed the monthly earnings of the insured at the time disability commenced or his average monthly earnings for the period of two years immediately preceding a disability for which claim is made whichever is the greater the insurer will be liable only for such proportionate amount of such benefits under this policy as the amount of such monthly earnings or such average monthly earnings of the insured bears to the total amount of monthly benefits for the same loss under all such coverage upon the insured at the time such disability commences and for the return of such part of the premiums paid during such two years as shall exceed the pro-rata amount of the premiums for the benefits actually paid hereunder but this shall not operate to reduce the total monthly amount of benefits payable under all such coverage upon the insured below the sum of two hundred dollars or the sum of the monthly benefits specified in such coverages whichever is the lesser nor shall it operate to reduce benefits other than those payable for loss of time

(The foregoing policy provision may be inserted only in a policy which the insured has the right to continue in force subject to its terms by the timely payment of premiums (1) until at least age fifty or (2) in the case of a policy issued after age forty-four for at least five years from its date of issue The insurer may at its option include in this provision a definition of "valid loss of time coverage" approved as to form by the commissioner which definition shall be limited in subject matter to coverage provided by governmental agencies or by organizations subject to regulation by insurance law or by

insurance authorities of this or any other state of the United States or any province of Canada or to any other coverage the inclusion of which may be approved by the commissioner or any combination of such coverages In the absence of such definition such term shall not include any coverage provided for such insured pursuant to any compulsory benefit statute (including any workmen's compensation or employer's liability statute) or benefits provided by union welfare plans or by employer or employee benefit organizations

(7) A provision as follows

Unpaid Premium Upon the payment of a claim under this policy any premium then due and unpaid or covered by any note or written order may be deducted therefrom

(8) A provision as follows

Cancellation The insurer may cancel this policy at any time by written notice delivered to the insured or mailed to his last address as shown by the records of the insurer stating when not less than five days thereafter such cancellation shall be effective and after the policy has been continued beyond its original term the insured may cancel this policy at any time by written notice delivered or mailed to the insurer effective upon receipt or on such later date as may be specified in such notice In the event of cancellation the insurer will return promptly the unearned portion of any premium paid If the insured cancels the earned premium shall be computed by the use of the short-rate table last filed with the state official having supervision of insurance in the state where the insured resided when the policy was issued If the insurer cancels the earned premium shall be computed pro-rata Cancellation shall be without prejudice to any claim originating prior to the effective date of cancellation

(9) A provision as follows

Conformity with State Statutes Any provision of this policy which on its effective date is in conflict with the statutes of the state in which the insured resides on such date is hereby amended to conform to the minimum requirements of such statutes

(10) A provision as follows

Illegal Occupation The insurer shall not be liable for any loss to which a contributing cause was the insured's commission of or attempt to commit a felony or to which a contributing cause was the insured's being engaged in an illegal occupation

(11) A provision as follows

Intoxicants and Narcotics The insurer shall not be liable for any loss sustained or contracted in consequence of the insured's being intoxicated or under the influence of any narcotic unless administered on the advice of a physician

(C) Inapplicable or Inconsistent Provisions If any provision of this section is in whole or in part inapplicable to or inconsistent with the coverage provided by a particular form of policy the insurer with the approval of the commissioner shall omit from such policy any inapplicable provision or part of a provision and shall modify any inconsistent provision or part of the provision in such manner as to make the provision as contained in the policy consistent with the coverage provided by the policy

(D) Order of Certain Policy Provisions The provisions which are the subject of subsections (A) and (B) of this section or any corresponding provisions which are used in lieu thereof in accordance with such subsections shall be printed in the consecutive order of the provisions in such subsections or at the option of the insurer any such provision may appear as a unit in any part of the policy with other provisions to which it may be logically related provided the resulting policy shall not be in whole or in part unintelligible uncertain ambiguous abstruse or likely to mislead a person to whom the policy is offered delivered or issued

(E) Third Party Ownership The word "insured" as used in this act shall not be construed as preventing a person other than the insured with a proper insurable interest from making application for and owning a policy covering the insured or from being entitled under such a policy to any indemnities benefits and rights provided therein

(F) Filing Procedure The commissioner may make such reasonable rules and regulations concerning the procedure for the filing or submission of policies subject to this act as are necessary proper or advisable to the administration of this act This provision shall not abridge any other authority granted the commissioner by law

Section 619 Age Limit If any such policy contains a provision establishing as an age limit or otherwise a date after which the coverage provided by the policy will not be effective and if such date falls within a period for which premium is accepted by the insurer or if the insurer accepts a premium after such date the coverage provided by the policy will continue in force subject to any right of cancellation until the end of the period for which premium has been accepted In the event the age of the insured has been misstated and if according to the correct age of the insured the coverage provided by the policy would not have become effective or would have ceased prior to the acceptance of such premium or premiums then the liability of the insurer shall be limited to the refund upon request of all premiums paid for the period not covered by the policy

Section 620 Requirements of Other Jurisdictions (1) Any policy of a foreign or alien insurer when delivered or issued for delivery to any person in this Commonwealth may contain any provision which is not less favorable to the insured or the beneficiary than the provisions of this act and which is prescribed or required by the law of the state under which the insurer is organized

(2) Any policy of a domestic insurer may when issued for delivery in any other state or country contain any provisions permitted or required by the laws of such other state or country

Section 621 Conforming to Statute (A) Other Policy Provisions No policy provision which is not subject to section six hundred eighteen of this act shall make a policy or any portion thereof less favorable in any respect to the insured or the beneficiary than the provisions thereof which are subject to this act

(B) Policy Conflicting with This Act A policy delivered or issued for delivery to any person in this Commonwealth in violation of this act shall be held valid but shall be construed as provided in this act When any provision in a policy subject to this act is in conflict with any provision of this act the rights duties and obligations of the insurer the insured and the beneficiary shall be governed by the provisions of this act

Section 3 Said act is hereby amended by adding after Section 622 a new section to read as follows

Section 623 Application (A) The insured shall not be bound by any statement made in an application for a policy unless a copy of such application is attached to or endorsed on the policy when issued as a part thereof If any such policy delivered or issued for delivery to any person in this Commonwealth shall be reinstated or renewed and the insured or the beneficiary or assignee of such policy shall make written request to the insurer for a copy of the application if any for such reinstatement or renewal the insurer shall within fifteen days after the receipt of such request at its home office or any branch office of the insurer deliver or mail to the person making such request a copy of such application If such copy shall not be so delivered or mailed the insurer shall be precluded from introducing such application as evidence in any action or proceeding based upon or involving such policy or its reinstatement or renewal

(B) No alteration of any written application for any such policy shall be made by any person other than the applicant without his written consent except that insertions may be made by the insurer for administrative purposes only in such manner as to indicate clearly that such insertions are not to be ascribed to the applicant

Section 4 Said act is hereby amended by adding after Section 624 a new section to read as follows

Section 625 Policies Unlawfully Issued A policy issued in violation of subsection (b) of this article shall be held valid but shall be construed as provided herein and when any provision in such a policy is in conflict with any said provision such provision so conflicting shall be invalid

and the policy shall be deemed to contain all of the required provisions

Section 5 Subsections (a) and (d) of Section 629 of said act as last amended by the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 678) are hereby further amended to read as follows

Section 629 Limitations

(a) Nothing in Subsection (b) of this article shall apply to or affect any policy of workmen's compensation insurance the provisions of sections six hundred sixteen six hundred seventeen six hundred eighteen [and] six hundred nineteen six hundred twenty-one and six hundred twenty-three of this act shall not apply to those forms of health and accident policies enumerated in section six hundred twenty-one and one-tenth of this act except as provided in said section [reference in sections six hundred twenty-one of this act to standard provisions shall not be deemed to refer to policies issued under authority of section six hundred twenty-one and one-tenth of this act]

* * * * *

(d) The provisions contained in [clause (e) of section six hundred and seventeen (617) and clauses (b) (c) (h) and (i)] clauses one four eight and ten of subsection (a) of section six hundred and eighteen (618) may be omitted from ticket policies sold only to passengers by common carriers

Section 6 Subsection (c) of Section 629 of said act as so amended is hereby repealed

Section 7 This act shall take effect on the first day of January one thousand nine hundred fifty-two A policy rider or endorsement which could have been lawfully used or delivered or issued for delivery to any person in this Commonwealth immediately before the effective date of this act may be used or delivered or issued for delivery to any such person during five years after the effective date of this act without being subject to the provisions of Section 617 618 and 621 of this act

And said bill having been read at length the third time,
On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarrafa,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelscha,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,

Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 461, as follows:

An Act establishing a procedure by which the register of wills elected in counties of the first class shall execute record and file his bond to the Commonwealth and receive his commission and conferring powers and imposing duties upon the Secretary of of the Commonwealth and the recorder of deeds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In counties of the first class the register of wills before entering upon the duties of his office shall with one corporate surety or two individual sureties on a form prepared and supplied by the Secretary of the Commonwealth give a joint and several bond to the Commonwealth of Pennsylvania in the sum of forty thousand dollars (\$40,000)

The condition of the bond shall be that the said register of wills shall faithfully execute the duties of his said office and well and truly account for and pay according to law all moneys received by him for the use of the Commonwealth and to deliver up the books seals records and other writings belonging to his said office whole safe and undefaced to his successor in office Such bond shall be for the relief of all who may be aggrieved by the acts or neglect of such register

Such bond shall be submitted to the Secretary of the Commonwealth for approval and when approved the Secretary shall forward the bond together with the commission of the register to the recorder of deeds of the county and so notify the register who shall cause such bond to be recorded in the office of the recorder of deeds After recording such bond the recorder of deeds shall deliver to the register his commission and forward such bond to the Secretary of the Commonwealth for filing

Section 2 All acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time,
On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarrafi,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudensfield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendments.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. EWING asked and obtained permission for the Committee on Cities and County—Second Class to meet during the session of the House.

REPORTS FROM COMMITTEES

Mr. LAFORE from the Committee on Motor Vehicles, reported as committed, House Bill No. 1081, entitled:

An Act to further amend clause (b) of Section 507 and clause (c) of Section 2403 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards, and commissions shall be determined," by making special provision for the purchase of steel to be used in the manufacture of vehicle registration plates.

Mr. WILBUR H. HAMILTON from the Committee on Professional Licensure, reported as amended House Bill No. 950, entitled:

An Act to amend section 1 of the act, approved the thirtieth day of March, one thousand nine hundred seventeen (P. L. 21) entitled "An act defining optometry; and relating to the right to practice optometry; and relating to the right to practice optometry in the Commonwealth of Pennsylvania, and making certain exceptions; and providing a Board of Optometrical Education, Examination, and Licensure, and means and methods whereby the right to practice optometry may be obtained; and providing for the means to carry out the provisions of this act; and providing for revocation or suspension of licenses given by said board, and providing penalties for violations thereof; and repealing all acts or parts of acts inconsistent therewith," by further defining the practice of optometry and defining "optometrist."

Mr. WILBUR H. HAMILTON from the Committee on Professional Licensure, reported as committed, House Bill No. 951, entitled:

An Act to add Section 11.1 to the act, approved the thirtieth day of March, one thousand nine hundred seventeen (P. L. 21) entitled "An act defining optometry; and relating to the right to practice optometry in the Commonwealth of Pennsylvania, and making certain exceptions; and providing a Board of Optometrical Education, Examination, and Licensure, and means and methods whereby the right to practice optometry may be obtained; and providing for the means to carry out the provisions of this act; and providing for revocation or suspension of licenses given by said board, and providing penalties for violations thereof; and repealing all acts or parts of acts inconsistent therewith," by providing for acceptance of testimony of licensed optometrists by agencies and political subdivisions of the Commonwealth and providing for payment for services of optometrists.

Mr. COOPER from the Committee on Cities and County—Second Class, reported as amended, House Bill No. 433, entitled:

An Act to further amend sections 318 and 322 of the act, approved the second day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending, and consolidating the laws relating thereto," by changing the limits of certain employe contributions and retirement allowances under the employes' retirement

fund in counties of the second class and authorizing such counties and the county institution district to make additional appropriations to the aforesaid fund.

SENATE MESSAGES

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 231.

An Act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Section 201 (3) page 17, line 7, by striking out after the word "such" the word "private"; Amend Section 202, page 17, line 15, by inserting after the word "patients" the following "except beds wards or departments in general hospitals for temporary care of patients as hereinbefore provided".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraff,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boies,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VoanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weldner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,

Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Lofthus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 256.

An Act to further amend section 14 of the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 233) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the Bureau of Police in cities of the second class providing a pension fund for said employees and providing for the payment of certain dues fees assessments fines and appropriations thereto regulating membership therein creating a board for the management thereof providing the amount mode and manner of payment to beneficiaries thereof and for the care and disposition of said fund providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds organizations corporations or associations having the same or similar purposes and of such additional monies as may be necessary to carry out the provisions of this act" by fixing and changing the amount of pension payments to beneficiaries

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 2, line 7, by inserting after the word "by" the words "fixing and";

Amend Section 1, page 4, by inserting after line 6, the following "Criminal Court Investigator" \$145.00"; by striking out all of line 18 and inserting in lieu thereof the following "Radio Patrolman 100.00".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,

Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weldner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Lofthus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 368.

An Act relating to the practice of professional nursing providing for the licensing of nurses and for the revocation and suspension of such licenses subject to appeal and for their reinstatement providing for the annual renewal of such licenses regulating nursing in general prescribing penalties and repealing certain laws

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 4, page 3, by striking out on lines 1 and 2 the following "(1) Any services rendered by persons known as practical nurses or graduate nurses" and inserting in lieu thereof the following: "(1) Services rendered by practical nurses or home care of the sick by friends domestic servants nursemaids companies or household aides of any type"; by striking out all of lines 12 and 13; line 14 by striking out the brackets and numeral 4 "(4)" and inserting in lieu thereof the following: "(3)"; line 15, by striking out the brackets and numeral 5 "(5)"

and inserting in lieu thereof the following "(4)"; line 17, by striking out the brackets and numeral 6 "(6)" and inserting in lieu thereof the following "(5)"; page 4, line 3, by striking out the brackets and numeral 7 "(7)" and inserting in lieu thereof the following "(6)"; line 6, by striking out the brackets and numeral 8 "(8)" and inserting in lieu thereof the following "(7)"; line 11, by striking out the brackets and numeral 9 "(9)" and inserting in lieu thereof the following "(8)"; line 14, by striking out the brackets and numeral 10 "(10)" and inserting in lieu thereof the following "(9)"; page 5, line 1 by striking out the brackets and numeral 11 "(11)" and inserting in lieu thereof the following "(10)"; line 8, by striking out the brackets and numeral 12 "(12)" and inserting in lieu thereof the following "(11)".

Amend Section 7, page 8, by striking out all of lines 9 to 17 inclusive and inserting in lieu thereof the following:

(d) The board may license persons without examination providing such persons are graduates or have graduated prior to the effective date of this act of or from approved schools of nursing or of organized courses of nursing study in hospitals or schools of nursing in Pennsylvania or any other State territory or Province of the United States or the Dominion of Canada which school or course at the time of graduation of such persons required the satisfactory completion of a course considered by the board to be equivalent to the minimum requirements then in effect in Pennsylvania for the preparation of registered nurses and providing further that application for such licensure shall be filed with the board by such persons on or before the thirteenth day of September one thousand nine hundred fifty-two

Amend Section 11, page 11, line 4, by striking out after the numeral "11" the letter "a".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraff,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,

Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTION

CONGRATULATIONS

Messrs. KRATZ, BOLTON, LAFORE and THOMAS H. W. JONES offered a resolution which was head, considered and unanimously adopted as follows:

In the House of Representatives, May 9, 1951.

Once again, the wheel of destiny has turned around, stopping at May 9th. Seventy-five times, the fateful wheel has rotated during the vigorous life time of Howard F. Boorse. His experience and activities during this three-quarters of a century are a varitable tapestry of the pioneering attitude, the spirit of adventure, and the fertile resourcefulness that characterize so uniquely the aggressive and progressive American business man.

Mr. Boorse's life has, indeed, been full. It is replete with countless business, civic, fraternal and political deeds whose value and significance are imbedded deeply in the consciousness and the memory of his friends and constituents in Montgomery County.

Doubtlessly, his long career as an able legislator is deserving of special mention, because—as the eldest statesman of his political organization—he has devoted his time and talent unselfishly since 1938 to effectuate those precepts and principles of government that are fundamental to the American way; therefore be it

Resolved, That this House of Representatives extend to its member Howard F. Boorse its heartiest greetings on the auspicious occasion of his seventy-fifth birthday anniversary and present to him a symbolic bouquet of its affection and good will, and be it further

Resolved, That this House of Representatives express its abiding hope that his seventy-sixth milestone will quickly fade into the past and mark the beginning of an interminable series of future milestones, reaching into a life of continued health, greater happiness, and increased public service and recognition.

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. Boorse.

Mr. BOORSE. Mr. Speaker, I wish to correct that year 76. 75 tomorrow at 10:00 a. m., and the City of Philadelphia owes me a thousand dollars which I have never received. I am going to select you Mr. Speaker, as my counsel to try to get this money for me. Because I was born at the hour of the day, when the Centennial opened in Philadelphia—I was supposed to be a thousand dollar baby. Yet I have not received my thousand. Will you accept as my counsel?

The SPEAKER. The Chair will be very happy to accept any retainer the gentleman will give.

Mr. BOORSE. Mr. Speaker, this has been a happy moment in my life. I have tried to do my part as a Legislator, both with the Republicans and with the Democrats. I do not care who the man, woman or child is that comes to me for any help that I may be able to give I am only too glad to help whenever possible.

I do not know how they happened to get this age of 76, whether they thought I was born in 1776 or not; nevertheless I am a happy man. When you know you do not dissipate and you sleep with the same woman for fifty years you must be a pretty good man; don't you think?

I want to again thank all the Members of the House particularly my bunch from Montgomery County. I was very much surprised at breakfast this morning, I expected to go down and have breakfast with my wife and daughter and one of my dear friends, Walter Greenwood, and by golly, when I got down there, there was a whole row of them. But I am happy with it all, and I again want to thank you and I trust that every man and woman in this House will follow my footsteps, even though they may have been rocky, yet at the same time it has been a pleasure to work with all of you.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 231.

An Act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto.

HOUSE BILL No. 256.

An Act to further amend section 14 of the act, approved the twenty-second day of May, one thousand nine hundred thirty-five (P. L. 233), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired and disabled employees of the Bureau of Police in cities of the second class; providing a pension fund for said employees; and providing for the payment of certain dues, fees, assessments, fines, and appropriations thereto; regulating membership therein; creating a board for the management thereof, providing the amount, mode, and manner of payment to beneficiaries thereof, and for the care and disposition of said fund; providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds, organizations, corporations, or associations having the same or similar purposes, and of such additional monies as may be necessary to carry out the provisions of this act" by fixing and changing the amount of pension payments to beneficiaries

HOUSE BILL No. 368.

An Act relating to the practice of professional nursing providing for the licensing of nurses and for the revocation and suspension of such licenses subject to appeal and for their reinstatement providing for the annual renewal of such licenses regulating nursing in general prescribing penalties and repealing certain laws

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

ADJOURNMENT

Mr. LAFORE. Mr. Speaker, I move that this House do now adjourn until Monday, May 14, 1951 at 3:30 p. m., EST.

The motion was agreed to, and (at 11:23 a. m. EST.) the House adjourned.

Legislative Journal.

Session 1951.

139th of the General Assembly.

Vol. 32.

HARRISBURG, PA., MONDAY, MAY 14, 1951.

No. 47.

SENATE

MONDAY, May 14, 1951.

The Senate met at 2:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

PRAYER

The gentleman from Berks, SENATOR RUTH, offered the following prayer:

SENATOR RUTH. Almighty God, our Father, we thank Thee for this new week and the many opportunities that it will present to us to do Thy work for our people. We thank Thee for the pleasant memories that linger with us over the kind words that were spoken yesterday for mothers, and we pray, Father, that we may so live and work that our mothers, if they are with us or only memories, that they shall be proud of their sons.

We ask it in Thy Holy Name, Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. BLASS, further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR

NOTARY PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on May 14, 1941.

Mr. SNOWDEN. Mr. President, I second the motion. The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 14, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the dates shown:

To compute from date of confirmation

ALLEGHENY COUNTY

Raymond J. Miller, Munhall.
Mrs. Josephine E. Pitney, Pittsburgh, 502 Renshaw Bldg.
Norman S. Snyder, Pittsburgh, Malone Plumbing Supply Co., 21st & Wharton Sts.

BERKS COUNTY

Mrs. Ruth S. Body, Boyertown.
Harry E. Boyer, Reading.

CAMBRIA COUNTY

Mrs. May E. Smith, Johnstown.

CLINTON COUNTY

Mrs. Ruth L. Motter, Lock Haven.

DAUPHIN COUNTY

Thomas S. Dienno, Harrisburg.
Mrs. Fae P. Eyster, Harrisburg.
Miss Margaret P. Gipple, Harrisburg.
Miss Mary M. Saxer, Harrisburg.

DELAWARE COUNTY

Mrs. Lore Schuller, Upper Darby Twp., Upper Darby.

JEFFERSON COUNTY

Harold D. Thrush, Punxsutawney.

LACKAWANNA COUNTY

H. E. Courtright, Scranton.

PHILADELPHIA COUNTY

Thos. G. Hammonds, 215 Willow St.
Paul J. Lauff, Jr., 6714 Trinity St.
Mrs. Emma Moskovitz, 1209 Arch St.

WASHINGTON COUNTY

Jack L. Jones, Roscoe.

To compute from dates set opposite their names

CLINTON COUNTY

Charles E. Messner, Pine Creek Twp., Jersey Shore, 5-20-51.

YORK COUNTY

P. Russell Kraber, West York, 5-28-51.

JOHN. S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 14, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the dates shown:

To compute from date of confirmation

ALLEGHENY COUNTY

Miss Rosemary Derenzo, Wilkinsburg.
Mrs. Beatrice DiCroce, Stowe Twp., McKees Rocks.
John F. Foreman, Brackenridge.
Miss G. E. Pearson, Pittsburgh, 5835 Baum Blvd.
Mrs. Margaret L. Schrepfer, West Mifflin, R. D. 6, Pittsburgh.

CLARION COUNTY

Ralph W. Murphy, Clarion.

CUMBERLAND COUNTY

Mrs. A. Louise Lytle, Shippensburg.

DAUPHIN COUNTY

Harry Perlmutter, Harrisburg.
Mrs. Virginia Tobias, Harrisburg.

DELAWARE COUNTY

William Michell, Chester.

MERCER COUNTY

W. Allen Dill, Sharon.

MIFFLIN COUNTY

Eugene B. Aurand, Lewistown.
Samuel H. Kern, Lewistown.

PHILADELPHIA COUNTY

Harold Kass, 4941 Lancaster Ave.
P. J. Merrigan, 5316 Kingsessing Ave.
George S. Nussbaum, 1850 Mohican St.
Dean A. Theodos, 732 Land Title Bldg.

WESTMORELAND COUNTY

Milton E. Uncapher, III, Vandergrift.

To compute from dates set opposite their names

ALLEGHENY COUNTY

Albert S. Yaggi, Sr., Pittsburgh, 2942 Banksville Ave., 5-19-51.

PHILADELPHIA COUNTY

George M. Kane, 4543 N. 13th St., 5-19-51.

DAUPHIN COUNTY

Miss Edna M. Spidle, Harrisburg, 5-21-51.

JOHN. S. FINE.

A motion was made by Mr. WATSON and Mr. SNOWDEN, That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane, Haluska, McPherson, Jr., Stevenson,

Barr,
Barrett,
Berger,
Blass,
Byrne,
Chapman,
Crowe,
Dent,
Diehm,
DiSilvestro,
Fleming,
Freed,
Hare,
Holland,
Kephart,
Kessler,
Lane,
Leader,
Letzler,
Mahany,
Mallery,
McCreesh,
McGinnis,
McMenamin,

Meade,
Neff,
Pechan,
Peelor,
Probert,
Robinson,
Rosenfeld,
Ruth,
Scarlett,
Silvert,
Snowden,

Stiefel,
Taylor,
Toole,
Wade,
Wagner,
Walker,
Watkins,
Watson,
Wolfe,
Wood,
Yosko,

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

MEMBERS OF THE BOARD OF TRUSTEES OF EASTERN PENNSYLVANIA PSYCHIATRIC INSTITUTE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 14, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Members of the Board of Trustees of Eastern Pennsylvania Psychiatric Institute, for the term of two years, and until their successors shall have been appointed and qualified:

Dr. Hayward R. Hamrick, Jefferson Medical College Hospital, Philadelphia.

Noel J. Hooper, Jenkintown, Montgomery County.

Hon. Harold E. Stassen, University of Pennsylvania, Philadelphia.

Hon. L. Stauffer Oliver, Philadelphia.

Hon. John W. Lord, Jr., Philadelphia.

JOHN S. FINE.

MEMBER OF THE BOARD OF COMMISSIONERS ON UNIFORM STATE LAWS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 14, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate George H. Hafer, 115 Hillside Road, Bellevue Park, Harrisburg, Dauphin County, for appointment as a Member of the Board of Commissioners on Uniform State Laws, for the term of four years, and until his successor shall have been appointed and qualified, vice Robert E. Woodside, Millersburg, resigned.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 14, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate A. George Prater, Fernbrook Road, R. D., Trucksville, Luzerne County, for appointment as Justice of the Peace

in and for the Township of Dallas, Luzerne County, until the first Monday of January 1952, vice J. Chester Hartman, resigned.

JOHN S. FINE.

**MEMBER OF THE BOARD OF COMMISSIONERS ON
UNIFORM STATE LAWS**

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 14, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Hon. J. Colvin Wright, Bedford, for appointment as a Member of the Board of Commissioners on Uniform State Laws, from February 27, 1950, for the term of four years, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 14, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate George Trumble, High Street, Woodland, Clearfield County, for appointment as Justice of the Peace in and for the Township of Bradford, Clearfield County, until the first Monday of January 1952, vice C. D. Johnston, deceased.

JOHN S. FINE.

**MEMBER OF TIOGA COUNTY BOARD OF
ASSISTANCE**

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 14, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Tioga County Board of Assistance:

Fred Jupenlaz (Republican), Mansfield, from January 31, 1950, until December 31, 1952, and until his successor is duly appointed and qualified.

Lionel W. Stevens (Republican), Knoxville, Tioga County, to serve until December 31, 1953, and until his successor is duly appointed and qualified, vice Raymond Miller, Wellsboro, whose term expired.

Warren Spencer (Republican), Wellsboro, Tioga County, to serve until December 31, 1953, and until his successor is duly appointed and qualified, vice Wayne M. Kelts, Mansfield, resigned.

JOHN S. FINE.

COMMUNICATIONS FROM THE GOVERNOR

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

**APPROVED AND SIGNED SENATE CONCURRENT
RESOLUTION RETURNING SENATE BILL No. 68,
SENATE BILL No. 366, SENATE BILL No. 318
TO THE GOVERNOR**

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 10, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution re-

turning to the Governor, without amendment, the following bills:

Senate Bill No. 68, Printer's No. 121.

Senate Bill No. 366, Printer's No. 104.

Senate Bill No. 318, Printer's No. 138.

JOHN S. FINE.

**APPROVED AND SIGNED SENATE BILL No. 18,
PRINTER'S No. 174**

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 10, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 18, Printer's No. 174, entitled "An Act to amend Section 5 of the act approved the eleventh day of June one thousand nine hundred forty-seven (P. L. 565) entitled 'An act providing compensation to certain persons who served in the military or naval forces of the United States or of any of her allies during World War II providing the method of making payment to representatives of persons who because of death or incapacity cannot personally receive compensation imposing certain duties on the Adjutant General making an appropriation and providing penalties' by extending the time during which applications may be filed for veterans' compensation."

JOHN S. FINE.

**APPROVED AND SIGNED SENATE BILL No. 140,
PRINTER'S No. 130**

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 9, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 140, Printer's No. 130, entitled "An Act to further amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled 'An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws' by further regulating investments of insurance companies."

JOHN S. FINE.

**APPROVED AND SIGNED SENATE BILL No. 169,
PRINTER'S No. 94**

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 10, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 169, Printer's No. 94, entitled "An Act to amend Section 602 and subsections (a) and (g) of Section 607 of the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled 'An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims

therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws' by further regulating the giving of notice of sale the effect of failing to give notice as required by the act and the bureau's return of sale to court for confirmation."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 201,
PRINTER'S No. 131

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 10, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 201, Printer's No. 131, entitled "An Act to amend Section 1705 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled 'An act concerning townships of the first class amending revising consolidating and changing the law relating thereto' by authorizing investment of sinking fund moneys in deposits insured by the Federal Deposit Insurance Corporation and in shares of building and loan or Federal savings and loan associations insured by the Federal savings and loan insurance corporation."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 239,
PRINTER'S No. 56

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 10, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 239, Printer's No. 56, entitled "An Act to further amend Section 412 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled 'An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto' by providing for audits of accounts of expenditures of organizations of the National Guard by controllers or auditors of counties."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 240,
PRINTER'S No. 57

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 10, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 240, Printer's No. 57, entitled "An Act to further amend clause 35 of Section 2403 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled 'An act relating to cities of the third class and amending

revising and consolidating the law relating thereto' by providing for audit of accounts of expenditures of organizations of the National Guard by controllers of cities of the third class."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 241,
PRINTER'S No. 58

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 10, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 241, Printer's No. 58, entitled "An Act to amend Section 2 of the act approved the tenth day of March one thousand nine hundred thirty-seven (P. L. 39) entitled 'An act authorizing cities of the first class second class and second class A to make appropriations for the support maintenance discipline and training of units of the National Guard providing for the paying over expenditure and accounting for of such appropriations and repealing existing laws' by providing for audit of accounts of expenditures of organizations of the National Guard by Controllers of cities of the first class second class and second class A."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 304,
PRINTER'S No. 70

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 10, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 304, Printer's No. 70, entitled "An act authorizing in certain cases the renewal of motor vehicle operators' licenses for persons honorably discharged from the armed forces of the United States or from any women's organization officially connected therewith without a learner's permit examination or additional fee and while in such service the operation of motor vehicles without renewal of operator's license and the temporary suspension of existing laws requiring the same."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 394,
PRINTER'S No. 116

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 10, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 394, Printer's No. 116, entitled "An Act to further amend section eight hundred six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled 'An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto' by eliminating the provision making it unlawful to carry unloaded rifles and shotguns in or on any vehicle or conveyance unless said rifles and shotguns are in cases or securely wrapped and also eliminating the provision making it unlawful to possess cartridges or shells for hunting in vehicles or conveyances unless they are in unbroken original cartons or securely wrapped."

JOHN S. FINE.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being in-

roduced presented for concurrence bills of the House, as follows:

House Bill No. 499, entitled:

An Act to further amend section eleven of the act, approved the seventeenth day of February, one thousand nine hundred six (P. L. 45), entitled "An act to regulate the deposits of State funds, to prescribe the method of selecting State depositories, to limit the amount of State deposits, to fix the rate of interest therein, to provide for the publication of monthly statements of moneys in the general and sinking funds, to declare it a misdemeanor to give or take anything of value for obtaining the same, and prescribing penalties for violations of this act," by further regulating the rendition of statements of moneys to the credit of the various funds in the State Treasury.

Which was committed to the Committee on State Government.

House Bill No. 577, entitled:

An Act to amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "Fiscal Code," by further regulating the security required for deposits of State moneys and to permit the designation of additional banks or trust companies as active depositories.

Which was committed to the Committee on State Government.

House Bill No. 678, entitled:

An Act to further amend Section 1803 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," as amended by adding subsection (h) to authorize the Department of Forests and Waters to grant certain rights of way to utility companies.

Which was committed to the Committee on State Government.

House Bill No. 872, entitled:

An Act authorizing certain municipal corporations of other states to acquire, use, encumber, and dispose of real property and appurtenances attached thereto, in this Commonwealth necessary to the beneficial use of certain real property in such other state; defining certain of their rights and liabilities in connection therewith and validating certain acquisitions and holdings of real property and appurtenances attached thereto by such municipal corporations heretofore consummated.

Which was committed to the Committee on Local Government.

House Bill No. 972, entitled:

An Act to further amend section seven hundred eleven of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by regulating the dismissal, suspension, demotion, reenlistment and retirement of enlisted members of the Pennsylvania State Police.

Which was committed to the Committee on State Government.

House Bill No. 1040, entitled:

An Act authorizing the Secretary of Property and Supplies to sell and convey a tract of land situate in the

Township of Cecil, Washington County, Pennsylvania; providing for reversion to the Commonwealth.

Which was committed to the Committee on State Government.

House Bill No. 1043, entitled:

An Act to further amend section 1026 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by limiting the eligibility of candidates for county superintendent of schools.

Which was committed to the Committee on Education.

HOUSE CONCURS IN SENATE BILL No. 80

He also returned to the Senate, Senate Bill No. 80, entitled:

An Act to further amend the title and to amend Section 1 of the act approved the twenty-seventh day of May one thousand eight hundred ninety-three (P. L. 171) entitled as amended "An act providing for the acquisition of land and the erection equipment management and operation of the Pennsylvania Soldiers Orphans' School the maintenance of children admitted thereto and regulating the admissions to and discharges from the said Pennsylvania Soldier Orphans' School" by changing the name of the Pennsylvania Soldiers Orphans' Industrial School.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 81

He also returned to the Senate, Senate Bill No. 81, entitled:

An Act to amend the title and Sections 1, 2, 3 and 4 of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 302), entitled "An act providing for the admission of children to, and their education and maintenance in, and their discharge from the Pennsylvania Soldiers' Orphans School; prohibiting discharging children or taking children from said school, or children from leaving the same without an order of the Board of Trustees of the Pennsylvania Soldiers' Orphan School; and prescribing penalties," by changing the name of the Pennsylvania Soldiers' Orphan School.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 103

He also returned to the Senate, Senate Bill No. 103, entitled:

An Act to reenact and amend the title and Section 4 of the act approved the twenty-fourth day of May, one thousand nine hundred forty-five (P. L. 982) entitled "An act to authorize State public bodies, as defined, to aid redevelopment authorities in the elimination of blighted areas and their redevelopment by entering into contracts to furnish and by furnishing to said authorities and to any Federal governmental agency, parks, playgrounds, streets and other improvements and facilities; and by donating or lending money and making appropriations therefor; by accepting payments and exercising certain other powers and duties," by confirming authorization heretofore granted to the Commonwealth and State public bodies, to dedicate, sell, convey or lease any of its property to a redevelopment authority; and by providing for the execution of instruments therefor on behalf of the Commonwealth; and validating dedications, sales, conveyances, and leases heretofore made.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 216

He also returned to the Senate, Senate Bill No. 216, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey a tract of land situate in the Township of Reed Dauphin County Pennsylvania with the approval of the Governor.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 342

He also returned to the Senate, Senate Bill No. 342, entitled:

An Act to further amend Section 4 of the act, approved the twenty-fifth day of July, one thousand nine hundred seventeen (P. L. 1209), entitled "An act to authorize the acquisition, by purchase or condemnation, of lands for a park, and the erection of a monument commemorative of Washington crossing the river Delaware, and for the appointment of a commission to acquire said lands and erect such monument; and making an appropriation for the purpose of this act," authorizing the commission to establish and maintain a museum or museums for the preservation and display of relics and reproductions relating to Washington's Crossing of the Delaware.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 461

He also returned to the Senate, Senate Bill No. 451, entitled:

An Act establishing a procedure by which the register of wills elect in counties of the first class shall execute, record and file his bond to the Commonwealth and receive his commission; and conferring powers and imposing duties upon the Secretary of the Commonwealth and the recorder of deeds.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 231

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 231, entitled:

An Act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 256

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 256, entitled:

An Act to further amend sections 10 and 14 of the act, approved the twenty-second day of May, one thousand

nine hundred thirty-five (P. L. 233), entitled "Policemen's Relief and Pension Fund Law," by changing and fixing the amount of members' contributions and pension payments to beneficiaries.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 368

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 368, entitled:

An Act relating to the practice of professional nursing; providing for the licensing of nurses and for the revocation and suspension of such licenses subject to appeal and for their reinstatement; providing for the annual renewal of such licenses; regulating nursing in general; prescribing penalties and repealing certain laws.

SENATE BILL No. 247 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 247, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by regulating the authority of school districts to purchase supplies and to perform and contract for construction reconstruction repairs and work of any nature

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on tomorrow's Calendar.

SENATE BILL No. 329 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 329, entitled:

An Act to amend Section 3 of the act approved the twenty-eighth day of May one thousand nine hundred thirty-one (P. L. 202) entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream artificial or natural body of water or non-tidal waters of any river within the Commonwealth conferring powers and imposing duties on certain police officers and the Board of Fish Commissioners including the enforcement of certain existing laws and prescribing penalties" by directing the Department of Revenue to authorize local agents which may be county officers to issue motor boat licenses.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on tomorrow's Calendar.

SENATE BILL No. 360 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 360, entitled:

An Act relating to habeas corpus; conferring jurisdiction upon the judges of the courts of Common Pleas; defining procedure in all cases; authorizing service to be made

upon persons anywhere in the Commonwealth; providing for the imposition of costs; allowing appeals; specifying the appellate court to which appeals may be taken; and repealing inconsistent legislation including that conferring jurisdiction on courts of Quarter Sessions.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on tomorrow's Calendar.

SENATE BILL No. 374 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 374, entitled:

An Act to amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further regulating health and accident insurance

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on tomorrow's Calendar.

BILLS SIGNED

The President (Lieutenant-Governor Lloyd H. Wood) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 14, entitled:

An Act to amend clause (c) of Section 3 of the act approved the thirty-first day of May, one thousand nine hundred forty-seven (P. L. 359), entitled "A supplement to the act, approved the twenty-fifth day of April, one thousand nine hundred forty-five (P. L. 299), entitled 'An act providing for the establishment in counties of the second class of the lot and block plan for the registration of land titles, for the accumulation of county tax liens, and for the enumeration of the parcels of real estate to be assessed for county, city, borough, township, school and institution district taxation; providing for the incurring of indebtedness for the installation thereof; and imposing duties upon the county controller and the deed registrar in each of such counties,' providing for the use in counties of the second class of the lot and block descriptive number in the making of assessments in the preparation of tax bills and tax receipts; in the filing of liens for delinquent taxes; and in the sale of real estate for taxes; and imposing duties upon certain county officials in second class counties; and upon treasurers, tax collectors and solicitors of cities, boroughs, towns, townships and school districts in said counties," by further providing for the contents of instruments to be received for recording by the recorder of deeds and imposing duties on him relating thereto.

Senate Bill No. 80, entitled:

An Act to further amend the title and to amend Section 1 of the act, approved the twenty-seventh day of May, one thousand eight hundred ninety-three (P. L. 171), entitled, as amended "As act providing for the acquisition of land and the erection, equipment, management, and operation of the Pennsylvania Soldiers Orphans' School; the maintenance of children admitted thereto, and regulating the admissions to and discharges from the said Pennsylvania Soldiers Orphans' School," by changing the name of the Pennsylvania Soldiers Orphans' Industrial School.

Senate Bill No. 81, entitled:

An Act to amend the title and Sections 1, 2, 3 and 4 of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 302), entitled "An act providing for the admission of children to, and their education and maintenance in, and their discharge from the Pennsylvania Soldiers' Orphans School; prohibiting discharging children or taking children from said school, or children from leaving the same without an order of the Board of Trustees of the Pennsylvania Soldiers' Orphan School; and prescribing penalties," by changing the name of the Pennsylvania Soldiers' Orphan School.

Senate Bill No. 82, entitled:

An Act to further amend Sections 202, 401 and 1311 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," by changing the name of the Pennsylvania Soldiers' Orphan School.

Senate Bill No. 103, entitled:

An Act to reenact and amend the title and Section 4 of the act approved the twenty-fourth day of May, one thousand nine hundred forty-five (P. L. 982) entitled "An act to authorize State public bodies, as defined, to aid redevelopment authorities in the elimination of blighted areas and their redevelopment by entering into contracts to furnish and by furnishing to said authorities and to any Federal governmental agency, parks, playgrounds, streets and other improvements and facilities; and by donating or lending money and making appropriations therefor; by accepting payments and exercising certain other powers and duties," by confirming authorization heretofore granted to the Commonwealth and State public bodies, to dedicate, sell, convey or lease any of its property to a redevelopment authority; and by providing for the execution of instruments therefor on behalf of the Commonwealth; and validating dedications, sales, conveyances and leases heretofore made.

Senate Bill No. 127, entitled:

An Act to further amend section 15 and to amend section 29 of the act approved the seventeenth day of July, one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status; authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected, and regulating such benefits and collections; providing for the organization and incorporation of such societies and for their supervision, regulation, and examination by the Insurance Commissioner, and for the admission of foreign societies; designating tables of mortality as a basis for rates of contribution, requiring all societies to make annual and other reports; and appointing the Insurance Commissioner as attorney for service of process; providing penalties for any violations of the act; exempting such societies from taxation and certain other societies from its provisions; and requiring beneficial association, other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner; and repealing existing laws," by regulating the transfer of excess insurance funds to the expense and other funds and providing for the consolidation of any society's funds; further regulating reports of valuation of death benefit fund obligations; regulating reserves and contributions for benefits.

Senate Bill No. 128, entitled:

An Act to amend subsections (d) and (f) of section 211.1, and to further amend section 212 and subsection (a) of section 301 of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled as amended, "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds association, reciprocal and inter-insurance exchanges and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," by further regulating assessments made by the Insurance Commissioner against life insurance companies to defray certain expenses; providing for reciprocity with other states in assessing taxes and fees on insurance companies; permitting foreign companies to write workmen's compensation insurance in Pennsylvania; limiting the basis for valuation of reserve liability of life insurance companies organized in foreign countries,

Senate Bill No. 136, entitled:

An Act to amend Section 1 Clause (8) of Section 6 and Section 9 of the act approved the eleventh day of May, one thousand nine hundred forty-nine (P. L. 1210), entitled "An act relating to group life insurance; describing permitted policies and restrictions thereon, the premium basis thereof and rights thereunder; limiting the amount of such insurance; prescribing standard policy provisions; and requiring notice of conversion privileges," by further defining policies of group life insurance limiting the amount of an individual policy issued to a person entitled thereto; and changing the premium basis and rate of interest thereon.

Senate Bill No. 216, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey a tract of land situate in the Township of Reed Dauphin County Pennsylvania with the approval of the Governor.

House Bill No. 231, entitled:

An Act relating to mental health including mental illness, mental defect, epilepsy, and inebriety; and amending, revising, consolidating, and changing the laws relating thereto.

House Bill No. 256, entitled:

An Act to further amend sections 10 and 14 of the act, approved the twenty-second day of May, one thousand nine hundred thirty-five (P. L. 233), entitled "Policemen's Relief and Pension Fund Law," by changing and fixing the amount of members' contributions and pension payments to beneficiaries.

Senate Bill No. 320, entitled:

An Act to further amend subsection (a) of Section 621.1 of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties and repealing existing laws," by further defining and regulating group accident and health insurance.

Senate Bill No. 342, entitled:

An Act to further amend Section 4 of the act, approved the twenty-fifth day of July, one thousand nine hundred seventeen (P. L. 1209), entitled "An act to authorize the acquisition, by purchase or condemnation, of lands for a park, and the erection of a monument commemorative of Washington crossing the river Delaware, and for the appointment of a commission to acquire said lands and erect such monument; and making an appropriation for the purpose of this act," authorizing the commission to establish and maintain a museum or museums for the preservation and display of relics and reproductions relating to Washington's Crossing of the Delaware.

House Bill No. 368, entitled:

An Act relating to the practice of professional nursing; providing for the licensing of nurses and for the revocation and suspension of such licenses subject to appeal and for their reinstatement; providing for the annual renewal of such licenses; regulating nursing in general; prescribing penalties and repealing certain laws.

House Bill No. 369, entitled:

An Act to further amend Sections 202, 418 and 1310 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled: "Administrative Code of 1929" by changing the name of the State Board of Examiners for Registration of Nurses.

House Bill No. 398, entitled:

An Act to further amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1050), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired and disabled employees of the bureau of fire in cities of the second class; creating a board for the management thereof; providing the mode and manner of payment to beneficiaries, and for the care and disposition of its funds; and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created, "by changing the compensation of the Secretary-Treasurer

of the Board and changing the amounts of contributions by members to the fund, changing the amounts of payments to beneficiaries, and changing the eligibility requirements for pensions.

Senate Bill No. 432, entitled:

An Act to amend the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county board of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by providing for nominations and elections of county officers in counties about to undergo a change in classification, and imposing certain duties upon county commissioners, county boards of elections, and others.

Senate Bill No. 461, entitled:

An Act establishing a procedure by which the register of wills elect in counties of the first class shall execute, record and file his bond to the Commonwealth and receive his commission; and conferring powers and imposing duties upon the Secretary of the Commonwealth and the recorder of deeds.

Whereupon,

The President (Lieutenant-Governor Lloyd H. Wood) in the presence of the Senate signed the same.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency, the Governor, which were laid on the table:

MEMBERS OF THE CAMERON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 9, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Cameron County Board of Assistance:

William H. Smith (Republican), Emporium, from December 13, 1950, until December 31, 1951, and until his successor is duly appointed and qualified.

H. Auchu Regelman (Republican), Emporium, from January 1, 1951, until December 31, 1953, and until his successor is duly appointed and qualified.

Earl L. Towner (Republican), Emporium, from January 1, 1951, until December 31, 1953, and until his successor is duly appointed and qualified.

JOHN S. FINE.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 9, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Wilmot C. Draper, West Springfield, Erie County, for

appointment as Justice of the Peace in and for the Township of Springfield, Erie County, until the first Monday of January 1952, vice Mark H. King, resigned.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 8, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Arthur M. Bartholomew, 150 South Main Street, Richlandtown, Bucks County, for appointment as Justice of the Peace in and for the Borough of Richlandtown, Bucks County, until the first Monday of January 1952, to fill a vacancy.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 7, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William Skillcorn Jr., Water Street, West Brownsville, Washington County, for appointment as Justice of the Peace in and for the Borough of West Brownsville, Washington County, until the first Monday of January, 1952, vice William Skillcorn, Sr., deceased.

JOHN S. FINE.

MEMBERS OF THE MONTGOMERY COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 7, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Montgomery County Board of Assistance:

Milton H. Pagel (Republican), Norristown, from February 6, 1950, until December 31, 1952, and until his successor is duly appointed and qualified.

Walter S. Cassel (Republican), Souderton, from January 1, 1951, until December 31, 1953, and until his successor is duly appointed and qualified.

Willis C. Henricks (Democrat), Pottstown, from January 1, 1951, until December 31, 1953, and until his successor is duly appointed and qualified.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 7, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James J. Reed, 360 Main Street, Burgettstown, Washington County, for appointment as Justice of the Peace in and for the Borough of Burgettstown, Washington County, until the first Monday of January, 1952, vice W. B. Culley, deceased.

JOHN S. FINE.

REPORTS FROM COMMITTEES

Mr. SNOWDEN, from the Committee on Corporations reported as amended, Senate Bill No. 14, entitled:

An Act to amend the introductory paragraph of Section 10 of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 955), entitled

as amended, "An act to promote public health, safety, morale, and welfare by declaring the necessity of creating public bodies, corporate and politic, to be known as housing authorities to engage in slum clearance, and to undertake projects, to provide dwelling accommodations for persons of low income; providing for the organization of such housing authorities; defining their powers and duties; providing for the exercise of such powers, including the acquisition of property by purchase, gift or eminent domain, the renting and selling of property, and including borrowing money, issuing bonds, and other obligations, and giving security therefor; prescribing the remedies of obligees of housing authorities; authorizing housing authorities to enter into agreements, including agreements with the United States, the Commonwealth and political subdivisions and municipalities thereof; defining the application of zoning, sanitary, and building laws and regulations to projects built or maintained by such housing authorities; exempting the property and securities of such housing authorities from taxation; and imposing duties and conferring powers upon the State Planning Board and certain other State officers and departments," by requiring authorities to submit the question of the proposed acquisition of any real estate to a vote of the interested electorate.

Mr. CHAPMAN, from the Committee on Appropriations, reported as committed, House Bill No. 684, entitled:

An Act providing for the observation of the 175th anniversary of the adoption of the Declaration of Independence; creating a commission to cooperate with like commissions of the government of the United States and of the City of Philadelphia in arranging ceremonies; and making an appropriation.

Mr. BLASS, from the Committee on Judiciary General, reported as committed, Senate Bill No. 636, entitled:

An Act to amend subsection (a) of Section 9 of the act, approved the twenty-sixth day of May, one thousand nine hundred forty-nine (P. L. 1828), entitled "An act concerning the investment powers and duties of guardians, committees, and other fiduciaries, except personal representatives, and prescribing the nature and kind of investments which may be made and retained by such fiduciaries," authorizing investments in common stock and similar securities of unincorporated associations meeting certain qualifications; and eliminating the requirement that stock and similar securities must be listed on an exchange as to the stock and securities of banks and insurance and investment companies.

He also, from the Committee on Judiciary General, reported as amended, Senate Bill No. 11, entitled:

An Act to amend subsection (a) of Section 9 of the act, approved the twenty-sixth day of May, one thousand nine hundred forty-nine (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians, committees, trustees, and other fiduciaries, except personal representatives, and prescribing the nature and kind of investments which may be made and retained by such fiduciaries," authorizing investments in common stocks meeting certain qualifications and eliminating the requirement that stock must be listed on an exchange as to the stock of banks and insurance companies.

Mr. McGINNIS, from the Committee on State Government, reported as amended, Senate Bill No. 233, entitled:

An Act creating the Western Pennsylvania Water Supply Planning Commission to investigate the development of a plan to bring an unpolluted water supply to Western Pennsylvania communities; defining its powers and duties; and making an appropriation.

BILLS INTRODUCED AND REFERRED

Mr. WALKER read in his place and presented to the Chair Senate Bill No. 638, entitled:

An Act to amend the title and the act approved the third day of May, one thousand nine hundred and nine (P. L. 408), as amended, entitled "An act authorizing the merger and consolidation of certain corporations" by permitting the merger or consolidation of certain domestic corporations or the merger or consolidation of certain foreign and domestic corporations; prescribing the procedure for and the effect of a merger or consolidation; providing for payment of certain fees, taxes, and bonus; and defining the rights, powers and privileges of dissenting stockholders and of the surviving corporation in the case of a merger and of the new corporation in the case of a consolidation.

Which was committed to the Committee on Corporations.

He also read in his place and presented to the Chair Senate Bill No. 639, entitled

An Act to add Section 473 to the act, approved the twelfth day of April, one thousand nine hundred fifty-one (Act No. 21), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages, amending, revising, consolidating and changing the laws relating thereto, regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in, and use of alcoholic liquors, alcohol and malt and brewed beverages, and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain licenses fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option and repealing existing laws," by further providing for local option in the several parts of a borough formed by the consolidation of two or more boroughs.

Which was committed to the Committee on Law and Order.

Messrs. FLEMING, BARR and WALKER read in place and presented to the Chair Senate Bill No. 640, entitled:

An Act to promote the welfare of the people of this Commonwealth; creating The Port of Pittsburgh Authority as a body corporate and politic, with power to acquire, construct, maintain and operate projects for the improvement and development of the port district, and to collect tolls, fares, fees, rentals and charges for the use thereof; defining its powers and duties; authorizing the issuance of bonds for said authority; defining the port district; and granting the right of eminent domain within the port district.

Which was committed to the Committee on Corporations

PERMISSION TO ADDRESS SENATE

Mr. HOLLAND asked and obtained unanimous consent to address the Senate.

Mr. HOLLAND. Mr. President, following a well-defined precedent, this General Assembly is being requested to approve the administration budget and tax program and to make appropriations to implement it solely on the basis of the administration's budget.

The good faith and confidence of the people in their State government and in their Legislature demand that the General Assembly scrutinize this proposed program carefully to insure that it serves the best interests of the Commonwealth because of two major premises on which the program is based: (1) a larger budget involving higher revenues and expenditures, (2) new taxes to carry out the same.

Good public policy dictates that in considering such a program, the General Assembly secure skilled and unprejudiced advice from fiscal experts to determine the authenticity thereof and whether or not new taxes are an absolute necessity and if so in what amount.

Now, therefore, Mr. President, I believe that the General Assembly should immediately employ sufficient certified public accountants to examine with and advise them on the following matters:

(1) The administration's proposed budget for the 1951-1953 biennium and the necessary appropriations to implement it.

(2) The exact statement of the State's fiscal position today and its probable position during the ensuing biennium.

(3) The need or inadvisability of levying higher or new taxes now.

(4) The need or advisability of increasing or decreasing various State expenditures.

Such certified public accountants should advise the General Assembly either that the administration's proposed budget is substantially necessary and true, or that it is substantially uncalled for and misleading. In the event of the latter, they should show figures which will enable the General Assembly to formulate an acceptable substitute.

Mr. President, I rise in place, and on behalf of Senator Dent, Senator Neff and myself, I present the following bill.

BILLS INTRODUCED AND REFERRED

Messrs. HOLLAND, DENT and NEFF read in place and presented to the Chair Senate Bill No. 641, entitled:

An Act requiring the General Assembly to employ certified public accountants to advise it on the administration's proposed budget and on the fiscal status of this Commonwealth; and providing for an appropriation for payment of such accountants.

Which was committed to the Committee on State Government.

Mr. TAYLOR read in his place and presented to the Chair Senate Bill No. 642, entitled:

An Act to amend Section 2 of the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 720), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A, and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, persons, associations, or corporations to enter into agreements

with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act," by adding a new route in the city of Harrisburg.

Which was committed to the Committee on Highways.

Mr. STIEFEL read in his place and presented to the Chair Senate Bill No. 643, entitled:

An Act to further amend Section 1 of the act, approved the thirteenth day of May, one thousand nine hundred twenty-seven (P. L. 984), entitled "An act relating to transactions between a person acting on his own behalf and the same person acting jointly with others, and to make uniform the law relating thereto," by authorizing the conveyance of his or her interest by one tenant, by the entireties alone to the other and validating such conveyance heretofore made.

Which was committed to the Committee on Judiciary General.

Mr. YOSKO read in his place and presented to the Chair Senate Bill No. 644, entitled:

An Act to further amend Section 402 of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by further providing for distribution of copies of audits made by the Department of Auditor General.

Which was committed to the Committee on State Government.

Mr. LANE read in his place and presented to the Chair Senate Bill No. 645, entitled:

An Act to further amend the act, approved the first day of June, one thousand nine hundred thirty-three (P. L. 1172), entitled "An act establishing certain streets in boroughs and incorporated towns as State highways, and providing for their construction and maintenance at the expense of the Commonwealth," by adding a new route in Washington County.

Which was committed to the Committee on Highways.

SENATE CONCURRENT RESOLUTIONS
TIME OF NEXT MEETING

Mr. WADE offered the following resolution, which was twice read, considered and agreed to:

In the Senate, May 14, 1951.

Resolved (if the House of Representatives concur. That when the Senate adjourns this week it reconvene on Monday, May 21, 1951, at two o'clock, p.m., E.S.T.; and when the House of Representatives adjourns this week it reconvene on Monday, May 21, 1951, at three-thirty o'clock, p. m., E.S.T.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

URGING THAT MARCH 16, 1952, BE DESIGNATED AS
WEST POINT DAY IN PENNSYLVANIA

Messrs. DENT, WALKER, CHAPMAN, WOLFE, BARR and STIEFEL, offered the following resolution which was twice read, considered and agreed to:

Whereas, our Military Academy at West Point, New York, is rounding out One Hundred and Fifty years of service to our land, having given to our Nation generations of officers who have led our forces to victory in war after war in almost every quarter of the globe, and

Whereas, graduates of West Point have contributed to the development of our country by surveying and mapping its topography, coasts and resources as well as planning and supervising magnificent engineering projects for flood control, water power developments, harbor improvements, and majestic irrigation—transformations of barren lands into plentiful granaries, thereby contributing their share of the breathtaking march of American civilization, and

Whereas, in peace as well as in war graduates of West Point have upheld the inspiring motto of the Military Academy "Duty, Honor, Country," and

Whereas, our grateful Nation will proudly mark and observe on March 16, 1952 the Sesquicentennial of the establishment of the U. S. Military Academy at West Point, New York, and

Whereas, the citizenry of Pennsylvania will partake in the appropriate observance of this inspiring anniversary; Now Therefore

Be It Resolved (if the House concurs) that the General Assembly of Pennsylvania respectfully recommend to His Excellency, John S. Fine, Governor of the Commonwealth of Pennsylvania, to issue a proclamation in due time designating the day of March 16, 1952 as West Point Day in Pennsylvania and calling upon the citizenry of the Keystone State to hold appropriate patriotic exercises at public assemblies throughout the State in commemoration of the founding of the keystone of our military leadership.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 896, entitled:

An Act to further amend the act approved the thirtieth day of March one thousand nine hundred and thirty-seven (P. L. 115) entitled, "The First Class City Permanent Registration Act," by further changing the provisions of said act as to the registration of electors before certain elections the correction of registers and the preparation of street lists.

Which was committed to the Committee on Judiciary General.

House Bill No. 1092, entitled:

An Act to amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "Pennsylvania Election Code," by providing for the filing of nomination petitions of candidates for district councilmen in cities of the first class and of nomination papers in electoral districts newly created.

Which was committed to the Committee on Judiciary General.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. WATSON asked and obtained unanimous consent for immediate consideration of the nominations just reported from committee at today's Session.

EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. WOOD, That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's session.

which was agreed to.

The Clerk read the nominations as follows:

MEMBERS OF THE CAMERON COUNTY BOARD OF
ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 9, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Cameron County Board of Assistance:

William H. Smith (Republican), Emporium, from December 13, 1950, until December 31, 1951, and until his successor is duly appointed and qualified.

H. Auchu Regelman (Republican), Emporium, from January 1, 1951, until December 31, 1953, and until his successor is duly appointed and qualified.

Earl L. Towner (Republican), Emporium, from January 1, 1951, until December 31, 1953, and until his successor is duly appointed and qualified.

JOHN S. FINE.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 9, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Wilmot C. Draper, West Springfield, Erie County, for appointment as Justice of the Peace in and for the Township of Springfield, Erie County, until the first Monday of January 1952, vice Mark H. King, resigned.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 8, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Arthur M. Bartholomew, 150 South Main Street, Richlandtown, Bucks County, for appointment as Justice of the Peace in and for the Borough of Richlandtown, Bucks

County, until the first Monday of January 1952, to fill a vacancy.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 7, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William Skillcorn, Jr., Water Street, West Brownsville, Washington County, for appointment as Justice of the Peace in and for the Borough of West Brownsville, Washington County, until the first Monday of January, 1952, vice William Skillcorn, Sr., deceased.

JOHN S. FINE.

MEMBERS OF THE MONTGOMERY COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 7, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Montgomery County Board of Assistance:

Milton H. Pagel (Republican), Norristown, from February 6, 1950, until December 31, 1952, and until his successor is duly appointed and qualified.

Walter S. Cassel (Republican), Souderton, from January 1, 1951, until December 31, 1953, and until his successor is duly appointed and qualified.

Willis C. Hendricks (Democrat), Pottstown, from January 1, 1951, until December 31, 1953, and until his successor is duly appointed and qualified.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 7, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James J. Reed, 360 Main Street, Burgettstown, Washington County, for appointment as Justice of the Peace in and for the Borough of Burgettstown, Washington County, until the first Monday of January, 1952, vice W. B. Culley, deceased.

JOHN S. FINE.

Whereupon,

A motion was made by Mr. WATSON and Mr. BERGER, That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,

DiSilvestro,
Fleming,
Freed,

McCreesh,
McGinnis,
McMenamin,

Silvert,
Snowden,

Wood,
Yosko,

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. PECHAN. Mr. President, I second the motion. The motion was agreed to.

BILL INTRODUCED AND REFERRED

Mr. ROSENFELD. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ROSENFELD read in place and presented to the Chair Senate Bill No. 646, entitled:

An Act to amend the act, approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (P. L. 1199), entitled "An act relating to the assessment of real and personal property and other subjects of taxation in counties of the first class; providing for the appointment of members of the board of revision of taxes by the judges of the courts of common pleas; providing for the appointment, by the board, of personal property assessors, real estate assessors and assistant real estate assessors, clerks and other employees; fixing the salaries of the members of the board, assessors and assistant assessors, and providing for the payment of salaries and expenses from the county treasury; prescribing the powers and duties of the board and of the assessors, the time and manner of making assessments, of the revision and notice of assessments and of appeals therefrom; prescribing the records of assessments; and repealing existing laws," by providing for the determination by the board of revision of taxes of appeals from personal property assessments subsequent to the time prescribed for such appeals in certain cases.

Which was committed to the Committee on Local Government.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

MEMBER OF THE BOARD OF COMMISSIONERS ON UNIFORM STATE LAWS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 14, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate George H. Hafer, 115 Hillside Road, Bellevue Park, Harrisburg, Dauphin County, for appointment as a Member of the Board of Commissioners on Uniform State Laws, for the term of four years, and until his successor shall have been appointed and qualified, vice Robert E. Woodside, Millersburg, resigned.

JOHN S. FINE.

MEMBER OF THE BOARD OF COMMISSIONERS ON
UNIFORM STATE LAWS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg May 14, 1951.

To the Honorable, the Senate of the Commonwealth of
Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Hon. J. Colvin Wright, Bedford, for appointment as a Member of the Board of Commissioners on Uniform State Laws, from February 27, 1950, for the term of four years, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. WATSON asked and obtained unanimous consent for immediate consideration of the nominations read by the Clerk.

EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. WADE, That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported.

Which was agreed to.

Whereupon,

A motion was made by Mr. WATSON and Mr. WADE, That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed	McMenamin,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now arise.

Mr. LETZLER. Mr. President, I second the motion.
The motion was agreed to.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS
RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 188, as follows:

An Act relating to the admissibility in evidence and the proof of official records documents and proceedings of the United State Government and of copies thereof and extracts therefrom and certificates in reference thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Federal Official Records Admissibility A book of records regularly kept by any public officer of the United States when acting under any law or regulation or other authority is admissible to evidence any matter recorded therein and pertaining to the duties of the office

Section 2 Federal Miscellaneous Documents Certified Copies of Official Records Authentication A book of records made by any public officer of the United States and kept in a public office when itself relevant and admissible for any purpose may be evidenced without producing the original by a copy certified by the officer or his deputy having lawful custody thereof under the seal of the office if there be a seal or if not then under the seal of the United States court of the district in which the office is located

Section 3 Federal Judicial Records Attested Copies Under Seal Certificates The records and judicial proceedings of any court of the United States may be evidenced by a copy attested by the clerk of the court with the seal of the court annexed together with a certificate of the judge chief justice or presiding magistrate that the attestation is in due form

Section 4 Entries or Extracts of Records A copy certified as in sections two and three of one or more entries or other separable parts of such a book of records is admissible if it purports to contain all of that part of the record that is relevant to the purpose for which it is offered

Section 5 Entries Lacking in Records A certificate made by any of the foregoing officers as provided in sections two and three stating after diligent search no records or entry of a specified tenor is found to exist in the records or files of his office is admissible

Section 6 Federal Documents Filed in Public Office Certified Copies Original A copy of a document not being a conveyance of title or other interest in property required or allowed by law to be filed in a public office of the United States is admissible to evidence the original when certified by the lawful custodian of the records of that office under seal of the office In any such case the court may on request of a party order the production of the original document for any purpose

Section 7 Official Certificates of Returns Copies Authentication A certificate or return required by law or regulation to be made and filed by any officer of the United States having duties of administration or inspection or supervision stating that in the course of his duty he has personally done or observed a matter is admissible as well as a copy thereof if authenticated as provided in section eight

Section 8 Federal Official Documents Federal Register Printed Copies The official records and other documents being enactments or regulations or decisions or rulings or proceedings or reports or other official acts of Congress or any Federal executive department or subdivision therein or of any Federal court or commission or board or agency or public institution may be evidenced by the Federal Register or by a printed book or pamphlet or periodical purporting to be published by the Government Printing Office by authority

Section 9 Repeal All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENT MADE BY THE
HOUSE TO HOUSE BILL No. 188, RECALLED
FROM THE GOVERNOR

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 188, recalled from the Governor for the purpose of amendment.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blam,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS
RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 247, as follows:

An Act to amend the title and the act approved the sixth day of April one thousand nine hundred forty-five (P. L. 164) entitled "An act authorizing and empowering minors seventeen years of age or older to contract for and to make loans in accordance with the provisions of the act of Congress known as the "Servicemen's Readjustment Act of 1944" or any agency of the Commonwealth hereafter created and saving and relieving the parents guardians and trustees of such minors from any liability therefor unless joining therein" empowering minor spouses irrespective of age to join in the execution of such contracts whether or not the principal is a minor and validating the actions of minor spouses of adults in heretofore joining in the execution of any such contracts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the sixth day of April one thousand nine hundred forty-five (P. L. 164) entitled "An act authorizing and empowering minors seventeen years of age or older to contract for and to make loans in accordance with the provisions of the act of Congress known as the "Servicemen's Readjustment Act of 1944" or any agency of the Commonwealth hereafter created and saving and relieving the parents guardians and trustees of such minors from any liability therefor unless joining therein" is hereby amended to read as follows

An Act

An Act authorizing and empowering minors seventeen years of age or older to contract for and to make loans in accordance with the provisions of the act of

Congress known as the "Servicemen's Readjustment Act of 1944" or any agency of the Commonwealth hereafter created and minor spouses irrespective of age to join in the execution of such contracts prohibiting the disaffirmance of such contracts whether or not the principal is a minor on the grounds of minority and saving and relieving the parents guardians and trustees of such minors from any liability therefor unless joining therein

Section 2 Section 1 of said act as amended by the act approved the twenty-eighth day of June one thousand nine hundred forty-seven (P. L. 1069) is hereby further amended to read as follows

Section 1 Any minor who is at least seventeen years of age who is eligible for guaranty or insurance of a loan pursuant to the act of Congress known as the "Servicemen's Readjustment Act of 1944" as amended and supplemented is hereby authorized and empowered notwithstanding such minority to enter into any contracts in this Commonwealth for any loan or loans guaranteed by the United States or any agency thereof in accordance with the provisions of said act of Congress as amended and supplemented and the rules and regulations promulgated from time to time pursuant thereto or any agency of the Commonwealth hereafter created and such minor is also authorized and empowered to execute and acknowledge all documents deeds mortgages and other or similar papers necessary and incident to such contracts The Minor spouse [of any such minor irrespective of age] of any person who is eligible for guaranty or insurance of a loan pursuant to said act of Congress whether or not such person is a minor and regardless of the age of the spouse is hereby authorized and empowered notwithstanding such minority to join in the execution of any such contract In the event [such a minor] a person who is eligible for guaranty or insurance of a loan pursuant to said act of Congress and who is a minor or whose spouse is a minor or both obtains such a loan or loans neither [he nor his minor spouse] of them despite any law or decision of any court to the contrary shall be permitted to avoid the contract of such loan or loans because of [his] the age of either of them nor shall [he] either of them be permitted to interpose the defense that [he] either of them is a minor in any action or actions based upon such contract or contracts or arising out of any loan or loans authorized herein nor shall the parents or parents or guardian or guardians or trustee or trustees of [such] any minor be liable in any way whatsoever because of or on account of such contract or contracts or loan or loans which may be entered into or joined in by such minor pursuant hereto unless expressly a party thereto

Section 3 Whenever heretofore any minor spouse of any person eligible for guaranty of insurance of a loan pursuant to the act of Congress known as the "Servicemen's Readjustment Act of 1944" and its amendments and supplements has joined in the execution of any such contract loan or other papers necessary and incident thereto such joinder is hereby validated for all purposes subject to the prohibition that no such contract or loan may be avoided nor may the defense of minority be interposed as a defense in any action based on any such contract or arising out of any such loan

Section 4 The provisions of this act shall become effective immediately upon final enactment

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE
HOUSE TO HOUSE BILL No. 247, RECALLED
FROM THE GOVERNOR

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to

House Bill No. 247, recalled from the Governor for the purpose of amendment.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Bar,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelot,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 305, as follows:

An Act to facilitate vehicular traffic across the Commonwealth by providing for the construction operation and maintenance of a turnpike from a connection with the Eastern Extension of the Pennsylvania Turnpike System at such point as the Pennsylvania Turnpike Commission may decide is most feasible and practicable to a point on or near the Delaware River between the Commonwealth of Pennsylvania and the State of New Jersey and authorizing the Pennsylvania Turnpike Commission to construct operate and maintain either alone or in conjunction with the New Jersey Turnpike Authority or to contract with the New Jersey Turnpike Authority for the construction operation and maintenance of a bridge across the Delaware River or to acquire the use of a bridge heretofore or hereafter constructed for the further extension of the Pennsylvania Turnpike System and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds notes or other obligations of the Commonwealth payable solely from revenues of the commission including tolls or from such funds as may be available to the commission for that purpose to pay the cost of such turnpike and bridge providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds notes or other obligations and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds notes or other obligations exempt from taxation constituting such bonds legal investments in certain instances requiring suits against the commission to be brought in Dauphin County prescribing conditions on which such turnpike shall become free providing for grade separations grade changes relocations restorations and vacation of public roads and State highways affected by the turnpike providing for the purchasing or condemnation of land and procedure for determining damages in condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission

and authorizing the issuance of turnpike revenue refunding bonds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 This act shall be known and may be cited as the "Pennsylvania Turnpike Delaware River Extension Act"

Section 2 In order to facilitate vehicular traffic across the Commonwealth the Pennsylvania Turnpike Commission heretofore created by virtue of the provisions of the Act approved the 21st day of May 1937 (P. L. 774) and the supplements and amendments thereto is hereby authorized and empowered to construct operate and maintain a turnpike at such location as shall be approved by the Governor and the Department of Highways from a connection with the Eastern Extension of the Pennsylvania Turnpike system at such point as the Pennsylvania Turnpike Commission may decide is most feasible and practicable to a point on or near the Delaware River between the Commonwealth of Pennsylvania and the State of New Jersey and there to construct operate and maintain either alone or in conjunction with the New Jersey Turnpike Authority or to contract with the New Jersey Turnpike Authority for the construction operation and maintenance of a bridge across the Delaware River pursuant to such compact as may be entered into between the Commonwealth of Pennsylvania and the State of New Jersey Provided however That the Pennsylvania Turnpike Commission may in its sole discretion enter into such agreement as it may deem expedient to acquire either for itself or jointly with any other commission or authority the use operation and maintenance of any bridge across the Delaware River heretofore or hereafter constructed together with connecting roads tunnels and bridges and further to issue turnpike revenue bonds of the Commonwealth notes or other obligations payable solely from revenues of the commission including tolls or from such funds as may be available to the commission for that purpose to pay the cost of any and all construction

Section 3 The turnpike revenue bonds notes or other obligations issued under the provisions of this act shall not be deemed to be a debt of the Commonwealth or a pledge of the faith and credit of the Commonwealth but such bonds notes or other obligations shall be payable solely from revenues of the commission including tolls or from such funds as may be available to the commission for that purpose All such bonds notes or other obligations shall contain a statement on their face that the Commonwealth is not obligated to pay the same or the interest thereon except from revenues of the commission including tolls or from such funds as may be available to the commission for that purpose and that the faith and credit of the Commonwealth is not pledged to the payment of the principal or interest of such bonds notes or other obligations The issuance of turnpike revenue bonds notes or other obligations under the provisions of this act shall not directly or indirectly or contingently obligate the Commonwealth to levy or to pledge any form of taxation whatever therefor or to make any appropriation for their payment

Section 4 The following words and terms shall have the following meanings

(a) The word "commission" shall mean the Pennsylvania Turnpike Commission heretofore created by the act approved the twenty-first day of May one thousand nine hundred and thirty-seven (P. L. 774) or if said commission shall be abolished any board commission or officer succeeding to the principal functions thereof or upon whom the power and functions given by this act to said commission shall be given by law

(b) The word "owner" shall include all individuals co-partnerships associations or corporations having any title or interest in any property rights easements or franchises authorized to be acquired by this act

(c) The words "the turnpike" shall mean the turnpike to be constructed as hereinafter provided from a connection with the Eastern Extension of the Pennsylvania Turnpike system to a point on or near the Delaware River

between the Commonwealth of Pennsylvania and the State of New Jersey and shall be deemed to include not only the turnpike and all connecting roads tunnels and bridges connected therewith including a bridge across the Delaware River but also all property rights easements and franchises relating thereto and deemed necessary or convenient for the construction or the operation thereof

(d) The term "cost of the turnpike" shall embrace the cost of constructing the turnpike and all connecting roads tunnels and bridges including a bridge across the Delaware River the cost of all lands property rights rights of way easements and franchises acquired which are deemed necessary or convenient for such construction the cost of all machinery and equipment financing charges interest prior to and during construction and for one year after completion of construction cost of traffic estimates and of engineering and legal expenses plans specifications surveys estimates of cost and of revenues other expenses necessary or incident to determining the feasibility or practicability of the enterprise administrative and legal expense and such other expenses as may be necessary or incident to the financing herein authorized the construction of the turnpike and connecting roads tunnels and bridges the placing of the same in operation and the condemnation of property necessary for such construction and operation Any obligation or expense contracted for by the commission with the Department of Highways of the Commonwealth of Pennsylvania or with the United States or any agency thereof or with the New Jersey Turnpike Authority for traffic surveys preparation of plans and specifications supervision of construction and other engineering administrative and legal services and expenses in connection with the construction of the turnpike or any of the connecting roads tunnels and bridges shall be regarded as a part of the cost of the turnpike and shall be reimbursed or paid out of the proceeds of the turnpike revenue bonds notes or other obligations hereinafter authorized Payment of any notes or other obligations shall be considered payment of the cost of the turnpike provided such notes or other obligations were issued for such purpose

Section 5 The exercise by the commission of the powers conferred by this act in the construction operation and maintenance of the turnpike shall be deemed and held to be an essential governmental function of the Commonwealth

Section 6 The commission shall have the following powers and duties

(a) It shall maintain a principal office at such place as shall be designated by the commission

(b) The commission may contract and be contracted with in its own name

(c) The commission may sue and be sued in its own name plead and be impleaded Provided however That any and all actions at law or in equity against the commission shall be brought only in the proper courts at the County of Dauphin

(d) The commission shall have an official seal

(e) The commission shall make necessary rules and regulations for its own government and shall have power and authority to acquire own use hire lease operate and dispose of personal property real property and interests in real property and to make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this act and to employ engineering traffic architectural and construction experts and inspectors and attorneys and such other employees as may in its judgment be necessary and fix their compensation Provided however That all contracts and agreements relating to the construction of the turnpike and connecting roads tunnels and bridges shall be approved by the Department of Highways and the turnpike and connecting roads tunnels and bridges shall be constructed under the supervision of the Department of Highways

(f) The turnpike when completed and opened to traffic shall be maintained and repaired by and under the control of the commission through the Department of High-

ways of the Commonwealth and all charges and costs for such maintenance and repairs actually expended by said Department of Highways shall be paid to it by the commission upon certification thereof out of tolls Such turnpike shall also be policed and operated by such force of police tolltakers and other operating employees as the commission may in its discretion employ

(g) The commission shall have authority at its own cost to provide grade separations with respect to all public roads and State highways intersected by the turnpike and to change and adjust the lines and grades thereof so as to accommodate the same to the design of such grade separation Provided however That the damages incurred in changing and adjusting the lines and grades of such public roads and State highways shall be ascertained and paid by the commission in the same manner as is provided for by this act in regard to the location and construction of the turnpike

(h) If the commission shall find it necessary to provide a grade separation or change the site of any portion of any State highway or public road or vacate the same it shall cause it to be reconstructed and restored forthwith at the commission's own proper expense on the most favorable location and in as satisfactory a manner as the original road or vacate it as the case may be Provided That the method of acquiring the right-of-way and determining damages incurred in changing the location of or vacating such road or State highway shall be ascertained and paid for by the commission in the same manner as is provided for by this act in regard to the location and construction of the turnpike In such cases the plan of such reconstruction and restoration or vacation shall be submitted to the supervisors of the proper township for approval and in the event of failure of the supervisors to approve the plan then it shall be submitted to the Department of Highways for final approval In the case of State highways the plan shall be submitted to the Department of Highways for its approval

(i) The commission shall also have authority to petition the court of quarter sessions of the county wherein is situate any public road or part thereof affected by the location therein of the turnpike for the vacation relocation or supply of the same or any part thereof with the same force and effect as is now given by existing laws to the inhabitants of any township of such county and the proceedings upon such petition whether it be for the appointment of viewers or otherwise shall be the same as provided by existing law for similar proceedings upon such petitions

(j) The commission shall otherwise have all the powers and perform all of the duties prescribed by the act approved the twenty-first day of May one thousand nine hundred and thirty-seven (P. L. 774) and any supplements or amendments thereto

(k) Adequate compensation shall be made by the commission out of funds provided under the authority of this act for damages to all public or private property taken injured or destroyed in carrying out the powers granted by this act or such property may be restored or repaired and placed in its original condition as nearly as practicable as the commission may deem it expedient in any particular case

Section 7 (a) Each member of the commission shall be reimbursed for the necessary expenses incurred in the performance of the duties performed under the provisions of this act

(b) All expenses incurred in carrying out the provisions of this act shall be paid solely from funds provided under the authority of this act and sufficient funds shall be provided under the authority of this act to meet any liability or obligation incurred in carrying out the provisions of this act

(c) Before the issuance of any turnpike revenue bonds notes or other obligations under the provisions of this act each appointed member of the commission shall execute a bond in the penalty of twenty-five thousand dollars (\$25,000) and the secretary and treasurer shall execute a bond in the penalty of fifty thousand dollars

(\$50,000) each such bond to be approved by the Governor and to be conditioned upon the faithful performance of the duties of his office under the provisions of this act which bonds shall be filed in the office of the Secretary of the Commonwealth.

Section 8 (a) The commission is hereby authorized and empowered to condemn by resolution any lands interests in lands property rights rights of way franchises easements and other property deemed necessary or convenient for the construction and efficient operation of the turnpike or necessary in the restoration or relocation of public or private property damaged or destroyed and the date of such resolution shall be the effective date of condemnation.

(b) The commission is hereby authorized and empowered to acquire by purchase whenever it shall deem such purchase expedient any lands interests in lands property rights rights of way franchises easements and other property deemed necessary or convenient for the construction and efficient operation of the turnpike or necessary in the restoration or relocation of public or private property damaged or destroyed whether the same had theretofore been condemned or otherwise upon such terms and at such price as may be considered by it to be reasonable and can be agreed upon between the commission and the owner thereof and to take title thereto in the name of the commission.

Section 9 (a) Whenever a reasonable sum representing the damages cannot be agreed upon or whenever the owner is legally incapacitated or unable to convey valid title or is absent or unknown either the commission acting through the Department of Justice or any owner or owners shall apply to the court of common pleas of the county in which the property is located or in the case of property located in two or more counties then in any one of such counties for the appointment of viewers to determine as hereinafter provided the amount of damages resulting from the taking Whereupon said court or any law judge thereof shall appoint three disinterested freeholders to view such property and estimate the value thereof None of the freeholders shall be a resident of the county wherein such application shall be made The court shall fix a time not less than twenty nor more than thirty days thereafter when the viewers shall meet upon the property and view the same The viewers shall cause at least ten days' personal notice of the time and place of such meeting to be given to the Attorney General to the commission and to the owner or owners if resident within said county If the owner is a corporation such notice shall be given to the president secretary or treasurer thereof if such officer resides within said county If neither owner nor any of such officers reside within the county or cannot be found therein or is unknown notice of such first meeting shall be given as the court may direct The viewers having been duly sworn or affirmed faithfully and impartially to perform the duties required of them under the provisions of this act shall at the time fixed for the first meeting proceed to ascertain as accurately as may be the value of such land property rights rights of way easements or franchises and to that end may require the attendance of any person whose testimony may be pertinent thereto and production of any such books or papers as the viewers may deem necessary if any person shall refuse to appear and testify before such viewers or refuse to produce such books and papers when they are required then the court or any judge thereof shall on application of the viewers or a quorum thereof make such order therein as may be necessary Whenever the viewers shall have ascertained the value of the lands property rights rights of way easements or franchises they shall prepare a full report of their labors Upon the completion of the report the viewers shall fix a time when they shall meet and exhibit same Ten days written notice of the time and place of such meeting together with a copy of said report shall be given to the commission to the Attorney General and to the owner or owners of the property condemned At the time and place mentioned in such notice the viewers shall meet and publicly exhibit the report

and hear all exceptions thereto After making any changes in such report as they may deem necessary the same shall be filed in the court Within thirty days after the filing of the report in the court the commission acting through the Department of Justice or any person interested may file exceptions thereto Whereupon the court shall either confirm the report absolutely or modify it or refer it back to the same or to any viewers with like powers and duties of the former viewers Within thirty days after the final action on the report by the court the commission acting through the Department of Justice or any person interested may demand a trial by jury From the action of the court on exceptions or from any judgment after a jury trial an appeal may be taken by any party to the Supreme or Superior Court Each of the viewers shall receive a sum not exceeding ten dollars for each day actually and necessarily employed in the performance of the duties herein prescribed and all necessary expenses actually incurred in the performance of his duties Title to any property condemned by the commission shall be taken in the name of the commission Prior to physical entry upon the land the commission shall be under no obligation to accept and pay for any property condemned or any costs incidental to any condemnation proceedings Provided however That in any condemnation proceedings the court having jurisdiction of the suit action or proceeding may make such orders as may be just to the commission and to the owners of the property to be condemned and may require an undertaking or other security such owners against any loss or damage by reason of the failure of the commission to enter upon accept and pay for the property but neither such undertaking or security nor any act or obligation of the commission shall impose any liability upon the Commonwealth except such as may be paid from the funds provided under the authority of this act

The commission in its discretion may vacate any portion or all of the land condemned either prior to or after physical entry upon the land or any part thereof and prior to final determination of damages In such cases the commission shall be under no obligation to accept and pay for any property condemned and subsequently vacated Provided however that in any such case the court having jurisdiction of the suit action or proceeding may make such orders as may be just to the commission and to the owners of the property and may require an undertaking or other security to secure such owners against any and all loss or damages occasioned to the owner from the time of the original condemnation to the time of the modification thereof but neither such undertaking or security nor any act or obligation of the commission shall impose any liability upon the Commonwealth except such as may be paid from the funds provided under the authority of this act

(b) In addition to the foregoing powers the commission and its authorized agents and employes may enter upon any lands waters and premises in the State for the purpose of making surveys soundings drillings and examinations as it may deem necessary or convenient for the purpose of this act and such entry shall not be deemed a trespass nor shall an entry for such purposes be deemed an entry under any condemnation proceedings which may be then pending Provided however That the commission shall make reimbursement for any actual damages resulting to such lands waters and premises as a result of such activities

(c) All counties cities boroughs townships and other political subdivisions and municipalities and all public agencies and commissions of the Commonwealth of Pennsylvania notwithstanding any contrary provision of law are hereby authorized and empowered to lease lend grant or convey to the commission upon its request upon such terms and conditions as the proper authorities of such counties cities boroughs townships other political subdivisions and municipalities or public agencies and commissions of the Commonwealth of Pennsylvania may deem reasonable and fair and without the necessity for any advertisement order of court or other action or formality

other than the regular and formal action of the authorities concerned any real property which may be necessary or convenient to the effectuation of the authorized purposes of the commission including public roads and other real property already devoted to public use

Section 10 Whenever the commission has condemned any lands rights of way easements and franchises or interests therein as hereinbefore provided and has tendered a bond or other security to secure the owner or owners for damages and the same has been accepted or if the acceptance of said bond has been refused and the same has been filed in and approved by the court of common pleas of the county in which the property is located or in the case of property located in two or more counties then in any one of such counties the commission shall have the right to immediate possession of the property covered by the bond and may enter thereon in the name of the commission If the owner lessee or occupier of any of said premises or any building or structure thereon shall refuse to remove his personal property therefrom or give up possession thereof the commission may proceed to obtain possession in the manner now provided by law for the obtaining possession by the Secretary of Highways of occupied structures

Section 11 (a) The commission is hereby authorized to provide by resolution at one time or from time to time for the issuance of turnpike revenue bonds of the Commonwealth for the purpose of paying the cost as hereinabove defined of the turnpike which resolution shall recite an estimate of such cost The principal and interest of such bonds shall be payable solely from revenues of the commission including tolls or from such funds as may be available to the commission for that purpose The bonds shall be dated shall bear interest at such rate or rates not exceeding six per centum per annum payable semi-annually shall mature at such time or times not exceeding forty years from their date or dates as may be determined by the commission and may be made redeemable before maturity at the option of the commission at such price or prices and under such terms and conditions as may be fixed by the commission prior to the issuance of the bonds Provided however That the amount of premium on any bonds shall not cause the yield to be more than six per centum per annum from the date of such bonds to the date of their redemption The bonds may be issued in series with varying provisions as to rates of interest maturity and other provisions not inconsistent with this act but all bonds of whatever series shall share ratably in the tolls hereinafter pledged as security therefor The principal and interest of such bonds may be made payable in any lawful medium The commission shall determine the form of bonds including any interest coupons to be attached thereto and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest thereof which may be at any bank or trust company within or without the Commonwealth The bonds shall bear the facsimile signatures of the Governor and of the chairman of the commission and the facsimile of the official seal of the commission shall be affixed thereto attested by the secretary and treasurer of the commission and any coupons attached thereto shall bear the facsimile signature of the chairman of the commission In case any officer whose signature shall appear on any bonds or coupons shall cease to be such officer before the delivery of such bonds such signature shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery All turnpike revenue bonds issued under the provisions of this act shall have and are hereby declared to have all the qualities and incidents of negotiable instruments under the negotiable instruments law of the Commonwealth The bonds may be issued in coupon or in registered form or both as the commission may determine and provision may be made for the registration of any coupon bond as to principal alone and also as to both principal and interest and registered and coupon bonds shall be interchangeable The commission may sell such bonds in such manner and for such price as it may deter-

mine to be for the best interest of the Commonwealth but no such sale shall be made at a price so low as to require the payment of interest on the money received therefor at more than six per centum per annum computed with relation to the absolute maturity of the bonds in accordance with standard tables of bond values The proceeds of such bonds shall be used solely for the payment of the cost of the turnpike and shall be disbursed upon requisition of the chairman of the commission under such restrictions if any as the resolution authorizing the issuance of the bonds or the trust indenture hereinafter mentioned may provide If the proceeds of such bonds by error of calculation or otherwise shall be less than the cost of the turnpike additional bonds may in like manner be issued to provide the amount of such deficit and unless otherwise provided in the resolution authorizing the issuance of the bonds or in the trust indenture shall be deemed to be of the same issue and shall be entitled to payment from the same fund without preference or priority of the bonds first issued If the proceeds of the bonds shall exceed the cost of the turnpike the surplus shall be paid into the fund hereinafter provided for the payment of principal and interest of such bonds Prior to the preparation of definitive bonds the commission may under like restrictions issue temporary bonds with or without coupons exchangeable for definite bonds upon the issuance of the latter The commission may also provide for the replacement of any bond which shall become mutilated or be destroyed or lost Such turnpike revenue bonds may be issued without any other proceedings or the happening of any other conditions or things than those proceedings conditions and things which are specified and required by this act

Such bonds are hereby made securities in which all State and municipal officers and administrative departments boards and commissions of the Commonwealth all banks bankers savings banks trust companies saving and loan associations investment companies and other persons carrying on a banking business all insurance companies insurance associations and other persons carrying on an insurance business and all administrators executors guardians trustees and other fiduciaries and all other persons whatsoever who now or may hereafter be authorized to invest in bonds or other obligations of the Commonwealth may properly and legally invest any funds including capital belonging to them or within their control and said bonds are hereby made securities which may properly and legally be deposited with and received by any State or municipal officers or agency of the Commonwealth for any purpose for which the deposit of bonds or other obligations of the Commonwealth is now or may hereafter be authorized by law

(b) The commission is hereby authorized to provide by resolution from time to time for the issuance of turnpike revenue notes or other revenue obligations of the Commonwealth to provide for preliminary or interim financing up to but not exceeding the estimated total cost of the turnpike and to pledge as collateral for such notes turnpike revenue bonds issued under the provisions of this act All such notes or other obligations shall contain a statement on their face that the Commonwealth is not obligated to pay the same or interest thereon except from revenues of the commission including tolls or from such funds as may be available to the commission for that purpose and that the faith and credit of the Commonwealth is not pledged to the payment of the principal or interest of such notes or other obligations The issuance of turnpike notes or other obligations under the provisions of this act shall not directly or indirectly or contingently obligate the Commonwealth to levy or to pledge any form of taxation therefor or make any appropriation for their payment

Section 12 All moneys received from any bonds notes or other obligations issued pursuant to this act shall be applied solely to the payment of the cost of the turnpike or to the appurtenant fund and there shall be and hereby is created and granted a lien upon such moneys until so applied in favor of holders of such bonds notes or other

obligations or the trustee hereinafter provided for in respect of such bonds notes or other obligations

Section 13 In the discretion of the commission such bonds notes or other obligations may be secured by a trust indenture by and between the commission and a corporate trustee which may be any trust company or bank having the powers of a trust company within or outside of the Commonwealth Such trust indenture may pledge or assign tolls and revenue to be received but shall not convey or mortgage the turnpike or any part thereof Either the resolution providing for the issuance of such bonds notes or other obligations or such trust indenture may contain such provisions for protecting and enforcing the rights and remedies of the bondholders or holders of notes or other obligations as may be reasonable and proper and not in violation of law including covenants setting forth the duties of the commission in relation to the acquisition of properties and the construction maintenance operation and repair and insurance of the turnpike and the custody safeguarding and application of all moneys It shall be lawful for any bank or trust company incorporated under the laws of this Commonwealth to act as depository of the proceeds of bonds notes or other obligations or revenues and to furnish such indemnity bonds or to pledge such securities as may be required by the commission Such indenture may set forth the rights and remedies of the bondholders or holders of notes or other obligations and of the trustee and may restrict the individual right of action of bondholders or holders of notes or other obligations as is customary in trust indentures securing bonds debentures of corporations notes or other obligations In addition to the foregoing such trust indenture may contain such other provisions as the commission may deem reasonable and proper for the security of bondholders or holders of notes or other obligations All expenses incurred in carrying out such trust indenture may be treated as part of the cost of maintenance operation and repair of the turnpike

Section 14 The accomplishment by the commission of the authorized purposes stated in this act being for the benefit of the people of the Commonwealth and for the improvement of their commerce and prosperity in which accomplishment the commission will be performing essential governmental functions the commission shall not be required to pay any taxes or assessments on any property acquired or used by it for the purposes provided in this act and the bonds notes or other obligations issued by the commission their transfer and the income therefrom including any profits made on the sale thereof shall at all times be free from taxation within the Commonwealth

Section 15 The commission is hereby authorized to fix and to revise from time to time tolls for the use of the turnpike and the different parts or sections thereof and to charge and collect the same and to contract with any person partnership association or corporation desiring the use of any part thereof including the right of way adjoining the paved portion for placing thereon telephone telegraph electric light or power lines gas stations garages stores hotels restaurants and advertising signs or for any other purpose except for tracks for railroad or railway use and to fix the terms conditions rents and rates of charges for such use Such tolls shall be so fixed and adjusted as to provide a fund at least sufficient with other revenues of the turnpike if any to pay (a) the cost of maintaining repairing and operating the turnpike and (b) the bonds notes or other obligations and the interest thereon and all sinking fund requirements and other requirements provided by the resolution authorizing the issuance of the bonds notes or other obligations or by the trust indenture as the same shall become due Such tolls shall not be subject to supervision or regulation by any other State commission board bureau or agency The tolls and all other revenues derived from the turnpike except such part thereof as may be required to pay the cost of maintaining repairing and operating the turnpike and to provide such reserves therefor as may be provided for in the resolution authorizing the issuance of the bonds notes or other obligations or in the trust indenture shall be set aside

at such regular intervals as may be provided in such resolution or such trust indenture in a sinking fund which is hereby pledged to and charged with the payment of (1) the interest upon such bonds notes or other obligations as such interest shall fall due (2) the principal of the bonds notes or other obligations as the same shall fall due (3) the necessary fiscal agency charges for paying principal and interest and (4) any premium upon bonds retired by call or purchase as herein provided The use and disposition of such sinking fund shall be subject to such regulations as may be provided in the resolution authorizing the issuance of bonds notes or other obligations or in the trust indenture but except as may otherwise be provided in such resolution or trust indenture such sinking fund shall be a fund for the benefit of all bonds notes or other obligations issued hereunder without distinction or priority of one over another Subject to the provisions of the resolution authorizing the issuance of bonds notes or other obligations or of the trust indenture any moneys in such sinking fund in excess of an amount equal to one year's interest on all bonds notes or other obligations then outstanding may be applied to the purchase or redemption of bonds notes or other obligations All bonds notes or other obligations so purchased or redeemed shall forthwith be cancelled and shall not again be issued

Section 16 The commission is hereby authorized to provide by resolution for the issuance of turnpike revenue refunding bonds of the Commonwealth for the purpose of refunding any turnpike revenue bonds notes or other obligations issued under the provisions of this act and then outstanding The issuance of such turnpike revenue refunding bonds the maturities and other details thereof the rights of the holders thereof and the duties of the Commonwealth and of the commission in respect to the same shall be governed by the foregoing provisions of this act in so far as the same may be applicable and by the following provisions

(a) No turnpike revenue refunding bonds shall be delivered unless delivered in exchange for turnpike revenue bonds notes or other obligations to be refunded thereby except in the amount necessary to provide for the payment of matured or redeemable turnpike revenue bonds notes or other obligations or turnpike revenue bonds notes or other obligations maturing or redeemable within three months including any redemption premium thereon

(b) No turnpike revenue refunding bonds shall be issued unless issued to refund turnpike revenue bonds notes or other obligations which have matured or will mature within three months or unless the interest rate of the turnpike revenue refunding bonds shall be at least one-fourth of one per centum less than the interest rate borne by the turnpike revenue bonds notes or other obligations to be refunded

Section 17 Any holder of bonds notes or other obligations issued under the provisions of this act or any of the coupons attached thereto and the trustee under the trust indenture if any except to the extent the rights herein given may be restricted by resolution passed before the issuance of the bonds notes or other obligations or by the trust indenture may either at law or in equity by suit action mandamus or other proceedings protect and enforce any and all rights granted hereunder or under or under such resolution or trust indenture and may enforce and compel performance of all duties required by this act or by such resolution or trust indenture to be performed by the commission or any officer thereof including the fixing charging and collecting of tolls for the use of the turnpike

Section 18 When all bonds notes or other obligations and the interest thereon shall have been paid or a sufficient amount for the payment of all bonds notes or other obligations and the interest to maturity thereon shall have been set aside in trust for the benefit of the holders of such bonds notes or other obligations and shall continue to be held for that purpose the turnpike and the connecting roads tunnels and bridges shall become a part of the system of State highways and shall be maintained by the Department of Highways free of tolls and there-

upon the commission shall be dissolved and all funds of the commission not required for the payment of the bonds notes or other obligations and all machinery equipment and other property belonging to the commission shall be vested in the Department of Highways

Section 19 The foregoing sections of this act shall be deemed to provide an additional and alternative method for the doing of things authorized thereby and shall be regarded as supplemental and additional to powers conferred by other laws and shall not be regarded as in derogation of any powers now existing Such sections being necessary for the welfare of the Commonwealth and its inhabitants shall be liberally construed to effect the purposes thereof

Section 20 The provisions of this act are severable and if any of its provisions shall be held unconstitutional by any court of competent jurisdiction the decision of such court shall not effect or impair any of the remaining provisions It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein

Section 21 All acts and parts of acts inconsistent with this act are hereby repealed

Section 22 This act shall become effective immediately upon its final enactment

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 305

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 305.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreech,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 341, as follows:

An Act to further amend Section 2 of the act approved the twenty-fourth day of June one thousand nine hun-

dred thirty-nine (P. L. 685) entitled "An act designating certain life insurance companies as limited life insurance companies and further describing the powers thereof" by further describing the powers of limited life insurance companies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 685) entitled "An act designating certain life insurance companies as limited life insurance companies and further describing the powers thereof" as last amended by the act approved the tenth day of June one thousand nine hundred forty-seven (P. L. 511) is hereby further amended to read as follows

Section 2 Powers All limited life insurance companies are hereby specifically empowered to issue policies agreeing to pay not more than twenty-dollars (\$20.00) per week in the event of disablement from sickness nor more than double that amount in the event of disability from accident nor more than five hundred dollars (\$500.00) in the event of death from natural or accidental causes and to issue policies of endowment insurance subject to the condition hereinafter provided notwithstanding any limitation to the contrary established by the act of Assembly pursuant to which such corporation shall have been incorporated or reincorporated or by any other act of Assembly or by the provisions of its charter

Any such company may issue policies agreeing to pay in excess of five hundred dollars (\$500.00) but not exceeding one thousand dollars (\$1000.00) in the event of death from natural and accidental causes provided it has

(a) In the case of stock companies a capital of fifty thousand dollars (\$50,000.00) and in addition thereto has accumulated a surplus in the sum of at least twelve thousand five hundred dollars (\$12,500.00) or

(b) In the case of mutual companies accumulated a surplus in the sum of at least fifty thousand dollars (\$50,000.00)

Any such company may issue policies of endowment insurance agreeing to pay not more than one thousand dollars (\$1000.00) upon maturity thereof provided it has

(a) In the case of stock companies of a capital of one hundred thousand dollars (\$100,000.00) and in addition thereto has accumulated a surplus in the sum of at least twenty-five thousand dollars (\$25,000.00) or

(b) In the case of mutual companies accumulated a surplus in the sum of at least one hundred thousand dollars (\$100,000.00)

Any such company may issue policies agreeing to pay in excess of the weekly limitations herein prescribed but not exceeding [forty-five dollars (\$45)] fifty-five dollars (\$55) per week and agreeing to pay an additional benefit for hospital and medical expenses for any one sickness or accident not exceeding one hundred fifty dollars (\$150) in the event of disablement from sickness or accident provided such policies limit payment of benefits to periods during which insured shall have been admitted as a patient into and as such be necessarily wholly and continuously confined within a duly licensed and incorporated hospital provided it has

(a) In the case of stock companies additional capital of twenty-five thousand dollars (\$25,000.00) and has accumulated additional surplus in the sum of at least twenty-five thousand dollars (\$25,000.00) or

(b) In the case of mutual companies accumulated additional surplus in the sum of at least twenty-five thousand dollars (\$25,000)

Such additional capital and additional surplus as required by clauses (a) and (b) of this paragraph shall be deemed to be capital and surplus additional to that required by any of the previous paragraphs of this section or by the act under which such company was incorporated or reincorporated

Section 2 The provisions of this act shall become effective immediately upon final enactment

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 341

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 341.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

THIRD READING CALENDAR

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 24, on third reading, entitled:

An Act to amend Section 304 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing reorganization of certain administrative departments board and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments board commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain department boards and commissions shall be determined" by increasing the membership of the Pennsylvania Historical and Museum Commission

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 60, as follows:

An Act authorizing the court in any proceeding to establish paternity to order the parties therein to submit to blood grouping tests and prescribing the conditions under which such evidence may be admitted
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In any proceeding to establish paternity the court on motion of the defendant shall order the mother her child and the defendant to submit to one or more blood grouping tests by a duly qualified physician to determine whether or not the defendant can be excluded as being the father of the child and the results of such tests may be received in evidence but only in cases where definite exclusion of the defendant is established

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 122, as follows:

An Act to further amend paragraph (8) of subsection A and subsection B of section 1208 section 1209 and subsection C of section 1210 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers directors trustees share holders attorneys and other employees of all such corporations employees' mutual banking associations or

private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for authorized investments and limitations on loans and discounts of savings banks

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Paragraph (8) of subsection A of section 1208 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers directors trustees shareholders attorneys and other employees of all such corporations employees' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" as last amended by the act approved the twenty-first day of June one thousand nine hundred forty-seven (P. L. 782) are hereby further amended to read as follows

Section 1208 Authorized Investments of Savings Banks Not Under Special Charter A Except as otherwise specifically provided in this act a savings bank other than a savings bank organized under a special act of the General Assembly shall not make any investments except as follows

* * * * *

(8) (a) Bonds or notes secured by mortgages or deeds of trust which are first liens upon unencumbered improved real property including improved farm land situated within the Commonwealth or within fifty miles of the boundary thereof to the extent of not more than two-thirds of the actual value of such real property and for a term not exceeding ten years or for a term not exceeding twenty years if such mortgages or deeds of trust contain provisions requiring monthly quarterly semi-annual or annual payments sufficient in amount to pay all interest and effect full repayment of principal within the [such twenty year] term thereof Provided however that such saving bank while having the entire investment in such a bond or note may subject to like conditions in respect to amortization invest in a bond or note secured by a mortgage or deed of trust or judgment which is a second lien on the same real property if the total invested in both liens does not at any time exceed two-thirds of the actual value of such real property [and bonds]

(b) Bonds or notes secured by mortgages or deeds of trust which are insured by or for which a written commitment to insure has been made by the Federal Housing Administrator pursuant to the provisions of the National Housing Act [of one thousand nine hundred and thirty-four] approved the twenty-seventh day of June one thousand nine hundred and thirty-four its amendments and supplements

(c) Bonds or notes secured by mortgages or deeds of trust of dwellings for not more than four families and improved farm land guaranteed or for which a written commitment to guarantee has been made in accordance with the provisions of the "Servicemen's Readjustment

Act of 1944" its amendments and supplements and rules and regulations promulgated from time to time pursuant to the provisions of said act Provided however that each such loan is guaranteed in an amount equal to at least twenty per centum thereof

(d) Bonds or notes secured by mortgages or deeds of trust of business property guaranteed in whole or in part or for which a written commitment to guarantee has been made in accordance with the provision of the "Servicemen's Readjustment Act of 1944" its amendments and supplements and rules and regulations promulgated from time to time pursuant to the provisions of said act Provided however that the non-guaranteed portion of each such business loan does not exceed two-thirds of the value of such business property

(e) Secondary bonds or notes secured by mortgages or deeds of trust guaranteed in full or for which a written commitment to so guarantee has been made in accordance with Section five hundred and five of the "Servicemen's Readjustment Act of 1944" its amendments and supplements and rules and regulations promulgated from time to time pursuant to said act and

(f) Bonds or notes secured by mortgages or deeds of trust of real property insured or for which a written commitment to insure has been made in accordance with the provisions of Title One of the "Bankhead-Jones Farm Tenant Act" of the twenty-second day of July one thousand nine hundred and thirty-seven its amendments and supplements and rules and regulations promulgated from time to time pursuant to the provisions of said act

B Any building which is upon and is included in the valuation of such real property shall be insured against loss by fire [to] for the benefit of the savings bank by the [mortgagor] borrower during the term of the bond or note in a company which is authorized to do business [in Pennsylvania] where such real property is situated and is approved by the saving bank making the investment It shall be lawful for a savings bank to renew such policies at the expense of such [mortgagor] borrower from year to year or for a longer or shorter period not however exceeding the term of the bond or note in case the [mortgagor] borrower shall fail to do so All necessary charges and expenses paid by such savings bank for such renewals shall be paid by such [mortgagor] borrower In the event that the [mortgagor] borrower shall refuse upon demand to pay such charges and expenses they shall be added to the amount secured by the mortgage or deed of trust and shall together with interest from the date of payment of such charges and expenses by such savings bank constitute a lien upon the property to [mortgaged] encumbered All expenses of searches examinations certificates of title or appraisal of actual value and all expenses of drawing and recording of papers shall be paid by such [mortgagor] borrower [The actual value of the real property shall be determined by two reputable persons especially familiar with real property values in the vicinity of the particular property to be appraised selected from or approved by the board of trustees They shall inspect the property and shall state in writing that the actual value of the real property inspected to the best of their judgment as is stated Such report shall be filed and preserved among the records of the savings bank] In case of bonds or notes authorized for purchase or investment in sub-paragraph (8a) the actual value of the real property shall be the average written appraisals thereof made after inspection of the property by two reputable persons approved by the board of trustees of the savings bank and familiar with real property values in the vicinity of the property appraised which appraisals shall be filed among the records of the saving bank

Section 2 Subsection B of Section 1208 of said act as last amended by the act approved the twenty-second day of May one thousand nine hundred thirty-seven (P. L. 349) is hereby further amended to read as follows

[B] C A savings bank other than a savings bank organized under a special act of the General Assembly may make such additional investments as are authorized by its articles but it shall not purchase or invest in bonds

secured by mortgage upon real property other than such as are expressly authorized by this act nor shall it invest in the shares of capital of any corporation whatsoever [except a Federal Reserve Bank] except shares of a Federal Reserve Bank and the shares of any corporation organized under the laws of this Commonwealth for the purpose of conducting a safe deposit business and to the extent of not in excess of ten per centum of the surplus and unallocated reserve of the savings bank not more than ten per centum of the authorized capital stock of any national banking association located within this Commonwealth or of any bank and trust company or trust company incorporated under the laws of this Commonwealth

Section 3 Section 1209 of said act as last amended by the act approved the twenty-first day of June one thousand nine hundred forty-seven (P. L. 782) is hereby further amended to read as follows

Section 1209 Authorized Investments of Special Charter Savings Banks A A savings bank organized under a special act of the General Assembly may make such investments as may be authorized by its articles of incorporation but no such savings bank shall purchase or invest in the shares of capital of any corporation whatsoever [except a Federal Reserve Bank] except shares of a Federal Reserve Bank and the shares of any corporation organized under the laws of this Commonwealth for the purpose of conducting a safe deposit business and to the extent of not in excess of ten per centum of the surplus and unallocated reserve of the savings bank not more than ten per centum of the authorized capital stock of any national banking association located within this Commonwealth or of any bank and trust company or trust company incorporated under the laws of this Commonwealth No such savings bank shall [or] purchase or invest in bonds or notes secured by mortgages or deeds of trust [upon] of real property except [bonds]

(1) Bonds or notes secured by mortgages or deeds of trust which are first liens upon unencumbered improved real property including improved farmland situated within the Commonwealth or within fifty miles of the boundary thereof to the extent of not more than two-thirds of the actual value of such real property and for a term not exceeding ten years or for a term not exceeding twenty years if such mortgages or deeds of trust contain provisions requiring monthly quarterly semi-annual or annual payments sufficient in amount to pay all interest and effect full repayment of principal within the [such twenty year] term thereof Provided however that a savings bank while having the entire investment in such a bond or note may subject to like conditions in respect to amortization invest in a bond or note secured by a mortgage or deed of trust or in a judgment which is a second lien on the same real property if the total invested in both liens does not at any time exceed two-thirds of the actual value of such real property [and bonds]

(2) Bonds or notes secured by mortgages or deeds of trust which are insured by or for which a written commitment to insure has been made by the Federal Housing Administrator pursuant to the provisions of the National Housing Act [of one thousand nine hundred and thirty-four] approved the 27th day of June one thousand nine hundred and thirty-four its amendments and supplements

(3) Bonds or notes secured by mortgages or deeds of trust of dwellings for not more than four families and improved farmland guaranteed or for which a written commitment to guarantee has been made in accordance with the provisions of the "Servicemen's Readjustment Act of 1944" its amendments and supplements and rules and regulations promulgated from time to time pursuant to the provisions of said act Provided however that each such loan is guaranteed in an amount equal to at least twenty per centum thereof

(4) Bonds or notes secured by mortgages or deeds of trust of business property guaranteed in whole or in part or for which a written commitment to guarantee has been made in accordance with the provisions of the "Servicemen's Readjustment Act of 1944" its amendments and supplements and rules and regulations promulgated

from time to time pursuant to the provisions of said act Provided however that the non-guaranteed portion of each such business loan does not exceed two-thirds of the value of such business property

(5) Secondary bonds or notes secured by mortgages or deeds of trust guaranteed in full or for which a written commitment to so guarantee has been made in accordance with the provisions of Section five hundred and five of the "Servicemen's Readjustment Act of 1944" its amendments and supplements and rules and regulations promulgated from time to time pursuant to said act and

(6) Bonds or notes secured by mortgages or deeds of trust of real property insured or for which a written commitment to insure has been made in accordance with the provisions of Title One of the "Bankhead-Jones Farm Tenant Act" of the twenty-second day of July one thousand nine hundred and thirty-seven its amendments and supplements and rules and regulations promulgated from time to time pursuant to the provisions of said act

B Any building which is upon and is included in the valuation of such real property shall be insured against loss by fire [to] for the benefit of the savings bank by the [mortgagor] borrower during the term of the bond or note in a company which is authorized to do business [in Pennsylvania] where such real property is situated and is approved by the savings bank making the purchase or investment It shall be lawful for the savings bank to renew such policies at the expense of such [mortgagor] borrower from year to year or for a longer or shorter period not however exceeding the term of the bond or note in case the [mortgagor] borrower shall fail to do so [B] All necessary charges and expenses paid by such savings bank for such renewals shall be paid by such [mortgagor] borrower In the event that the [mortgagor] borrower shall refuse upon demand to pay such charges and expenses they shall be added to the amount secured by the mortgage or deed of trust and shall together with interest from the date of payment of such charges and expenses by such savings bank constitute a lien upon the property so [mortgaged] encumbered All expenses of searches examinations certificates of title or appraisal of actual value and all expenses of drawing and recording of papers shall be paid by such [mortgagor] borrower [The actual value of the real property shall be determined by two reputable persons especially familiar with real property values in the vicinity of the particular property to be appraised selected from or approved by the board of trustees They shall inspect the property and shall state in writing that the actual value of the real property inspected to the best of their judgment is as stated Such report shall be filed and preserved among the records of the savings bank] In the case of bonds or notes authorized for purchase or investment in subsection A (1) of this section the actual value of the real property shall be the average of written appraisals thereof made after inspection of the property by two reputable persons approved by the board of trustees of the savings bank and familiar with real property values in the vicinity of the property appraised which appraisals shall be filed among the records of the savings bank The restrictions contained in this section with reference to real estate bonds and notes shall not apply to public utility railroad or industrial bonds or other securities commonly known as investment securities although such [bonds] obligations may be secured in whole or in part by a [mortgage] lien upon real property

Section 4 Subsection C of section 1210 of said act as last amended by the act approved the twenty-first day of June one thousand nine hundred and forty-seven (P. L. 782) and by the act approved the twenty-eighth day of June one thousand nine hundred and forty-seven (P. L. 1104) is hereby further amended to read as follows

Section 1210 Limitation Upon Loans and Discounts

* * * * *

C [The limitations imposed by this section shall not apply to loans on the security of bonds secured by mortgages upon a dwelling for not more than four families and improved farm land situated within the Commonwealth or within fifty miles of the boundary thereof made

or for which a written commitment to guarantee has been made in accordance with the provisions of the "Servicemen's Readjustment Act of 1944" its amendments and supplements and rules and regulations promulgated from time to time pursuant to the provisions of said act Provided That each such loan is guaranteed in an amount equal to at least twenty per centum thereof subject to the lien and loans on the security of bonds secured by mortgages upon business property situated within the Commonwealth or within fifty miles of the boundary thereof if such loans are guaranteed in whole or in part or if there is a written commitment to so guarantee in accordance with the provisions of the "Servicemen's Readjustment Act of 1944" its amendments and supplements and rules and regulations promulgated from time to time pursuant to the provisions of said act Provided That the non-guaranteed portion of each such business loan does not exceed two-thirds of the value of such business property nor shall any limitations imposed by this section apply to secondary loans fully guaranteed in accordance with the provisions of section five hundred five of the "Servicemen's Readjustment Act of 1944" its amendments and supplements and rules and regulations promulgated from time to time pursuant to said act] The limitations imposed by this section shall not apply to investments authorized under Sections 1208 and 1209 of this act

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Freed	McGinnis,	Silvert,
Barr,	Haluska,	McMenamin,	Snowden,
Barrett,	Hare,	McPherson, Jr.,	Stevenson,
Berger,	Holland,	Meade,	Stiefel,
Blass,	Kephart,	Neff,	Taylor,
Byrne,	Leader,	Pechan,	Toole,
Chapman,	Kesler,	Peelor,	Wade,
Crowe,	Lane,	Propert,	Wagner,
Lent,	Letzler,	Robinson,	Walker,
Diehm,	Mahany,	Rosenfeld,	Watkins,
DiSilvestro,	Mallery,	Ruth,	Watson,
Fleming,	McCreesh,	Scarlett,	Wolfe,
			Yosko,

NAYS—1

Wood,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 123, as follows:

An Act to re-enact and amend the title and the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 796) entitled "An act providing for the preservation of the records of banks bank and trust companies trust companies savings banks and private banks and imposing penalties for violations" by extending the provisions thereof to national banking associations making photostatic film reproductions or photographic or photostatic copies of original records admissible in evidence equally and with the same force and effect as such original records providing a means for the final adjustment and settlement of depositors' accounts and saving certain parts of acts from repeal

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 796) entitled "An act providing for the preservation of the records of banks bank and trust companies trust companies savings banks and private banks and imposing penalties for violations" is hereby re-enacted and amended to read as follows

An Act providing for the preservation of the records or photographic film reproductions or photographic or photostatic copies thereof of banks bank and trust companies trust companies savings banks [and] private banks and national banking associations providing that such photographic film reproductions or photographic or photostatic copies shall be admissible in evidence equally and with the same force and effect as the original records providing a means for the final adjustment and settlement of depositors' accounts savings certain parts of acts from repeal and imposing penalties for violations

Section 2 Section 1 of said act as amended by the act approved the twenty-fifth day of May one thousand nine hundred thirty-nine (P. L. 204) is hereby re-enacted and amended to read as follows

Section 1 Be it enacted &c That every bank bank and trust company trust company and savings bank incorporated under the laws of this Commonwealth and every private bank and every national banking association transacting business within this Commonwealth shall preserve in such form and manner that they may be readily produced upon proper demand all its records of original or final entry including cards used under the card system and deposit or withdrawal slips or tickets for a period of seven years from the date of making the last entry on the same Provided however That this act shall not be construed to prevent the preservation of photographic film reproductions or photographic or photostatic copies of ledger records of depositors' accounts in lieu of the originals of such ledger records Any photographic film reproduction or photographic or photostatic copy of such ledger record of a depositor's account shall be admissible in evidence in any proceeding equally and with the same force and effect as the original record

Section 3 Section 2 of the said act is hereby re-enacted and amended to read as follows

Section 2 An officer or employe of a bank bank and trust company trust company savings bank [or] private bank or national banking association and in the case of a bank bank and trust company trust company [or] savings bank or national banking association any director or trustee who knowingly violates or knowingly causes to be violated any provision of [this] section one hereof shall be guilty of a misdemeanor and shall upon conviction thereof be subject to imprisonment for a period of one year or a fine not exceeding one thousand dollars or both

Section 4 The said act is hereby amended by adding immediately following section 2 thereof two new sections to read as follows

Section 3 When a bank a bank and trust company a trust company a savings bank a private bank or a national banking association has heretofore or hereafter rendered an account to a depositor either by furnishing him with a statement thereof or by writing up the depositor's passbook showing the condition of the depositor's account and by delivering such passbook to such depositor such account shall as to an account heretofore rendered after a period of seven years from the effective date of this act and as to an account hereafter rendered after the period of seven years from the date of its rendition in the event no objection thereto has been theretofore made by the depositor be deemed finally adjusted settled and its correctness conclusively presumed and such depositor shall thereafter be barred from questioning the correctness of such account for any cause

Section 4 Nothing contained in this act shall be con-

strued to relieve the depositor from the duty now imposed by law of exercising due diligence in the examination of such account or of any checks or drafts which may accompany it when rendered by the bank bank and trust company trust company savings bank private bank or national banking association and of immediate notification thereto upon discovery of any error therein nor from the legal consequences of neglect of such duty nor to effect the repeal of Section 911 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) known as the "Banking Code" which section was added thereto by the act approved the twenty-ninth day of July one thousand nine hundred forty-one (P. L. 586) nor to prevent the application thereof to cases governed thereby

Section 5 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. McCREESH. Mr. President, last week this bill was put over in order to have the bill amended, and I don't see much improvement in the bill. This bill would allow, if passed, the banks to go into the business of taking second mortgages. Senate Bills Nos. 123, 124 and 125 are practically the same bills, and the three bills were put over last week and the only difference is that the word "Second" is dropped out and in place of that you have "Third Reading."

Now, Mr. President, we all know what happened when banks took second mortgages years ago, and some level-headed person came along and closed the banks, and put them in good shape and today the banks, in my opinion, are in good shape.

Mr. President, what happens when you place a second mortgage on a home is that you go to someone who has a lead in the bank. He has some inside lead, and he gets a fee or a bonus, whatever you call it, of \$300, \$400 or \$500 for placing a second mortgage, and then you are in danger of losing your home altogether, because if you could not carry it with the first mortgage, you could not carry it with the second.

So, Mr. President, someone may say after I am through that I am all wrong, and you always hear some "palooka" get on the floor and tell you that you do not know what you are talking about, but these three bills are practically the same and I cannot understand why the banks come up here and hand a bunch of bills to someone to get them to present the bills. You never see the bankers here. They do not ask the Senators to place the bills; they send them to some special agent, or I would not know what you would call them. So, he introduces the bills and then we get into a lot of trouble over these bills that do not amount to a row of beans. They do not do any person any good, and as I said before, the banks are in good shape due to that great old fellow who closed them up and started from scratch.

Mr. WALKER. Mr. President, I want to say that I am thoroughly sympathetic with the gentleman from Philadelphia, Senator McCreesh. A couple of weeks ago, we had a bill in here about rattle snakes, and I did not

see any rattle snakes up here, so they must have sent the bill in by agent, too.

Mr. President, most of the objection the gentleman is making to the four bills relates to Senate Bill No. 122, which was just passed unanimously by the Senate.

Now, Mr. President, as to Senate Bill No. 123, which is sponsored by Senator McCreesh's dear friend and colleague from Philadelphia, Senator Kephart, all that Senate Bill No. 123 does is that it extends the provisions of the banking act so that the banks can make photostatic copies of bank statements, and at the end of a seven-year period destroy the originals and keep the photostats. Now, that is the only thing that is before the Senate at this time.

Mr. President, I am perfectly willing to approach Senate Bills No. 124 and 125 when we come to them on the Calendar. If the gentleman will confine his objections to the bill that is before the Senate, I certainly would be willing to discuss it with him. The only thing that is before the Senate at this time is Senate Bill No. 123, and the only thing that Senate Bill No. 123 does is deal specifically with the right of banks to make photostatic copies of bank statements. Now, Mr. President, I do not gather that the gentleman from Philadelphia, Senator McCreesh, is objecting to that. I think that he is anticipating the objection he has to Senate Bill No. 124 or Senate Bill No. 125, or else he is reminiscing about the objection he had to Senate Bill No. 122.

Mr. President, I suggest to him in all sincerity and, very frankly, with a little bit of timidity, because of the descriptive verbiage he used, I think the word was "palooka"—I have been called everything today but that—I would like to humbly suggest to the gentleman that Senate Bill No. 123 does nothing more than permit banks to make photostatic copies of bank statements, and I am reasonably assuming that he is not objecting to that.

Mr. McCREESH. Mr. President, I knew that would happen and, of course, I respect Senator Walker. He is a wonderful and he is a great leader, and I hope the Republican Party keeps him as a leader because he is wonderful, but that does not alter my opinion on Senate Bills No. 123, 124 or 125. It is just like Senator Walker says he wants more taxes; Senator Dent says that we do not need more taxes. So, I am going to go on with my own ideas. I say to you now, Mr. President, that we do not need a change in the banking business. The banks should stick to their own business.

Mr. President, some years ago we had a bill introduced here whereby the State, the State of Pennsylvania, was to go into the insurance business. Well, I was fearful at that time that they might go into my business, the garage business. So, I am opposed to this way of doing business. I would like to have the banks stick to their own business, and I think Senator Walker would do well to help me along and not propose these bills.

Mr. WALKER. Mr. President, after what he said about "Walker," I certainly am not going to object to a word the gentleman has said.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37

Bane,	Kessler,	Peelor,	Taylor,
Berger,	Letzler,	Propert,	Toole,
Blass,	Mahany,	Robinson,	Wade,
Chapman,	Mallery,	Rosenfeld,	Wagner,
Crowe,	McGinnis,	Ruth,	Walker,
Diehm,	McPherson, Jr.,	Scarlett,	Watkins,
Fleming,	McMenamin,	Silvert,	Watson,
Freed,	Meade,	Snowden,	Wolfe,
Hare,	Pechan,	Stevenson,	Yosko,
Kephart,			

NAYS—13

Barr,	DiSilvestro,	Lane,	Neff,
Barrett,	Haluska,	Leader,	Stiefel,
Byrne,	Holland,	McCreesh,	Wood,
Dent,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

POINT OF INQUIRY

Mr. McCREESH. Mr. President, I would like to ask how the gentleman from Allegheny, Senator Walker, voted?

The PRESIDENT. How did the gentleman from Allegheny, Mr. Walker, vote?

Mr. WALKER. How am I recorded as voting, Mr. President?

The PRESIDENT. You are recorded as voting "aye."

Mr. WALKER. That is correct, Mr. President.

REASON FOR VOTE

Mr. DENT. Mr. President, it has often been said that speeches do not change votes on the floor, but after the eloquent address by my colleague, I could not resist. I had to vote "no."

The PRESIDENT. The Chair agrees that we are all susceptible to various kinds of influence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 124, as follows:

An Act to further amend subsection A of Section 1006 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers directors trustees shareholders attorneys and other employees of all such corporations employees' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and limitations upon powers of banks and bank and trust companies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection A of section 1006 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers directors trustees shareholders attorneys and other employees of all such corporations employees' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" as last amended by the act approved the twenty-first day of April one thousand nine hundred forty-nine (P. L. 686) is hereby further amended to read as follows

Section 1006 Limitations upon Loans to One Corporation or Person A A bank or a bank and trust company shall not directly or indirectly lend to any corporation or person an amount which including any extension of credit to such corporation or person [by means of letters of credit or] by acceptance of drafts for or the discount or purchase of the notes bonds bills of exchange or other evidences of indebtedness of such corporation or person shall exceed ten per centum of the unimpaired capital and ten per centum of the unimpaired surplus of the bank or bank and trust company However this restriction shall have no application whatsoever to the following

(1) Loans to or obligations of the United States or obligations issued under authority of the Federal Farm Loan Act as amended or issued by the Federal Home Loan Banks or the Home Owners' Loan Corporation or obligations which are issued by the Federal Housing Administrator pursuant to section two hundred and seven of the National Housing Act if the debentures to be issued in payment of such insured obligations are guaranteed as to principal and interest by the United States or obligations of national mortgage associations or loans secured by not less than the face amount of bonds or other interest-bearing obligations of the United States or bonds or other interest-bearing obligations for the payment of the principal and interest on which the faith and credit of the United States is pledged to the extent that such loans are secured or covered by guaranties or by commitments or agreements to take over or to purchase made by any Federal Reserve Bank or by the United States or any department bureau board commission or establishment of the United States including any corporation wholly owned directly or indirectly by the United States

(2) Loans to or loans secured by obligations of or obligations of or loans or obligations guaranteed by the following

(a) The Commonwealth of Pennsylvania or any county city borough township incorporated town or school district thereof or an Authority which has been created as a body corporate and politic under any law of this Commonwealth

(b) Any other state of the United States or any political subdivision thereof Provided That this exemption shall apply only to the general obligations of such other states of the United States or political subdivisions thereof

(3) The discount of drafts or bills of exchange drawn in good faith against actual existing values

(4) The discount of commercial or business paper actually owned by the corporation or person negotiating it

to the bank or bank and trust company and endorsed without restriction by such corporation or person

(5) The discount of notes secured by shipping documents warehouse receipts or other similar documents conveying or securing title to readily marketable non-perishable staple goods including live-stock when the actual market value of the property securing the obligations is not at any time less than one hundred fifteen per centum of the face amount of the notes secured by such documents and when such property is fully covered by insurance

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to;

On the question,

Shall the bill pass finally?

Mr. McCREESH. Mr. President, I would like to have the good Senator from Philadelphia, Mr. Kephart, explain the bill and tell us something about it.

The PRESIDENT. Will the Senator from Philadelphia, Mr. Kephart, agree to say something good about this bill?

Mr. KEPHART. Mr. President, this is a fairly complicated bill. I do not know whether Senator McCreesh will understand it after I explain it; I am not sure I understand it myself.

Mr. President, this bill only affects commercial banks, but does not apply to savings banks in any way at all. Section 1006 of the Banking Code, as presently written, limits the amount that a bank or bank and trust company—now called loans—can loan to any one corporation or person. This limitation is 10% of the unimpaired capital and surplus, and that is based upon letters of credit issued, acceptances of drafts, discounts or purchase of notes, bonds, bills of exchange, etc. This amendment would eliminate letters of credit until such time as the letters of credit are drawn upon in figuring up that unimpaired capital and surplus. You see, letters of credit as such are not actually loans of money, and do not become so until the drafts drawn under the letters are presented. Such drafts are accompanied by the title retaining instrument covering the commodities involved, and thus are converted into loans which are not themselves under the 10% limitation.

Mr. President, the national banking system recognizes this distinction between letters of credit and borrowings by exempting such letters of credit from the statutory limitation similar to ours. Also, the Federal Reserve Act places no such restriction regarding the amount of letters of credit which may be issued.

Mr. President, this amendment would wipe out a condition that now exists where the State banks are under a competitive disadvantage.

Mr. McCREESH. Mr. President, the way that Senator Kephart explains the bill, he says that you get a letter of credit and that if you get three letters of credit, you might get your loan. Well, the way that I explained it is the correct way. If you have an inside lead and you give a bonus to some smart alec, you will get whatever you are after, and then you are forever ruined because many people today have lost their homes years ago due to second mortgages and third mortgages, and, as I said before, if you have to go to somebody and put them under an obligation of giving you a letter of credit, you might as

well pay the bill for them because they are going to come after you.

Mr. President, there is no need for either of those three bills. I let one pass because I thought I would help the Senator out, but when it comes to three or four, and they are practically useless and they are going to ruin our banks, then I think it is time that some of the Senators on the other side, regardless of how they feel or whether they are scared to get up on the floor and tell the voters what they are for, I think they should get up and let us hear what they have got to say about those bills. This putting banks into the insurance business, garage business, into second mortgages, into everything, even to where they finance the oil burner in your home; you cannot move one way or the other that the bank has not got hold of you. It is through these bills of Senaor Kephart that one bank helps out the other, so that you might as well have a fight with all the banks in Philadelphia as one, because they are all merged together and they are all for the same purpose, and I would advise the people in Philadelphia and in the State of Pennsylvania to not place a second mortgage on their homes because if they do, they will surely lose it and do not ask for a letter of credit because the man who gives the letter of credit might as well pay the bill.

Mr. KEPHART. Mr. President, the only thing I have to say in reply is that I regret that the bill does not have anything to do with what the Senator just had to say.

Mr. McCREESH. I knew that, Mr. President.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Bane,	Kessler,	Pechan,	Taylor,
Berger,	Lane,	Peelor,	Wade,
Blass,	Leader,	Proport,	Wagner,
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahanay,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
Fleming,	McGinnis,	Scarlett,	Wolfe,
Freed,	McMenamin,	Silvert,	Wood,
Hare,	McPherson, Jr.	Snowden,	Yosko,
Kephart,	Meade,	Stevenson,	

NAYS—11

Barr,	Dent,	Holland,	Stiefel,
Barrett,	DiSilvestro,	McCreesh,	Toole,
Byrne,	Haluska,	Neff,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order.

The Senate proceeded to the third reading and consideration of Senate Bill No. 125, as follows:

An Act to further amend subsection E of section nine hundred eight of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and

for the licensing of private bankers and employes' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employes' mutual banking associations and of the officers directors trustees shareholders attorneys and other employes of all such corporations employes' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and limitations on powers of corporations authorized to engage in the banking business

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection E of section nine hundred eight of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employes' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employes' mutual banking associations and of the officers directors trustees shareholders attorneys and other employes of all such corporations employes' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" as last amended by the act approved the twenty-fourth day of April one thousand nine hundred forty-five (P. L. 284) is hereby further amended to read as follows

Section 908 Reserve Fund Against Deposits and Demand Liabilities

* * * * *

E In the case of savings banks the total of such reserve fund may and at least one-third thereof shall consist of gold bullion gold coin silver coin United States gold or silver certificates notes or bills issued by any national banking association or Federal reserve bank or any other form of currency of the United States kept on hand at the place of business of the institution unpledged unassigned and unhypothecated or an actual net balance of moneys on deposit subject to call without notice in any reserve agent as hereinbefore defined or bonds or other obligation of the United States or of the Commonwealth of Pennsylvania [which shall mature in one year or less] Provided however That the investment in such bonds or other obligations of the United States or of the Commonwealth of Pennsylvania shall not at any time exceed one-sixth of the total of the required reserve fund

The balance of such reserve fund may consist of bonds or other interest-bearing obligations of the United States the Commonwealth of Pennsylvania or any political subdivision thereof All bonds and other obligations while being carried in the reserve fund shall be computed at their current market value. They shall be the absolute property of the institution and shall not be pledged assigned or hypothecated in any manner whatsoever

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. McCREESH. Mr. President, I think I would rather have the Majority Floor Leader tell us something about this one. The last Senator did not do such a good job.

The PRESIDENT. Will the gentleman from Allegheny, Mr. Walker, permit himself to be interrogated?

Mr. WALKER. I will, Mr. President.

Mr. McCREESH. What does it mean, Senator Walker, about taking out a license to run a bank? What is that wording there?

Mr. WALKER. Where is that, Mr. President?

Mr. McCREESH. Mr. President, the first page, on the bottom line.

Mr. WALKER. Mr. President, we are discussing Senate Bill No. 125. What page are you referring to, Senator?

Mr. McCREESH. Mr. President, Senate Bill No. 125, it says, private bankers and employees.

Mr. WALKER. Mr. President, what page and what line?

Mr. McCREESH. The first page.

Mr. WALKER. Mr. President, the first page is the title of the bill.

Mr. McCREESH. Mr. President, Senate Bill No. 125, first page, national banks and state banks to be licensed.

Mr. WALKER. Mr. President, that is the title of the bill that was passed back in 1933. This Senate Bill No. 125 repeats the title of the act of 1933, pamphlet law 624, and that is an act that relates to all types of banking, whether it be a National, State bank, or private bank or mutual banking association. The Act of 1933, the title of that is merely repeated in the title of this act, and then on page 2, the third line from the bottom of the title, indicates what this particular amendment does, and this amendment has at the end of it, the last three lines of the title, "by further providing for the powers and limitations on powers of corporations authorized to engage in the banking business."

Mr. McCREESH. Well, Senator Walker, are not the banks licensed now

Mr. WALKER. Mr. President, oh, yes; this has nothing to do with their licensing, Senator McCreesh.

Mr. McCREESH. Senator Walker, are you going to form a new bunch of banks under this bill?

Mr. WALKER. No, Mr. President, this has nothing to do with the licensing of banks.

Mr. McCREESH. Mr. President, that is the wording here.

Mr. WALKER. Yes, and that is in the Act of 1933. All this does is say that all the banks that are licensed in Pennsylvania today may take their government loans. They can have long-term loans, now, they do not have to strictly confine their investments to short-term government loans. It is merely to expedite the issuance of government securities throughout the banking system here in Pennsylvania. It will expedite the issuance and the prompt acceptance of governmental obligations by the various banks. It is done as a favor to the banks and to the Federal Government.

Mr. McCREESH. Senator Walker, I think you did pretty good. I am going to vote for the bill.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Freed	McGinnis,	Silvert,
Barr,	Haluska,	McMenamin,	Snowden,
Barratt,	Hare,	McPherson, Jr.	Stevenson,
Berger,	Holland,	Meade,	Stiefel,
Blass,	Kephart,	Neff,	Taylor,
Byrne,	Kessler,	Pechan,	Toole,
Chapman,	Lane,	Peelor,	Wagner,
Crowe,	Leader,	Propert,	Walker,
Dent,	Letzler,	Robinson,	Watkins,
Diehm,	Mahanay,	Rosenfeld,	Watson,
DiSilvestro,	Mallery,	Ruth,	Wolfe,
Fleming,	McCreesh,	Scarlett,	Yosko,

NAYS—2

Wade, Wood,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 370, on third reading, entitled:

An Act relating to adverse claims to bank deposits prescribing the manner in which such claims must be supported to be entitled to recognition and limiting the effect to attachments or restraining orders against banking institutions having branch officers.

go over in its order temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 381, as follows:

An Act to further amend Section 1146 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by establishing minimum salaries for leaders and directors of general extension education schools and classes revising minimum salaries for teachers and supervisors employed in such programs and prescribing teacher and leader loads in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1146 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" as amended by the acts approved on the ninth day of May one thousand nine hundred forty-nine (P. L. 939) and the fourteenth day of

May one thousand nine hundred forty-nine (P. L. 1365) is hereby further amended to read as follows

Section 1146 Part-time Teachers etc The minimum salary of all part-time teachers supervisors and principals shall be as follows

(1) Special Education Teachers of children of exceptional physical or mental condition who are unable to attend a regular public school two dollars and fifty cents (\$2.50) per hour

(2) General Extension Education

(a) Teachers supervisors and directors of extension schools and classes

(i) Teachers [and] supervisors and directors holding a [standard] provisional or permanent college certificate employed in extension schools classes and activities two dollars and fifty cents (\$2.50) per hour

(ii) Such teachers and directors supervisors holding a permanent standard certificate two dollars and fifty cents (\$2.50) per hour

(iii) Teachers Supervisors and directors holding a temporary extension standard certificate two dollars (\$2.00) per hour

[(3)] (iv) Such employes holding an emergency certificate one dollar and fifty cents (\$1.50) per hour

(b) Teachers leaders supervisors and directors of extension recreation activities

(1) Teachers leaders supervisors and directors holding a provisional or permanent college certification for extension recreation classes and activities two dollars and fifty cents (\$2.50) per hour.

(2) Teachers leaders supervisors and directors holding permanent standard certification for extension recreation classes and activities two dollars and fifty cents (\$2.50) per hour

(3) Teachers leaders supervisors and directors possessing two years of post high school education related to the fields of recreation service to be rendered and holding temporary extension standard certification for extension recreation classes and activities two dollars (\$2.00) per hour

(4) Whenever better qualified recreation teachers and leaders are not available persons possessing either evidence of graduation from an approved four year high school or a maturity of not less than twenty (20) years' and actual experience in a given field of recreation may be issued an emergency certificate for service in that field the required minimum salary for whom shall be one dollar (\$1.00) per hour

(c) Teacher load

(1) Twelve (12) clock-hours of service per week shall constitute the maximum teacher load for general extension teachers who are also concurrently engaged in full time day-school teaching or other full-time employment

(2) Thirty-five (35) clock-hours of service per week shall constitute the maximum teacher load for such teachers and leaders not otherwise concurrently employed

(3) Vocational Extension Education

[(4)] (a) Teachers and supervisors in approved programs of vocational adult extension education two dollars and fifty cents (\$2.50) per hour

[(5)] (b) All part-time teachers and supervisors in approved vocational extension education shall be limited to a maximum of ten (10) hours per week at the rate of two dollars and fifty cents (\$2.50) per hour When hours in excess of ten (10) hours per week are assigned the hourly rate shall be adjusted by the district to conform with the established schedule but shall not be less than one dollar and seventy-five cents (\$1.75) per hour

Section 2 The provisions of this act shall become effective on the first day of July one thousand nine hundred fifty-one

And said bill having been read at length the third time, and agreed to,

On the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 423, on third reading, entitled:

An Act to further amend section four hundred fifty-two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended by further changing the provisions relating to the maximum compensation of the State Civil Service Commission

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 457, as follows:

An Act to add clause (m) to Section 108 of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board

Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" by including tuberculosis within the meaning of the term occupational disease in the case of nurses in hospitals and sanatoria

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 108 of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" is hereby amended by adding at the end thereof a new clause to read as follows

Section 108 The term "occupational disease" as used in this act shall mean only the following diseases

* * * *

(m) Tuberculosis in the occupation of nursing in hospitals or sanatoria involving exposure to such disease

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 508, on third reading, entitled:

An Act to amend Sections 1 and 2 of the act approved the eighteenth day of April one thousand nine hundred forty-five (P. L. 253, No. 114) entitled "An act relating to suits by shareholders against officers or directors in a corporation domestic or foreign to enforce a secondary

right because the corporation refuses to enforce rights which may be asserted by it requiring that plaintiff be a shareholder at the time of the transaction of which he complains or that his shares thereafter devolved upon him by operation of law requiring security for defendant's expenses including attorneys' fees and providing for the assessment and recovery of such expenses including attorneys' fees" by extending the provisions thereof to corporation having no capital stock and authorizing corporations to indemnify directors officers and other persons against certain expenses

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 520, on third reading, entitled:

An Act to further amend Section 3 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled as amended "An act relating to the support of indigent persons providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" by providing proceedings for support shall not be on petition of indigent person imposing duty to first ascertain financial responsibility of nearest relatives and making such orders enforceable in any county of this Commonwealth

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 508, on third reading, entitled:

An Act to further amend Section 2 of the act approved the twenty-fifth day of June one thousand eight hundred ninety-five (P. L. 275) entitled "An act dividing the cities of this State into three classes with respect to their population and designating the mode of ascertaining and changing the classification thereof in accordance therewith" by providing for the regression in classification of cities upon their decrease in population

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 533, as follows:

An Act concerning contributions among joint tortfeasors release of tortfeasors defining the rights and duties of contribution in such cases making uniform the law with reference thereto and repealing certain acts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 For the purpose of this act the term "joint tortfeasors" means two or more persons jointly or severally liable in tort for the same injury to persons or property whether or not judgment has been recovered against all or some of them

Section 2 (1) The right of contribution exists among joint tortfeasors (2) A joint tortfeasor is not entitled to a money judgment for contribution until he has by payment discharged the common liability or has paid more than his pro rata share thereof (3) A joint tortfeasor who

enters into a settlement with the injured person is not entitled to recover contribution from another joint tortfeasor whose liability to the injured person is not extinguished by the settlement

Section 3 The recovery of a judgment by the injured person against one joint tortfeasor does not discharge the other joint tortfeasors

Section 4 A release by the injured person of one joint tortfeasor whether before or after judgment does not discharge the other tortfeasors unless the release so provides but reduces the claim against the other tortfeasor in the amount of the consideration paid for the release or in any amount of the consideration paid for the release or in any amount or proportion by which the release provides that the total claim shall be reduced if greater than the consideration paid

Section 5 A release by the injured person of one joint tortfeasor does not relieve him from liability to make contribution to another tortfeasor unless the release is given before the right of the other tortfeasor to secure a money judgment for contribution has accrued and provides for a reduction to the extent of the pro rata share of the released tortfeasor of the injured person's damages recoverable against all the other tortfeasors

Section 6 This act does not impair any right of indemnity under existing law

Section 7 This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states that enact it

Section 8 This act shall be known and may be cited as the "Uniform Contribution Among Tortfeasors Act"

Section 9 The act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 1075) entitled "An act to provide for contribution among tortfeasors" is hereby repealed

All other acts and parts of acts are hereby repealed in so far as inconsistent with the provisions of this act

Section 10 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,			

NAYS—1

McMenamin,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 603, as follows:

An Act prescribing the persons who may administer the oath of office to the Governor and the Lieutenant-Governor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 When the Governor elect and the Lieutenant-Governor elect are to be sworn into office the oath or affirmation required by the constitution shall be administered to each by one of the justices of the Supreme Court or by a judge of a court of record learned in the law or by any person authorized to administer oaths

Section 2 The following parts of acts are hereby repealed to the extent hereinafter specified

(1) Section three of the act approved the nineteenth day of March one thousand eight hundred four (P. L. 330) entitled "An act to regulate the administering of certain Oaths" absolutely

(2) Section two of the act approved the twenty-fourth day of March one thousand eight hundred seventy-four (P. L. 48 No. 7) entitled "An act providing for the election of lieutenant-governor and fixing his salary" in so far as it provides for the administration of the oath of office to the Lieutenant-Governor elect

All acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 611, on third reading, entitled:

An Act creating the Pennsylvania Public Safety Commission as a commission providing for the appointment of a director of Public Safety setting forth the powers and duties of the commission and the director defining the scope of existing safety agencies and making an appropriation

be recommitted to the Committee on Appropriations.

Mr. KEPHART. Mr. President, I second the motion. The motion was agreed to.

SENATE BILL No. 370 CALLED UP

Mr. WALKER. Mr. President, I call up from Page 6 of today's Third Reading Calendar, Senate Bill No. 370 which was passed over in its order temporarily.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 370, as follows:

An Act relating to adverse claims to bank deposits prescribing the manner in which such claims must be supported to be entitled to recognition and limiting the effect of attachments or restraining orders against banking institutions having branch offices

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Notice to any bank bank and trust company national bank savings bank trust company or private banker of an adverse claim to a deposit standing on the books of any such institution to the credit of any corporation or person shall not be effectual to cause such institution to recognize such adverse claimant or to take any action whatsoever with respect to his claim unless such adverse claimant shall have procured and served an attachment or a restraining order against the institution from a court of competent jurisdiction in a cause instituted by such adverse claimant or to which he is a party wherein the corporation or person to whose credit the deposit stands or his personal representative is made a party in the manner provided by law or unless such adverse claimant shall execute and deliver to such institution in the form and with sureties acceptable to it a bond indemnifying such institution against any liability loss damage costs and expenses on account of the payment of any such adverse claim or the dishonor of the check or other order of the corporation or person to whose credit the deposit stands on the books of such institution

Section 2 In the event of the issuance and service of any attachment or restraining order as provided in section one of this act the same shall be effective in the case where such institution has more than one office or has a main office and one or more branch offices only as to deposits shown upon the books of the office or offices or branch office or branch offices upon which such attachment or restraining order may be served and only to the amount of such deposits as are shown on the books thereof at the time of service and shall not be effective as to any deposits shown on the books of any other office or offices or branch office or branch offices of such institution

Section 3 The provisions of this act shall not apply to any instance when the person to whose credit the deposit stands is a fiduciary for such adverse claimant and the facts constituting such relationship as well as the facts showing reasonable cause or belief on the part of the claimant that such fiduciary is about to misappropriate the deposit are made to appear by an affidavit of such claimant which affidavit shall be delivered to the institution

Section 4 All acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26

Blass,	Holland,	McMenamin,	Stiefel,
Chapman,	Kessler,	Meade,	Toole,
Crowe,	Lane,	Neff,	Wagner,
Dent,	Leader,	Probert,	Walker,
Diehm,	Letzler,	Rosenfeld,	Watkins,
Fleming,	McCreesh,	Stevenson,	Yosko,
Haluska,	McGinnis,		

NAYS—19

Barr,
Barrett,
Berger,
Freed,
Hare.

Kephart,
Mahansy,
Mallery,
McPherson, Jr.
Pechan,

Peelor,
Robinson,
Ruth,
Scarlett,
Snowden.

Taylor,
Watson,
Wolfe,
Wood.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for currence.

SECOND READING CALENDAR

BILL ON SECOND READING

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 33, entitled:

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing for filling the office of county superintendent when the only candidate for election becomes unavailable therefor within thirty days of the election date.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 73, on second reading, entitled:

An Act to amend Article V of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by permitting school directors to attend meetings of educational or financial interest to districts and providing for the payment of their expenses.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 204, entitled:

An Act to amend Section 1512 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by requiring water utility companies to furnish to townships lists of water meter readings flat-rate bills and other data for the purpose of determining sewer charges and providing reimbursement for their expenses

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL POSTPONED

Mr. WALKER. Mr. President, we are advised that the copy of House Bill No. 206, sent from the House to the Senate, is the wrong printer's number, therefore, I move that House Bill No. 206, on second reading, entitled:

An Act to further amend Section 2401 of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by requiring water utility companies to furnish to the township lists of water meter readings flat-rate water bills and other data for the purpose of determining sewer and drainage rates.

be placed on the Second Reading Postponed Calendar, to await further action, or advice, from the House.

Mr. CROWE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 242, entitled:

An Act to amend the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers or private bankers and employees' mutual banking associations and of the officers directors trustees shareholders attorneys and other employees of all such corporations employees' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for establishment of branch offices agencies and facilities and the approval thereof by the Department of Banking

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. BLASS offered the following amendments:

Amend Section 2 (Section 204), page 5, line 8, by striking out the word "community" and inserting in lieu thereof the word "village"; amend Section 2 (Section 204), page 5, line 17, by striking out the word "community" and inserting in lieu thereof the word "village"; amend Section 2 (Section 204), page 6, line 1, by striking out the word "community" and inserting in lieu thereof the word "village".

They were agreed to.

The section was agreed to as amended.

The third, fourth and fifth sections and title were read and agreed to.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 257, entitled:

An Act to further amend section 652 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing the measure of pupil teacher ratio in computing the real estate tax for school purposes in school districts of the first class and first class A

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 363, on second reading, entitled:

An Act to amend the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" by further prescribing the nature and kind of investments which may be made and retained by fiduciaries

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 378, entitled:

An Act authorizing and requiring municipal authorities and public utility companies engaged in the supplying of water to shut off the supply of water for nonpayment of sewer sewerage or sewage treatment rentals rates or charges imposed by municipalities authorizing and requiring them to supply to such municipalities lists of metered water readings and flat-rate water bills and other data authorizing them to act as billing and collecting agents for such municipalities and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 383, on second reading, entitled:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by permitting employees to make up back payments to the retirement system from the time they entered school service and securing to such employees the full benefits of the retirement system from the time they entered school service go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 432, entitled:

An Act to further amend Sections 2562 and 2564 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well as to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing the provisions for payments by districts for pupils attending in other districts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 439, entitled:

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "A supplement to the act approved the second day of June one thousand nine hundred and fifteen (P. L. 736) entitled as amended 'An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties' as re-enacted and amended providing for the payment of compensation to volunteer firemen or their dependents" by extending the provisions thereof to certain persons who extinguish forest fires and further defining compensation in the case of self employers

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 488, on second reading, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the

conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by creating the State Board of Psychological Examiners and defining its powers and duties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 489, on second reading, entitled:

An Act relating to the practice of psychology defining and providing for the licensing and registration of psychologists and psychological technicians and for the revocation and suspension of such licenses and registration subject to appeal and for their reinstatement defining the powers and duties of the State Board of Psychological Examiners and the Department of Public Instruction and prescribing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 491, entitled:

An Act to amend the title and further amend the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 733) entitled "An act to provide revenue in school districts of the first class by imposing a temporary tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county assessing authority board of revision of taxes receiver of school taxes county treasurer board of public education in such districts and courts providing for compensation to certain officers and employes and imposing penalties" by eliminating certain classes of taxable items providing that corporations limited partnerships and joint-stock associations holding certain taxable securities as mere custodians for the real owner shall not be taxed therefor and providing the act shall apply only to school districts of the first class A

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 492, on second reading, entitled:

An Act to further amend Section 1311 of the act ap-

proved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superceded by or inconsistent with this act" by providing for sentences of imprisonment in default of fines imposed under that section for first and second offenses by motor carriers common carriers by airplane or brokers

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 502, entitled:

An Act to amend the title and Section one of the act approved the fourteenth day of April one thousand nine hundred forty-nine (P. L. 482) entitled "An act authorizing and requiring cities boroughs townships municipal authorities and public utility companies engaged in the supplying of water to shut off the supply of water for non-payment of sewer sewerage or sewage treatment rentals rates or charges imposed by municipal authorities organized by counties of the second class authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data authorizing them to act as milling and collect-

ing agents for such authorities and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith" by requiring certain political subdivisions to shut off water supply for nonpayments to municipal authorities organized by cities of the third class

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 503, entitled:

An Act to amend the title and Section one of the act approved the fourteenth day of April one thousand nine hundred forty-nine (P. L. 482) entitled "An act authorizing and requiring cities boroughs townships municipal authorities and public utility companies engaged in the supplying of water to shut off the supply of water for non-payment of sewer sewerage or sewage treatment rentals rates or charges imposed by municipal authorities organized by counties of the second class authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data authorizing them to act as milling and collecting agents for such authorities and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith" by extending to any municipal authority organized by any city of the third class the powers granted therein

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 504, entitled:

An Act to further amend the title and Section 2.1 of the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1286) entitled as amended "An act empowering counties of the second class cities boroughs incorporated towns townships to charge and collect from owners of and water users in property served thereby annual rentals rates or charges for the use of certain sewers sewerage systems and sewage treatment works including charges for operation inspection maintenance repair depreciation and the amortization of indebtedness and interest thereon empowering counties of the second class cities boroughs incorporated towns and townships to contract with authorities organized by counties of the second class for sewer sewerage and sewage treatment service to grant convey lease transfer encumber mortgage and pledge to such authorities their sewers sewerage systems and sewage treatment works to assign and pledge to such authorities rentals rates and charges charged and collected by them for the use thereof and to assign to such authorities their power to charge and collect the same and validating all such contracts grants conveyances leases transfers assignments encumbrances mortgages and pledges heretofore made" by authorizing political subdivisions to contract with the authorities organized by cities of the third class for sewer sewerage and sewage treatment services

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 531, on second reading, entitled:

An Act to amend the last paragraph of subsection E of section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled "An act empowering cities of the second class of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitation for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" by providing an effective date for tax levies on persons subjects businesses transactions or privileges within two or more political subdivisions when another such political subdivision has previously levied such tax

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 535, entitled:

An Act to amend Section 784 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by extending the authority of school districts to lease property from the State Public School Building Authority

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 656, entitled:

An Act to add Section 1709 to the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for traveling expenses of members of joint school boards and joint school committees in attending meetings of the same.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that House Bill No. 840, on second reading, entitled:

An Act imposing an income on residents of Pennsylvania as herein defined including trust and estates and on income of nonresidents derived from property, business or other sources in Pennsylvania; defining taxable income and requiring filing of returns thereof; providing for the assessment, collection and lien of said tax; providing for administration and enforcement of the act by the Department of Revenue, conferring powers and imposing duties on certain persons, fiduciaries, partnerships, associations, corporations, political subdivisions, State officers, employees and departments; saying certain local taxes; and imposing penalties.

be recommitted to the Committee on Finance.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President and Members of the Senate, I do not want to take too much time at this time to discuss any particular bill or any particular action of the Senate, but this past week in attending to business of the Commonwealth, I had to be in New York. Sunday afternoon I drove back to Harrisburg from New York, and I entered Pennsylvania up at Easton. It is a peculiar thing when you are driving along, and get to thinking about some things and for some reason or other as I traveled through Northampton County, I thought of Senator Yosko and I thought of Pennsylvania, and then as I entered Lehigh County, I thought of Tilghman Freed and I thought of Pennsylvania, and then I came on down through into Lebanon and I thought of the two Senators that come from there, one an old friend, Graybill Diehm, and one a new friend, Senator Kessler. Then, I entered the County of Dauphin, and I thought of that old gentleman who at that moment was out in the hospital, a man who has had a rather rough road for the seventy-four years that the Lord has blessed him with. I dwelt upon that fact for a minute and I realized how rough the road must be with two good legs, let alone having one in a cast. I admired him a great deal, too, today when he came in here on a cane to carry out what he thought was his duty, and somehow or other you get to thinking about things and you wonder to yourself, there is good and bad in everyone, but I believe in the final analysis the good always overshadows and outweighs the bad. I have heard some mean things about Harve Taylor and no doubt when you get down to the fine points, some of them are true, and I have also heard some mighty fine things, and I am convinced that they are all true.

Mr. President, today we have taken an action in the Senate of Pennsylvania that again makes me think of Pennsylvania. It is an action determining that this Senate of Pennsylvania is composed of the Freed's, and the Yoskos, and the Walkers, and the Barrs, and the Chapmans, and the Woods and the McCreeses, and men in every walk of life. This was a serious action today, and one that may start a chain of occurrences, may bring misunderstandings, will give some men difficulties, but one thing that I know that it will not give, it will not give anybody the right to gloat, anybody the right to try to take credit, or anybody the right to take blame. It is the consensus of the Senate at this time that this bill

ought to go back to committee. This Senate acted as the Senate of Pennsylvania.

Mr. President, they say that when you get older you get a little mellow. Maybe I am getting mellow, because for the last six years I have tried upon every occasion to see to it that the Senate as a group, the Senate as a body, becomes a little higher in the estimation of the peoples of this Commonwealth. I think today that we can all say that in the minds of the people of the Commonwealth, the Senate is a little higher, and that all of us today in this Senate were thinking as I thought yesterday afternoon, of the rolling hills, the industrial valleys, the broad rivers and the people of Pennsylvania.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 841, entitled:

An Act to reenact the title and to reenact and further amend the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by increasing the rate of tax and extending the provisions of the act for a further limited period of time

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 842, entitled:

An Act to further amend section twenty-one of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," postponing the manufacturing exemption with regard to capital stock tax and the franchise tax on domestic and foreign corporations, joint-stock associations, limited partnerships and companies, for a further limited period of time.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 843, entitled:

An Act to further amend section twenty-three of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to

an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," by increasing the rate of tax imposed upon the gross receipts of certain companies, limited partnerships, associations, joint-stock associations, copartnerships and persons.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 844, entitled:

An Act to reenact and further amend the title and the act, approved the fourteeneth day of June, one thousand nine hundred thirty-five (P. L. 341), entitled, as amended, "An act to provide revenue by imposing a State tax upon sales or gifts of cigarettes by dealers as herein defined; requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits; prescribing the method and manner of collecting such tax; conferring powers and imposing duties on the Department of Revenue, and persons, as herein defined, engaged in the sale of cigarettes at retail or wholesale; and providing penalties," by providing that the provisions of said act shall continue in effect until repealed and providing that such tax shall be in lieu of other taxes on the same subject imposed by the Commonwealth or any political subdivision thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 845, entitled:

An Act to reenact and amend the title and the act, approved the ninth day of June, one thousand nine hundred thirty-six (Special Session of one thousand nine hundred thirty-six (P. L. 13), entitled "An act imposing an emergency State tax for a limited period of time on liquor, as herein defined, sold by the Pennsylvania Liquor Control Board; providing for the collection and payment of such tax; and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board" by providing that the provisions of said act shall continue in effect until repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 846, entitled:

An Act to further amend section three of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 284), entitled, as amended "An act imposing a State tax, payable by those herein defined as manufacturers and by others, on malt or brewed beverages used, sold, transported, or delivered within the Commonwealth; prescribing the method and manner of evidencing the payment and collection of such tax; conferring powers and imposing duties on the Department of Revenue, and

those using or engaged in the sale, at retail or wholesale, or in the transportation of malt or brewed beverages taxable hereunder and providing penalties" by making permanent the increase in rates of such tax

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 909, entitled:

An Act to further amend section 889 of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidated, amend and revise the penal laws of the Commonwealth," by prohibiting the unauthorized wearing of the insignia, badge, shield or button of the Air Force Association.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

REPORT FROM COMMITTEE

Mr. KEPHART. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KEPHART, from the Committee on Education, reported as amended, House Bill No. 220, entitled:

An Act to reenact and amend the title of and the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1661) entitled "An act to impose a temporary tax on real estate for public school purposes in school districts of the first class for current expenses" by continuing the provisions thereof for the year one thousand nine hundred fifty-two and succeeding years and deleting certain obsolete provisions

GREETINGS EXTENDED TO PRESIDENT PRO TEMPORE OF SENATE

The PRESIDENT. The Chair should like to take advantage of this opportunity to express his happiness at the presence of the finest Senator I know from Dauphin County, who surely must have been the inspiration for that beautiful song from "South Pacific," "I'm In Love With a Wonderful Guy."

HOUSE MESSAGE

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 568, entitled:

An Act to further amend section one, of the act, approved the twenty-fourth day of May, one thousand eight hundred and ninety-three (P. L. 129), entitled "An act to empower boroughs and cities to establish a police pension fund, to take property in trust therefor and regulating and providing for the regulation of the same," by further prescribing for the management, administration, application and regulation of such fund in cities of the first class.

Which was committed to the Committee on Local Government.

House Bill No. 767, entitled:

An Act to amend the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "General Borough Act," by authorizing the issuance of non-debt revenue bonds for improvement of a boroughs electric light plant.

Which was committed to the Committee on Local Government.

RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for five minutes, to permit a meeting of the Committee on Judiciary General.

Mr. BARR. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

REPORTS FROM COMMITTEE

Mr. BLASS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The motion was agreed to.

Mr. BLASS, from the Committee on Judiciary General, reported as committed, House Bill No. 896, entitled:

An Act to further amend the act approved the thirtieth day of March one thousand nine hundred and thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureau police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school director and imposing penalties" by further changing the provisions of said act as to the registration of electors before certain elections the correction of registers and the preparation of the street lists.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 1092, entitled:

An Act to amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing for the filing of

nomination petitions of candidates for district councilmen in cities of the first class and of nomination papers in electoral districts newly created.

BILLS SIGNED

The President (Lieutenant-Governor Lloyd H. Wood) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 305, entitled:

An Act to facilitate vehicular traffic across the Commonwealth by providing for the construction operation and maintenance of a turnpike from a connection with the Eastern Extension of the Pennsylvania Turnpike System at such point as the Pennsylvania Turnpike Commission may decide is most feasible and practicable to a point on or near the Delaware River between the Commonwealth of Pennsylvania and the State of New Jersey and authorizing the Pennsylvania Turnpike Commission to construct operate and maintain either alone or in conjunction with the New Jersey Turnpike Authority for the construction, operation and maintenance of a bridge across the Delaware River or to acquire the use of a bridge heretofore or hereafter constructed for the further extension of the Pennsylvania Turnpike System and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds notes or other obligations of the Commonwealth payable solely from revenues of the Commission, including tolls or from such funds as may be available to the Commission for that purpose to pay the cost of such turnpike and bridge providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds notes or other obligations and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds notes or other obligations exempt from taxation constituting such bonds legal investments in certain instances requiring suits against the commission to be brought in Dauphin County prescribing conditions on which such turnpike shall become free providing for grade separations grade changes relocations restoration and vacation of public roads and State highways affected by the turnpike providing for the purchasing or condemnation of land and procedure for determining damages in condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission and authorizing the issuance of turnpike revenue refunding bonds.

Senate Bill No. 341, entitled:

An Act to further amend Section 2 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 685) entitled "An act designating certain life insurance companies as limited life insurance companies and further describing the powers thereof" by further describing the powers of limited life insurance companies

House Bill No. 341, entitled:

An Act giving liens against real property priority over each other in point of time; fixing the time from which priorities extend; and imposing duties on judges and certain court and county officers and employees

House Bill No. 538, entitled:

An Act to amend section one thousand one hundred fifty-four of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), en-

titled, "Public School Code of 1949," by providing for the payment of salaries of professional and temporary professional employes in cases of sickness or death.

House Bill No. 700, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law" by further defining, clarifying, adding to, and otherwise changing the laws relating to the affairs of townships.

House Bill No. 788, entitled:

An Act providing for the construction and equipping of the Pennsylvania Institution for Mental Defectives; providing for the acquisition of land; providing for the care, maintenance and control of inmates; imposing duties and conferring powers on the Department of Welfare and the Department of Property and Supplies.

Whereupon,

The President (Lieutenant-Governor Lloyd H. Wood) in the presence of the Senate signed the same.

BILLS ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committee for the first time at today's session.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 11, entitled:

An Act to amend subsection (a) of Section 9 of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" authorizing investments in common stocks meeting certain qualifications and eliminating the requirement that stock must be listed on an exchange as to the stock of banks and insurance companies.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 14, entitled:

An Act to amend the introductory paragraph of Section 10 of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 955) entitled as amended "An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws

and regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Planning Board and certain other State officers and departments" by requiring authorities to submit the question of the proposed acquisition of any real estate to a vote of the interested electorate.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 220, entitled:

An Act to reenact and amend the title of and the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1661) entitled "An act to impose a temporary tax on real estate for public school purposes in school districts of the first class for current expenses" by continuing the provisions thereof for the year one thousand nine hundred fifty-two and succeeding years and deleting certain obsolete provisions

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 233, entitled:

An Act creating the Western Pennsylvania Water Supply Planning Commission to investigate the development of a plan to bring an unpolluted water supply to Western Pennsylvania communities defining its powers and duties and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 636, entitled:

An Act to amend subsection (a) of Section 9 of the act, approved the twenty-sixth day of May, one thousand nine hundred forty-nine (P. L. 1828), entitled "An act concerning the investment powers and duties of guardians, committees, trustees, and other fiduciaries, except personal representatives, and prescribing the nature and kind of investments which may be made and retained by such fiduciaries," authorizing investments in common stocks and similar securities of unincorporated associations meeting certain qualifications; and eliminating the requirement that stock and similar securities must be listed on an exchange as to the stock and securities of banks and insurance and investment companies.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 684, entitled:

An Act providing for the observance of the 175th anniversary of the adoption of the Declaration of Independence creating a commission to cooperate with like commissions of the government of the United States and of the City of Philadelphia in arranging ceremonies and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 896, entitled:

An Act to further amend the act approved the thirtieth day of March one thousand nine hundred and thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school director and imposing penalties" by further changing the provisions of said act as to the registration of electors before certain elections the correction of registers and the preparation of street lists.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1092, entitled:

An Act to amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing for the filing of nomination petitions of candidates for district councilmen in cities of the first class and of nomination papers in electoral districts newly created.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Tuesday, May 15, 1951, at 1:30 o'clock, p. m., Eastern Standard Time.

Mr. KEPHART. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:32 o'clock, p. m., Eastern Standard Time, until Tuesday, May 15, 1951, at 1:30 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, May 14, 1951

The House met at 3:30 p. m. EST.

The SPEAKER (Herbert P. Sorg) in the Chair.

PRAYER

The Chaplain, Reverend William Hugh Fryer, offered the following prayer:

O God, Who art the only Lord of all kings and kingdoms, let Thy strong hand control the nations, and cause them to long for Thy love to rule on earth. Strengthen, we pray Thee, all who are striving after true brotherhood and working for righteousness and peace. Guide the hearts and minds of rulers and statesmen, that they may seek first Thy kingdom and the establishment of justice and freedom among all peoples, great and small. These things we ask in the Name of Him who served all mankind, Jesus Christ our Lord. Amen.

JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Wednesday, May 9, 1951? If not, and without objection, the Journal is approved.

BILLS INTRODUCED AND REFERRED

By Mr. DALRYMPLE

HOUSE BILL No. 1221.

An Act providing for emergency first aid stations by making all fire houses in the Commonwealth of Pennsylvania with certain accommodations casualty stations Whereas, there exists in the world today a state of confusion The United Nations are engaged in a state of warfare with Korea there is unrest in Europe and there is a possibility that this condition may lead to world strife The uncertainty of what the future may hold gives concern for thought In the event that hydrogen or atomic bombs fell in these United States and the Commonwealth of Pennsylvania this state being the leading industrial and war producing state a state of emergency would arise. There would not be sufficient available beds or facilities in all the hospitals combined and when other emergencies arise such as flood famine pestilence disease conflagration and riots there are times when hospital beds are filled to capacity and no other accommodations are available at the time of confusion and so realizing the seriousness of a dilemma.

Referred to the Committee on Municipal Corporations.

By Messrs. LYONS and MADDEN.

HOUSE BILL No. 1222.

An Act to further amend the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employees serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by providing certain rights and benefits to beneficiaries in cases where a contributor dies before retirement.

Referred to the Committee on State Government.

By Messrs. McMILLEN, C. E. MOORE, SPENCER, TOOMEY, MADIGAN, WESCOTT, BAUMUNK and HEWITT.

HOUSE BILL No. 1223.

An Act appropriating certain moneys in the License Fund to Cities, Boroughs, Towns, and Townships of the Commonwealth for certain purposes and for a limited time, conferring powers and imposing duties on the officials of such political subdivisions and on the Department of Highways.

Referred to the Committee on Highways.

By Messrs. TOMPKINS and DU BOIS.

HOUSE BILL No. 1224.

An Act making an appropriation to aid certain school districts.

Referred to the Committee on Appropriations.

By Messrs. McGEE and AMARANDO.

HOUSE BILL No. 1225.

An Act to amend Section 721 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by prescribing mandatory life sentence in cases of the commission of the crime of rape accompanied with aggravated assault and battery.

Referred to the Committee on Judiciary.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 282.

An Act to further amend Section 620 of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employees prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts records of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" by increasing the maximum amount to be set aside as reserve for contingent losses.

Referred to the Committee on Banking and Building and Loan Associations.

SENATE BILL No. 375.

An Act to amend clause (b) of Section 1 of the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1183) entitled "An act relating to strikes by public employees prohibiting such strikes providing that such employees by striking terminate their employment providing for reinstatement under certain conditions providing for a grievance procedure and providing for hearings before civil service and tenure authorities and in certain cases before the Pennsylvania Labor Relations Board" by changing method of selecting panels for the adjustment of grievances of school districts certain employes and imposing additional duties on such panels.

Referred to the Committee on Education.

SENATE BILL No. 397.

An Act to further amend Section 11 of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employees; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by providing for retroactive service allowance of certain employees.

Referred to the Committee on Education.

SENATE BILL No. 501.

An Act to further amend Section 2 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 951) entitled as amended "An act defining and providing for the licensing and regulation of private academic schools conferring powers and imposing penalties" by exempting therefrom schools for the blind deaf and dumb receiving State appropriations.

Referred to the Committee on Education.

SENATE BILL No. 526.

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employees prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts records of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" by further regulating the withdrawals of certain optional payment shares providing that accounts of less than a certain amount need not be credited with dividends further regulating the terms of mortgage contracts and the terms of bonds securing mortgages and the types of property upon which mortgages may be taken.

Referred to the Committee on Banking and Building and Loans Association.

SENATE BILL No. 592.

A Supplement to the act approved the twelfth day of June one thousand nine hundred thirty-one (P. L. 575) entitled "An act providing for joint action by Pennsylvania and New Jersey in the development of the ports on the lower Delaware River and the improvement of the facilities for transportation across the river authorizing the Governor for these purposes to enter into to agreement with New Jersey creating The Delaware River Joint Commission and specifying the powers and duties thereof including the power to finance projects by the issuance of revenue bonds transferring to the new commission all the powers of the Delaware River Bridge Joint Commission and making an appropriation" authorizing the Governor on behalf of the Commonwealth of Pennsylvania to enter into a supplemental compact or agreement with the State of New Jersey amending Articles I II IV XI and XII of and adding a new article to the compact and agreement between the Commonwealth of Pennsylvania and the State of New Jersey authorized and made pur-

suant to the act herein supplemented by changing the name of The Delaware River Joint Commission to The Delaware River Port Authority and the method of appointment of commissioners removing the present Pennsylvania members of the commission extending the jurisdiction powers and duties of the Delaware River Port Authority and defining such additional jurisdiction powers and duties to take effect upon the enactment of substantially similar legislation by the State of New Jersey embodying the supplemental agreement between the two States in this act set forth and authorizing the Governor to apply on behalf of the Commonwealth to the Congress of the United States for its consent thereto.

Referred to the Committee on State Government.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, May 9, 1951

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution returning to the Governor, without amendment, the following bills:

- House Bill No. 30, Printer's No. 83.
- House Bill No. 42, Printer's No. 153.
- House Bill No. 96, Printer's No. 47.
- House Bill No. 175, Printer's No. 211.
- House Bill No. 187, Printer's No. 202.
- House Bill No. 484, Printer's No. 73.
- House Bill No. 655, Printer's No. 108.
- House Bill No. 59, Printer's No. 22.
- House Bill No. 276, Printer's No. 71.

JOHN S. FINE.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, May 10, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution returning to the Governor, without amendment, House Bill No. 719, Printer's No. 114.

JOHN S. FINE.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS NOS. 30, 42, 59, 96, 99, 120, 187, 202, 221, 222, 276, 484, 559, 602, 655, 701 and 719.

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, May 10, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 30, Printer's No. 83, entitled "An Act to add clause (5) to section two thousand five hundred forty-one of the act approved the tenth day of March one thousand nine hundred forty-nine (Pamphlet Laws 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' by providing for payments on account of pupil transportation where school buses are used for purposes of better gradation."

JOHN S. FINE.

May 10, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 42, Printer's No. 153, entitled "An Act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' by changing the tenure of members and officers of county boards of school directors."

JOHN S. FINE.

May 10, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 59, Printer's No. 22, entitled "An Act to further amend section 15 of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207) entitled 'An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties lien the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly' changing the procedure in reviving municipal claims and reinstating the lien of certain claims."

JOHN S. FINE.

May 9, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 96, Printer's No. 47, entitled "An Act to reenact sections one to nine inclusive of the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2803) entitled 'An act providing a method of annexation of townships of the first class and parts thereof to cities and boroughs and regulating the proceedings pertaining thereto' by making the same applicable in counties of the second class and repealing inconsistent laws excepting as to proceedings now pending."

JOHN S. FINE.

May 10, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 99, Printer's No. 17, entitled "An Act to improve and extend by reciprocal legislation the enforcement of duties of support and to make uniform the law with respect thereto."

JOHN S. FINE.

May 10, 1951

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 120, Printer's No. 154, entitled "An Act to further amend the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 803) entitled as amended 'An act providing for the creation maintenance and operation of a county employees' retirement system in counties of the fifth six seventh and eighth class imposing certain charges on counties and prescribing penalties' by further defining county employee substituting the chief clerk for the auditor as a member of and secretary to the board in certain cases and extending the period in which a certain option may be exercised."

JOHN S. FINE.

May 10, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 187, Printer's No. 202, entitled "An Act to further amend Article XIV of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled 'An act concerning townships of the first class amending revising consolidating and changing the law relating thereto' by authorizing the appointment of special school police and defining their powers and duties."

JOHN S. FINE.

May 10, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 202, Printer's No. 156, entitled "An Act to further amend Section 2445 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled 'An act concerning townships of the first class amending revising consolidating and changing the law relating thereto' by authorizing the issuance of non-debt revenue bonds for the alteration addition to or enlargement of existing sewers sewer systems and sewage treatment works and the pledging of revenue derived from the existing system in payment of such bonds and authorizing the issue and sale of non-debt revenue bonds at one time."

JOHN S. FINE.

May 10, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 221, Printer's No. 121, entitled "An Act to reenact and amend the title of and the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1676) entitled 'An act to provided revenue in school districts of the first class by imposing a temporary tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county assessing authority board of revision of taxes receiver of

school taxes school treasurer board of public education in such districts and courts providing for compensation to certain officers and employes and imposing penalties' by continuing the provisions thereof for the year one thousand nine hundred fifty-two and succeeding years and deleting certain obsolete provisions."

JOHN S. FINE.

May 10, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 222, Printer's No. 212, entitled "An Act to reenact and amend the title of and the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1669) entitled 'An act to provide revenue for school districts of the first class by imposing a temporary tax on persons engaging in certain businesses professions occupations trades vocations and commercial activities therein providing for its levy and collection conferring and imposing powers and duties on the Board of Public Education receiver of school taxes and school treasurer in such districts and prescribing penalties' by continuing the provisions thereof for the year one thousand nine hundred fifty-two and succeeding years exempting payments on building and loan and savings and loan stocks and deleting certain obsolete provisions."

JOHN S. FINE.

May 10, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 276, Printer's No. 71, entitled "An Act to further amend the act approved the fifth day of June one thousand nine hundred forty-seven (P. L. 458) entitled as amended 'An act creating as bodies corporate and politic "Parking Authorities" in cities of the first second second A and third classes prescribing the rights powers and duties of such authorities authorizing such authorities to acquire construct improve maintain and operate parking projects to conduct research of the parking problem and to establish a permanent coordinated system of parking facilities and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such authorities empowering such authorities to enter into contracts with and to accept grants from the Federal Government State political subdivisions of the State or any agency thereof exempting the property and securities of such parking authorities from taxation and conferring exclusive jurisdiction on certain courts over rates' by extending the provisions of the act to boroughs and townships of the first class."

JOHN S. FINE.

May 10, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 484, Printer's No. 73, entitled "An Act to further amend subsection (a) of section 704 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled 'An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto' by permitting the use of semi-automatic shotguns for the hunting and killing of small game predators and unprotected birds."

JOHN S. FINE.

May 10, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 559, Printer's No. 223, entitled "An Act to further amend section sixteen of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled 'An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties' by authorizing taxing authorities to add names to the tax assessment lists and tax duplicates."

JOHN S. FINE.

May 10, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 602, Printer's No. 129, entitled "An Act to reenact and amend the title and the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled as amended An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employees' Retirement System and for Pension Annuity Contracts and in certain other cases into the State Employees' Retirement Fund for certain purposes' by extending the benefits of the act to certain county police pension funds."

JOHN S. FINE.

May 10, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 655, Printer's No. 108, entitled "An Act to amend Section 508 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' by requiring a record vote of school directors on the adoption of the annual budget."

JOHN S. FINE.

May 10, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 701, Printer's No. 213, entitled "An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled 'An act concerning townships of the first class amending revising consolidating and changing the law relating thereto' by changing requirements for contracts and purchases and imposing penalties."

JOHN S. FINE.

May 10, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 719, Printer's No. 114, entitled "An Act making a deficiency appropriation to the

Department of Welfare to reimburse State-aided hospitals for part of the cost of training student nurses in approved schools of nursing."

JOHN S. FINE.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Pettigrew for Mr. HOGGARD for today's session because of illness.

SPECIAL ORDER ON HOUSE BILLS
896 AND 1092

Mr. SMITH. Mr. Speaker, I move that House Bill No. 896, Printer's No. 295 and House Bill No. 1092, Printer's No. 297, on page 20 of today's calendar, bills on third reading, be made a special order of business on third reading and final passage immediately.

The motion was agreed to.

The SPEAKER. The Chair lays before the House the special orders of business fixed for this time.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 896, as follows:

An Act to further amend the act approved the thirtieth day of March one thousand nine hundred and thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school director and imposing penalties" by further changing the provisions of said act as to the registration of electors before certain elections the correction of registers and the preparation of street lists

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section seventeen and section thirty-four of the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" as

last amended by the act approved the fifth day of March one thousand nine hundred forty-seven (P. L. 21) are hereby further amended to read as follows

Section 17

(a) The commission or any commissioner employe or clerk assigned for that purpose shall at the main office of the commission during ordinary business hours and during such additional hours as the commission shall from time to time prescribe on each day and on such days and during such hours as the commission may from time to time designate at other offices in the city which the commission shall from time to time during the period of ninety days preceding any election have power to establish and discontinue except Sundays holidays the days hereinafter provided for the registration of electors in the districts or wards the day of each election and each primary the fifty days next preceding each general municipal and primary election [and the thirty-five days next preceding each municipal election] and the thirty days next following each election and the five days next following each primary receive personal applications from persons who claim that they are entitled to be registered as electors of the city and who appear for registration. Provided however That in case of a special election within a certain district (congressional senatorial or representative) held on a day other than the day of a primary general or municipal election the registration of electors shall be discontinued [only] in the wards comprising such district for the period of thirty-five days prior to and the five days next following such special election. In each year the commission may also when it considers it necessary for the convenience of the electors provided one or more places of registration in each or any ward of the city at which two or more registrars as the commission may deem necessary shall be present to receive personal applications from qualified electors of the city who claim that they are entitled to be registered which registrars shall be present thereat between the hours of seven antemedidian and one postmeridian and between the hours of four and ten postmeridian on such days as may be selected by the commission which shall be not more than sixty days and not less than fifty days prior to any general municipal or primary election [and not more than forty days and not less than thirty-five days prior to any municipal election] Provided further however That with respect to any person who shall become a citizen of the United States on a day subsequent to the sixtieth day prior to the day of such election or primary the commission or any commissioner employe or clerk assigned for that purpose shall receive personal applications from such persons if he or she is otherwise qualified at the office of the registration commission until the thirtieth day prior to such election or primary during ordinary business hours except Sundays holidays and the days hereinbefore provided for the registration of electors in the districts or wards

Section 34 Comparison and Correction of Registers Street lists (a) Commencing fifty days prior to each primary and each general and municipal election [and thirty-five days prior to each municipal election] the commission shall compare and correct the general and district registers

(b) After the last day preceding each primary municipal and general election when electors may be registered the commission shall prepare for each election district a street list of the names and addresses of all registered electors resident in the district arranged by streets and house numbers and [except before each municipal election] shall cause to be made at least a hundred exact copies of such list and not later than fifteen days preceding each primary and each general and municipal election shall distribute copies of such lists among the inspectors and special inspectors of registration and the official concerned with the conduct of primaries and elections and among the parties bodies of electors candidates and organized bodies of citizens interested therein giving at least ten copies of each street list to the city committee of each political party or body of electors upon

the written application of the chairman thereof and at least ten copies of each street list to the executive or governing board or committee of each organized body of citizens having as it purposes the investigation and prosecution of election frauds upon the written application of the presiding officer of such body of citizens and at least one copy of each street list with which his candidacy is concerned to each candidate upon his written request and keeping two complete sets of such street lists on file at the office of the commission convenient for public inspection during all the hours when the other records of the commission are open to public inspection as herein provided Not later than the seventh day preceding each election and primary the commission shall post or cause to be posted at each polling place in such city at a point accessible to the public one of the said street lists to be maintained at such place until the closing of the polls on the succeeding election day

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Amarando.	Goodling.	Maxwell.	Royer.
Andrews.	Graybill.	Mazza.	Rubin.
Banker.	Greenwood.	McConnell.	Sarra.
Barkdoll.	Greer.	McCormack.	Sax.
Baumunk.	Guarnieri.	McCullough.	Scanlon.
Bear.	Gutendorf.	McDermitt.	Schmidt.
Beaver.	Guthrie.	McGee.	Schuster.
Beech.	Hagerty.	McInroy.	Scott.
Berkstresser.	Hall.	McKinney.	Seyler.
Blair.	Hamilton, R. K.	McMillen.	Shoemaker.
Bloom.	Hamilton, W. H.	McNally.	Shotwell.
Boles.	Harney.	Metz.	Smith.
Bolton.	Haudenshield.	Mihm.	Snider.
Bomberger.	Headlee.	Mikula.	Sollenberger.
Boorse.	Helm.	Miller, H. G.	Spencer.
Bower.	Hersch.	Miller, J. C.	Stank.
Brelsch.	Hewitt.	Mills.	Stimmel.
Breth.	Hocker.	Mintess.	Stoner.
Brown.	Hunter.	Monroe.	Swartz.
Bucchin.	Jenkins.	Moore, C. E.	Swope.
Byrne.	Johnson.	Moore, H. A.	Tah.
Cella.	Jones, G. E.	Moran.	Taylor.
Clapper.	Jones, J. M.	Muldowney.	Thompson, E. F.
Clendening.	Jones, P. F.	Munley.	Thompson, R. L.
Cochran.	Jones, T. H. W.	Murray.	Toll.
Conway.	Jump.	Musto.	Tompkins.
Cooper.	Kamyk.	Najaka.	Toomey.
Corr.	Keller.	Naugle.	VanSant.
Costa.	Kent.	Needham.	Varallo.
Coyle.	Kline.	Olsen.	Varnier.
Dalrymple.	Kohl.	Pengilase.	Verona.
Davis.	Kolankiewicz.	Peta.	Wachhaus.
Dennison.	Kornick.	Petrosky.	Wargo.
Dougherty.	Kratz.	Pettigrew.	Waterhouse.
Dowling.	Kubacki.	Pfaff.	Watkins.
DuBois.	Lafore.	Pichney.	Weidner.
Duffy.	Lederer.	Pitzer.	Welsh.
Dunn.	Lelsey.	Polaski.	Wescott.
Erb.	Leonard, L.	Polen.	Westrick.
Ewing.	Leonard, W. C.	Price, H. W. Jr.	Whalley.
Fenrich.	Leven.	Price, R. A.	Wheeler.
Ferster.	Light.	Readinger.	White.
Filip.	Limper.	Reagan.	Williams.
Filo.	Loftus.	Reese.	Wilt.
Firmstone.	Lopresti.	Reidenbach.	Wood.
Flack.	Lovett.	Reilly, J. M.	Yeakel.
Frost.	Lutty.	Rigby.	Yester.
Gaffney.	Lyons.	Riley, R. L.	Yetzer.
Geer.	Madden.	Robertson.	Young.
Gibson.	Madigan.	Rose.	Ziegler.
Gleason.	Markley.	Rosen.	Sorg.
Good.		Rovanek.	Speaker

NAYS—0

NOT VOTING—1

Hoggard.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1092, as follows:

An Act to amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing for the filing of nomination petitions of candidates for district councilmen in cities of the first class and of nomination papers in electoral districts newly created

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (d) of Section 912 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of election county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" is hereby amended to read as follows

Section 912 Number of Signers Required Nomination Petitions of Candidates at Primaries Shall Be Signed

(d) If for the office of Representative in the General Assembly or for the office of member of the State committee or an office to be voted for by the electors of the entire county or an office to be voted for by the electors of an entire city or for the office of district councilman in a city of the first class by at least one hundred registered and enrolled members of the proper party except for the office of magistrate in cities of the first class in which case it must be signed by at least three thousand registered and enrolled members of the proper party

Section 2 Subsection (b) of Section 913 of said act as last amended by the act approved the twenty-eighth day of June one thousand nine hundred forty-seven (P. L. 1055) is hereby further amended to read as follows

Section 913 Place and Time of Filing Nomination Petitions Filing Fees

(b) Each person filing any nomination petition shall pay for each petition at the time of filing a filing fee to be determined as follows and no nomination petition shall be accepted or filed unless and until such filing fee is paid by a certified check or money order or also by cash when filed with the county board Whenever a petition is to be filed with the county board the person filing the same shall pay the filing fee in cash or by a certified check or money order to the county board All moneys paid on account of filing fees shall be transmitted by the county board to the county treasurer and shall become part of the General Fund Certified checks

or money orders in payment of filing fees shall be made payable to the Commonwealth of Pennsylvania or to the county as the case may be and shall be transmitted to the State Treasurers or to the county treasurer and shall become part of the General Fund

1 If for the office of President of the United States or for any public office to be filled by the electors of the State at large the sum of fifty dollars (\$50.00)

2 If for the office of Representative in Congress or judge of a court of record excepting judges to be voted for by the electors of the State at large and associate judge the sum of thirty-five dollars (\$35.00)

3 If for the offices of Senator or Representative in the General Assembly or for any office to be filled by the electors of an entire county other than jury commissioner associate judge or prison inspector or county auditor in counties of the eighth class the sum of twenty-five dollars (\$25.00) if for the office of jury commissioner or associate judge the sum of ten dollars (\$10.00) if for the office of county auditor in counties of the eighth class the sum of five dollars (\$5.00) if for the office of prison inspector the sum of two dollars (\$2.00) if for the office of district councilman in a city of the first class the sum of twenty-five dollars (\$25.00) if for any office to be filled by the electors of an entire city the following sums if in a city of the first or second class twenty-five dollars (\$25.00) if in a city of the second class A fifteen dollars (\$15.00) and if in a city of the third class ten dollars (\$10.00)

4 If for any borough town township of the first class school district or poor district office not otherwise provided for the sum of two dollars (\$2.00)

6 If for the office of delegate or alternate delegate to National party convention or member of National committee or member State committee the sum of ten dollars (\$10.00)

8 If for the office of alderman justice of the peace or constable the sum of two dollars (\$2.00)

9 If for the office of township auditor or road supervisor the sum of one dollar (\$1.00)

Provided however That no filing fee shall be paid for a nomination petition for any public office for which no compensation is provided by law nor for any nomination petition for any public officer in any township of the second class

Section 3 Subsection (b) of Section 951 of said act is hereby amended to read as follows

Section 951 Nominations by Political Bodies

• • • • •

(b) Where the nomination is for any office to be filled by the electors of the State at large the number of qualified electors of the State signing such nomination paper shall be at least equal to one-half of one per centum of the largest entire vote cast for any elected candidate in the State at large at the last preceding election at which State-wide candidates were voted for In the case of all other nominations the number of qualified electors of the electoral district signing such nomination papers shall be at least equal to two per centum of the largest entire vote cast for any officer except a judge of a court of record elected at the last preceding election in said electoral district for which said nomination papers are to be filed In cases where a new electoral district shall have been created the number of qualified electors signing such nomination papers for candidates to be elected at the first election held after the creation of such district shall be at least equal to two per centum of the largest vote cast in the several election districts which are included in the district newly created for any officer elected in the last preceding election

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boies,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hunter,	Monroe,	Swartz,
Bucchin,	Jenkins,	Moore, C. E.,	Swope,
Byrne,	Johnson,	Moore, H. A.,	Tahl,
Cella,	Jones, G. E.,	Moran,	Taylor,
Clapper,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Murray,	Toll,
Conway,	Jump,	Musto,	Tompkins,
Cooper,	Kamyk,	Najaka,	Toomey,
Corr,	Keller,	Naugle,	VanSant,
Costa,	Kent,	Needham,	Varallo,
Coyle,	Kline,	Olsen,	Varnier,
Dalrymple,	Kohl,	Penglase,	Verona,
Davis,	Kolankiewicz,	Peta,	Wachhaus,
Dennison,	Kornick,	Petrosky,	Wargo,
Dougherty,	Kratz,	Pettigrew,	Waterhouse,
Dowling,	Kubacki,	Piaff,	Watkins,
DuBois,	Lafore,	Pichney,	Weidner,
Duffy,	Lederer,	Pitzer,	Welsh,
Dunn,	Lelsey,	Polaski,	Wescott,
Erb,	Leonard, L.,	Polen,	Westrick,
Ewing,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leven,	Price, R. A.,	Wheeler,
Ferster,	Light,	Readinger,	White,
Filip,	Limper,	Reagan,	Williams,
Filo,	Loftus,	Reese,	Wilt,
Firmstone,	Lopresti,	Reidenbach,	Wood,
Flack,	Lovett,	Reilly, J. M.,	Yeakel,
Frost,	Lutty,	Rigby,	Yester,
Gaffney,	Lyons,	Riley, R. L.,	Yetzer,
Geer,	Madden,	Robertson,	Young,
Gibson,	Madigan,	Rose,	Ziegler,
Gleason,	Markley,	Rosen,	Sorg,
Good,		Rovansek,	Speaker

NAYS—0

NOT VOTING—1

Hoggard,

The majority required by the Constitution having voted affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 341.

An Act giving liens against real property priority over each other in point of time fixing the time from which priorities extended and imposing duties on judges and certain court and county officers and employees.

HOUSE BILL No. 538.

An Act to amend section one thousand one hundred fifty-four of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto" by providing for the payment of salaries of professional and temporary professional employees in cases of sickness or death.

HOUSE BILL No. 700.

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by further defining clarifying adding to and otherwise changing the laws relating to the affairs of townships

HOUSE BILL No. 788.

An Act providing for the construction and equipping of the Pennsylvania School for Mental Defectives providing for the acquisition of land providing for the care maintenance and control of inmates imposing duties and conferring powers on the Department of Welfare and the Department of Property and Supplies.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMUNICATION

OKLAHOMA—HOUSE CONCURRENT RESOLUTION NO. 27

The SPEAKER laid before the House a communication from the Chief Clerk of the House of Representatives of the State of Oklahoma transmitting a copy of House Concurrent Resolution No. 27 memorializing Congress to repeal those parts of "Social Security Amendments of 1939" which require restrictions on the use or disclosures of names of welfare recipients.

Referred to the Committee on Rules.

COMMUNICATION

IOWA—CONCURRENT RESOLUTION NO. 11

The SPEAKER laid before the House a communication from the Secretary of State of the State of Iowa transmitting a copy of Senate Concurrent Resolution No. 11, making application to the Congress of the United States for the calling of a convention to propose an amendment to the Constitution of the United States.

Referred to the Committee on Rules.

REPORT FROM COMMITTEE

Mr. RAY L. RILEY from the Committee on Law and Order returned House Bill No. 1038 with the request that it be re-committed to the Committee on Judiciary, entitled:

An Act regulating the sale and use of air and spring guns; providing for the licensing of those defined as dealers in air guns; conferring powers and imposing duties on the Commissioner of the State Police, certain courts, chiefs of police of cities and sheriffs; and prescribing penalties.

Re-committed to the Committee on Judiciary.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 100, entitled:

A Joint Resolution proposing an amendment to article nine section eight of the Constitution of the Commonwealth of Pennsylvania to increase the debt limit of the city of Philadelphia.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 101, entitled:

A Joint Resolution proposing an amendment to article nine section eight of the Constitution of the Commonwealth of Pennsylvania to increase the debt limit of the city of Philadelphia.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 102, entitled:

A Joint Resolution proposing an amendment to article nine section eight of the Constitution of the Commonwealth of Pennsylvania to increase the debt limit of the city of Philadelphia.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 107, entitled:

An Act to further amend subsection A of section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" prohibiting the levy and collection of taxes on real estate transfers without consideration involving husband and wife.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 170, entitled:

An Act to amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1120) entitled "An act to promote the safety of employes and travelers upon railroads by compelling common carriers by railroad to man locomotive trains and other self propelled engines or machines with competent employes to provide the least number of men that may be employed on locomotive trains and other self propelled engines or

machines to provide the qualifications of certain employes and to provide a penalty for the violation thereof and the enforcement thereof by the Public Utility Commission" by further regulating the size of locomotive crews.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 346, entitled:

An Act to promote the safety of employes and travelers upon railroads by requiring common carriers by railroad to furnish flag protection to all trains occupying the main track imposing powers and duties on the Public Utility Commission and other agencies of the Commonwealth relative thereto and providing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 433, entitled:

An Act to further amend sections 318 and 322 of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second class third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by changing the limits of certain employe contributions and retirement allowances under the employes' retirement fund in counties of the second class and authorizing such counties and the county institution district to make additional appropriations to the aforesaid fund.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 479, entitled:

An Act providing for the destruction and removal of houses condemned as unsafe and unfit for habitation by the owner or at his cost by the political subdivision in which they are located.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 829, entitled:

An Act to amend clause (b) of Section 1 of the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1183) entitled "An act relating to strikes by public employes prohibiting such strikes providing that such employes by striking terminate their employment providing for reinstatement under certain conditions providing for a grievance procedure and providing for hearings before civil service and tenure authorities and in certain cases before the Pennsylvania Labor Relations Board" by requiring panel to be set up within five days after the receipt of a request therefor.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 897, entitled:

An Act to further amend Section 7 of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes of seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" by further prescribing the effect of a sale where written notice thereof is not given as required by the act

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 950, entitled:

An Act to amend section 1 of the act approved the thirtieth day of March one thousand nine hundred seventeen (P. L. 21) entitled "An act defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions and providing a Board of Optometrical Education Examination and Licensure and means and methods whereby the right to practice optometry may be obtained and providing for the means to carry out the provisions of this act and providing for revocation or suspension of licenses given by said board and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith" by further defining the practice of optometry and defining "optometrist"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 951, entitled:

An Act to add Section 11.1 to the act approved the thirtieth day of March one thousand nine hundred seventeen (P. L. 21) entitled "An act defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions and providing a Board of Optometrical Education Examination and Licensure and means and methods whereby the right to practice optometry may be obtained and providing for the means to carry out the provisions of this act and providing for the revocation or suspension of licenses given by said board and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith" by providing for acceptance of testimony of licensed optometrists by agencies and political subdivisions of the Commonwealth and providing for payment for service of optometrists

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1037, entitled:

An Act providing for the merger of certain existing railroad corporations into street passenger railway corporations setting for the procedure to be followed the effect of the merger upon property and franchise and defining the rights powers and privileges of the surviving company

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1042, entitled:

An Act to amend subsection (h) of section 2 of the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 654) entitled "An act to provide for the safety and to protect the health and morals of persons while employed prescribing certain regulations and restrictions concerning places where persons are employed and the equipment apparatus devices and machinery used therein prescribing certain powers and duties of the Department of Labor and Industry relative to the enforcement of this act and fixing penalties" by providing further health and safety requirements

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1044, entitled:

An Act to amend Section 1178 of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by excepting the positions of chief or assistant chief of the fire department or equivalent from civil service provisions providing for reinstatement of such persons to former positions as paid operators of fire apparatus

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1081, entitled:

An Act to further amend clause (b) of Section 507 and clause (c) of Section 2403 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by making special provision for the purchase of steel to be used in the manufacture of vehicle registration plates

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1089, entitled:

An Act fixing the minimum pensions of policemen and firemen in certain cities

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 96, entitled:

An Act validating certain deeds and conveyances made by trustees without setting forth the authority to convey.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 119, entitled:

An Act regulating the suspension removal furloughs and reinstatement of police officers in boroughs and townships of the first class having police forces of less than three members and in townships of the second class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 141, entitled:

An Act authorizing the Secretary of Highways to lay out open construct and maintain a road to be a part of the system of State Highways in Bucks County

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 152, entitled:

An Act to amend Sections 15 and 17 of the act approved the twenty-second day of April one thousand nine hundred forty-nine (P. L. 715) entitled "An act empowering authorizing and directing the Secretary of Highways to acquire toll bridges located wholly within Pennsylvania providing the procedure therefor and prescribing certain duties of the Governor the Auditor General and the State Treasurer to be exercised in connection therewith conferring jurisdiction in condemnation proceedings on certain courts of common pleas authorizing the Secretary of Highways to enter into agreements with a state authority or agency for the acquisition of such toll bridges providing for the operation of such bridges as toll bridges after acquisition providing a plan for making such bridges free bridges under certain terms and conditions and for their control and maintenance after acquisition and making an appropriation" by authorizing the Secretary of Highways to procure and pay for certain insurance for bridges acquired under the provisions of said act and providing for the assignment of route numbers to such bridges

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 190, entitled:

An Act relating to the change of corporate names of churches or religious corporations as a result of the union, merger or consolidation of the national or international church body of which such corporation is an affiliate, subsidiary or component part; providing for the filing of a certificate of change of name by such corporations with the Department of State and the effect thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 273, entitled:

An Act to amend Subsection (d) of Section 4 and Section 11 of the act approved the eighteenth day of April one thousand nine hundred forty-nine (P. L. 604) entitled "An act to promote the welfare of the people of the Commonwealth creating a State Highway and Bridge Authority as a body corporate and politic with power to construct reconstruct improve maintain equip furnish and operate highway and bridge projects and roadside rests and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Highways to grant assign convey or lease to the Authority lands easements or rights of way of the Commonwealth and interests therein and to acquire lands therefor authorizing said Authority and the Department of Highways to enter into agreements providing for mutual cooperation in furtherance of the construction of any project hereby authorized granting the right of eminent domain empowering said Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth or any of its political subdivisions shall be incurred in the exercise of any of the powers granted by this act and making an appropriation" by authorizing the leasing of certain projects upon their being opened to public use

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 416, entitled:

An Act to amend Section 704 of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth, conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by changing and clarifying the provisions with respect to payment of dividends from paid-in surplus.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 35, entitled:

An Act providing temporarily for the grant without examination of certificates of licensure to practice medicine and surgery to certain persons who become mem-

bers of the armed forces of the United States and suspending inconsistent laws

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 75, entitled:

An Act to further amend section one thousand one hundred thirty-one of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by requiring boroughs to establish police pension funds in certain cases.

The first section was read.

On the question,

Will the House agree to the section?

BILL POSTPONED

Mr. HELM. Mr. Speaker, I move that this bill be placed on the second reading postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 443, entitled:

An Act to further amend the ninth paragraph of Section 2 of the act approved the seventh day of June one thousand nine hundred one (P. L. 493) entitled as amended "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class second class A and third class and imposing fines penalties and forfeiture for violation thereof" by increasing the annual re-registration fee to be paid by master plumbers firms or corporations and journeyman plumbers

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 444, entitled:

An Act to protect the blind and incapacitated pedestrians on public streets and highways requiring vehicles to come to a full stop in certain cases restricting the use of certain colored canes by other pedestrians and imposing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 471, entitled:

An Act to further amend subsection (b) of Section 1376 and subsection (b) of Section 1377 of the act approved the tenth day of March one thousand nine hundred forty-seven (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising

consolidating and changing the laws relating thereto" by authorizing payments by the Commonwealth for tuition and maintenance at hearing centers and for instruction of parents of certain deaf children in caring for such children

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. SCOTT. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 834, entitled:

An Act to amend Section 1 of the act approved the nineteenth day of June one thousand nine hundred eleven (P. L. 1070) entitled "A further supplement to an act entitled 'An act relative to Berks County Prison and to discharged convicts' approved the eighth day of April Anno Domini one thousand eight hundred and forty-eight" by increasing the compensation for expenses of members of the board of inspectors

BILL RECOMMITTED

The first section was read.

On the question,

Will the House agree to the section?

Mr. READINGER. Mr. Speaker, I move that this bill be re-committed to the Committee on Welfare for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 839, entitled:

An Act to further amend sections one and two of the act approved the twenty-fifth day of June one thousand eight hundred ninety-five (P. L. 275) entitled "An act dividing the cities of this State into three classes with respect to their population and designating the mode of ascertaining and changing the classification thereof in accordance therewith" by classifying cities into five classes changing the time when a change in class becomes effective in certain cases and providing for the government of cities of the third class A

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. HAROLD G. MILLER. Mr. Speaker, I move that this bill be re-committed to the Committee on Cities—Third Class for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 859, entitled:

An Act to amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by making drivers of fire-fighting apparatus or

ambulances for certain volunteer fire companies eligible to the pension fund

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. READINGER. Mr. Speaker, I move that this bill be recommitted to the Committee on Cities—Third Class for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 866, entitled:

An Act to further amend section 622 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by increasing the allowance for expenses of township officers at annual meeting of the State association

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 946, entitled:

An Act to amend Article X of the Act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending revising, consolidating and changing the laws relating thereto," by further providing for the appointment and removal of supervisors, their qualifications, term of office, duties, salary and method of filing vacancies.

The first section was read.

On the question,

Will the House agree to the section?

Mr. HELM offered the following amendment:

Amend Sec. 1 (Sec. 1084), page 2, line 14, by inserting after the word "superintendents" the following "No additional supervisors shall be appointed unless the secretaries of all districts under the supervision of the county superintendent shall have been notified in writing forty (40) days prior to the County Convention of School Directors, that action will be considered to provide such supervisors."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1059, entitled:

An Act to further amend subsections (a) and (b) of Section 411 and to amend Section 506 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless

trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing for the transfer of registration of motor vehicles trailers and semi-trailers involving a husband and wife and the assignment of registration plates in such cases

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1112, entitled:

An Act to amend the title of and the act approved the twenty-eighth day of April 1887 (P. L. 63) entitled "An act in relation to the imprisonment government and release of convicts in the Pennsylvania Industrial Reformatory at Huntingdon" by correcting the name of said institution and the governing board thereof and changing the age limit of persons who may be committed to and detained therein

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1151, entitled:

An Act to amend sections one thousand seventy-one and one thousand seventy-two of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for the appointment of district and assistant district superintendents

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 121, entitled:

An Act to further amend the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by authorizing the classification of real estate into buildings on land and land exclusive of the buildings for city assessment and tax-levying purposes at separate and different rates.

The first section was read.

On the question,
Will the House agree to the section?

BILL RECOMMENDED

Mr. SMITH. Mr. Speaker, I move that this bill be recommitted to the Committee on Cities—Third Class for the purpose of further study.

The motion was agreed to.

BILL PASSED OVER

There being no objection

Senate Bill No. 170, Printer's No. 46

Senate Bill No. 171, Printer's No. 47

Senate Bill No. 209, Printer's No. 209

Senate Bill No. 244, Printer's No. 210 and

Senate Bill No. 264, Printer's No. 109

were passed over at the request of the SPEAKER.

BILLS ON THIRD READING

BILL PASSED OVER

There being no objection

House Bill No. 350, Printer's No. 78

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 568, as follows:

An Act to further amend section one of the act approved the twenty-fourth day of May one thousand eight hundred and ninety-three (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same" by further prescribing for the management administration application and regulation of such fund in cities of the first class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-fourth day of May one thousand eight hundred and ninety-three (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same" as last amended by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2795) is hereby further amended to read as follows

Section 1 Be it enacted &c That the several cities of this Commonwealth incorporated by general or special laws shall establish by ordinance a police retirement fund to be maintained by an equal and proportionate monthly charge against each member of the police force which shall not exceed annually three and one-half per centum of the pay of such member and by annual appropriations made by the city [which fund] In cities of the first class the fund shall be under the direction of the Board of Directors of the Pension or Retirement Fund Association and the President of Council and three members of council appointed by the President acting as members ex officio of such board as provided for by the by-laws of the association In other cities the fund shall be under the direction of councils or committed to the direction of such officers of the city as may be designated by councils [and] Such fund shall except in cities of the first class be applied under such regulations as councils may by ordinance prescribe and in cities of the first class shall be applied by the aforesaid Board of Directors for the benefit of such members of the police force as shall receive honorable discharge therefrom by reason of age or disability and the families of such as may be injured or killed in the service but such re-

tirement allowances as shall be made to those who are retired by reason of the disabilities or age shall be in conformity with a uniform scale

The annual appropriation made by the city each year shall be sufficient when added to the contributions made by members of the police force during such year and income from investments to pay in full the retirement allowances payable during such year

[Such] In cities of the first class the Board of Directors and in other cities the ordinance may prescribe a minimum period of continuous service not less than twenty years and a minimum age of fifty years after which members of the force may be retired from active duty and such members as are retired shall be subject to service from time to time as a police reserve until unfitted for such service when they may be finally discharged by reason of age or disability

Payments made under the provisions of this section shall not be a charge on any other fund in the treasury of the city or under its control save the police retirement fund herein provided for The basis of the apportionment of the retirement allowance shall be determined by the rate of the monthly pay of the member at the date of death honorable discharge or retirement and shall not in any case exceed in any year one-half the annual pay of such member computed at such monthly rate

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarrafi,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hunter,	Monroe,	Swartz,
Bucchin,	Jenkins,	Moore, C. E.,	Swope,
Byrne,	Johnson,	Moore, H. A.,	Tahl,
Cella,	Jones, G. E.,	Moran,	Taylor,
Clapper,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Murray,	Toll,
Conway,	Jump,	Musto,	Tompkins,
Cooper,	Kamyk,	Najaka,	Toomey,
Corr,	Keller,	Naugle,	VanSant,
Costa,	Kent,	Needham,	Varallo,
Coyle,	Kline,	Olsen,	Varnier,
Dalrymple,	Kohl,	Penglase,	Verona,
Davis,	Kolkiewicz,	Peta,	Wachhaus,
Denilson,	Kornick,	Petrosky,	Wargo,
Dougherty,	Kratz,	Pettigrew,	Waterhouse,
Dowling,	Kubacki,	Piaff,	Watkins,
DuBois,	Lafore,	Pichney,	Weldner,
Duffy,	Lederer,	Pitzer,	Welsh,
Dunn,	Lelsey,	Polaski,	Wescott,
Erb,	Leonard, L.,	Polen,	Westrick,
Ewing,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leven,	Price, R. A.,	Wheeler,
Ferster,	Light,	Readinger,	White,
Fillip,	Limper,	Reagan,	Williams,
Filo,	Loftus,	Reese,	Wilt,
Firmstone,	Lopresti,	Reidenbach,	Wood,
Flack,	Lovett,	Reilly, J. M.,	Yeakel,

Frost,	Lutty,	Rigby,	Yester,
Gaffney,	Lyons,	Riley, R. L.,	Yetzer,
Geer,	Madden,	Robertson,	Young,
Gibson,	Madigan,	Rose,	Ziegler,
Gleason,	Markley,	Rosen,	Sorg,
Good,		Rovansek,	Speaker

NAYS—0

NOT VOTING—1

Hoggard.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 767, as follows:

An Act to amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by authorizing the issuance of non-debt revenue bonds for improvement of a boroughs electric light plant

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subdivision (b) of Article XXIV of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1621) is hereby amended by adding immediately after section 2479 a new section to read as follows

Section 2480 Non-Debt Revenue Bonds For Alteration and Improvement of Electric Light Plant For the purpose of financing the cost or expense of altering improving or enlarging its electric light plant for service wholly within its boundaries including the purchase and installation of machinery or equipment any borough owning an electric light plant may issue non-debt revenue bonds secured solely by a pledge in whole or part of the annual charges for the use of the electricity manufactured by such electric light plant Said bonds shall not pledge the credit nor create any debt nor be a charge against the general revenues nor be a lien against any property of the borough

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarrafa,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bombberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,

Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hunter,	Monroe,	Swartz,
Bucchin,	Jenkins,	Moore, C. E.,	Swope,
Byrne,	Johnson,	Moore, H. A.,	Tahl,
Cella,	Jones, G. E.,	Moran,	Taylor,
Clapper,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Murray,	Toll,
Conway,	Jump,	Musto,	Tompkins,
Cooper,	Kamyk,	Najaka,	Toomey,
Corr,	Keller,	Naugle,	VanSant,
Costa,	Kent,	Needham,	Varallo,
Coyle,	Kline,	Olsen,	Varnier,
Dalrymple,	Kohl,	Penglase,	Verona,
Davis,	Kolankiewicz,	Peta,	Wachhaus,
Dennisson,	Kornick,	Petrosky,	Wargo,
Dougherty,	Kratz,	Pettigrew,	Waterhouse,
Dowling,	Kubacki,	Pfaff,	Watkins,
DuBois,	Lafore,	Pichney,	Weldner,
Duffy,	Lederer,	Pitzer,	Welsh,
Dunn,	Leisey,	Polaski,	Wescott,
Erb,	Leonard, L.,	Polen,	Westrick,
Ewing,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leven,	Price, R. A.,	Wheeler,
Ferster,	Light,	Readinger,	White,
Fillip,	Limper,	Reagan,	Williams,
Fillo,	Loftus,	Reese,	Wilt,
Firmstone,	Lopresti,	Reidenbach,	Wood,
Flack,	Lovett,	Reilly, J. M.,	Yeakel,
Frost,	Lutty,	Rigby,	Yester,
Gaffney,	Lyons,	Riley, R. L.,	Yetzer,
Geer,	Madden,	Robertson,	Young,
Gibson,	Madigan,	Rose,	Ziegler,
Gleason,	Markley,	Rosen,	Sorg,
Good,		Rovansek,	Speaker

NAYS—0

NOT VOTING—1

Hoggard.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 947, Printer's No. 256

was passed over at the request of the SPEAKER.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 80.

An Act to further amend the title and to amend Section 1 of the act, approved the twenty-seventh day of May, one thousand eight hundred ninety-three (P. L. 171), entitled, as amended "An act providing for the acquisition of land and the erection, equipment, management, and operation of the Pennsylvania Soldiers Orphans' School; the maintenance of children admitted thereto, and regulating the admissions to and discharges from the said Pennsylvania Soldiers Orphans' School," by changing the name of the Pennsylvania Soldiers Orphans' School.

SENATE BILL No. 81.

An Act to amend the title and Sections 1, 2, 3 and 4 of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 302), entitled "An act providing for the admission of children to, and their education and maintenance in, and their discharge from the Pennsylvania Soldiers' Orphans' School; prohibiting discharging children or taking children from said school, or children from leaving the same without an

order of the Board of Trustees of the Pennsylvania Soldiers' Orphan School; and prescribing penalties," by changing the name of the Pennsylvania Soldiers' Orphan School.

SENATE BILL No. 82.

An Act to further amend Sections 202 401 and 1311 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by changing the name of the Pennsylvania Soldiers' Orphan School

SENATE BILL No. 103.

An Act to reenact and amend the title and Section 4 of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 982) entitled "An act to authorize State public bodies as defined to aid redevelopment authorities in the elimination of blighted areas and their redevelopment by entering into contracts to furnish and by furnishing to said authorities and to any Federal governmental agency parks playgrounds streets and other improvements and facilities and by donating or lending money and making appropriations therefor by accepting payments and exercising certain other powers and duties" by confirming authorization heretofore granted to the Commonwealth or State public bodies to dedicate sell convey or lease any of its property to a redevelopment authority and by providing for the execution of instruments therefor on behalf of the Commonwealth and validating dedications sales conveyances and leases heretofore made

SENATE BILL No. 127.

An Act to further amend section 15 and to amend section 29 of the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" by regulating the transfer of excess insurance funds to the expense and other funds and providing for the consolidation of any society's funds further regulating reports of valuation of death benefit fund

obligations regulating reserves and contributions for benefits

SENATE BILL No. 128.

An Act to amend subsections (d) and (f) of section 211.1, and to further amend section 212 and subsection (a) of section 301 of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled as amended, "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," by further regulating assessments made by the Insurance Commissioner against life insurance companies to defray certain expenses; providing for reciprocity with other states in assessing taxes and fees on insurance companies; permitting foreign companies to write workmen's compensation insurance in Pennsylvania; limiting the basis for valuation of reserve liability of life insurance companies organized in foreign countries.

SENATE BILL No. 136.

An Act to amend section 1 Clause (8) of Section six and Section nine of the act approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1210) entitled "An act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder limiting the amount of such insurance prescribing standard policy provisions and requiring notice of conversion privileges" by further defining policies of group life insurance limiting the amount of an individual policy issued to a person entitled thereto and changing the premium basis and rate of interest thereon

SENATE BILL No. 216.

An Act authorizing the Department of Property and Supplies to sell and convey a tract of land situate in the Township of Reed Dauphin County Pennsylvania with the approval of the Governor

SENATE BILL No. 320.

An Act to further amend subsection (a) of Section 621.1 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and existing laws" by further defining and regulating group accident and health insurance

SENATE BILL No. 342.

An Act to further amend Section 4 of the act approved the twenty-fifth day of July one thousand nine hundred seventeen (P. L. 1209) entitled "An act to authorize the acquisition by purchase or condemnation of lands for a park and the erection of a monument commemorative of Washington crossing the river Delaware and for the appointment of a commission to acquire said lands and erect such monument and making an appropriation for the purpose of this act" by authorizing the commission to establish and maintain a museum or museums

for the perservation and display of relics and reproductions relating to Washington's Crossing of the Delaware

SENATE BILL No. 432.

An Act to amend the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing for nominations and elections of county officers in counties about to undergo a change in classification and imposing certain duties upon county commissioners county boards of elections and others

SENATE BILL No. 461.

An Act establishing a procedure by which the register of wills elected in counties of the first class shall execute record and file his bond to the Commonwealth and receive his commission and conferring powers and imposing duties upon the Secretary of the Commonwealth and the recorder of deeds

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair is pleased to welcome to the House a former Member from Allegheny County, Honorable Norman H. Laughner.

INTERROGATION

Mr. ANDREWS asked and obtained unanimous consent to interrogate the Majority Leader.

Mr. ANDREWS. I desire to propound a question to the Majority Leader.

The SPEAKER. Will the Majority Leader, the gentleman from Philadelphia, Mr. Smith, permit himself to be interrogated?

Mr. SMITH. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, in view of the gathering uncertainties as to the future of the administration's fiscal program, is it proposed to continue deliberations of the Appropriations Committee, or will the Appropriations Committee hesitate in its decisions until the final decision as to the outlines of the fiscal program has been arrived at?

Mr. SMITH. Mr. Speaker, I would imagine that the decision would be entirely up to the Appropriations Committee. I at this time do not know anything official that would make me change that statement.

Mr. ANDREWS. Mr. Speaker, in the event that there

is an interruption in the progress of the administration's fiscal program would it not be wise for the Appropriations Committee to take note of the situation? Otherwise how can it deliberate until it understands the range of its deliberation?

Mr. SMITH. Well, certainly Mr. Speaker, it makes good horse sense to say that you cannot spend money that you do not have. If we arrive at the conclusion that we cannot get the money that is planned, I do not know how the Appropriations Committee or even John Doe as a citizen, can spend money that he does not have.

Mr. ANDREWS. Mr. Speaker, would it be the opinion of the Majority Leader that this House proceed to enact the legislation that it deems essential for the welfare of the Commonwealth, and then when we have done that, proceed to finance the sum needed?

Mr. SMITH. Mr. Speaker, that has not been the policy in the past. I mean in the past we have passed our tax bills; we know what money we have, and then we try to meet our obligations in that manner. It would certainly be a little bit different to act on the procedure suggested by the Minority Leader.

Mr. ANDREWS. One further question. Would the Majority Leader be in a position as of this moment to assure the House that the administration's fiscal program will in fact be enacted as submitted?

Mr. SMITH. Mr. Speaker, I can only say that the House has enacted the administration's program. I do not know at this time officially what the Senate has done.

Mr. ANDREWS. I thank the gentleman.

COMMITTEE MEETINGS

Agriculture and Dairy Industries, Mr. Madigan, Chairman, Room 331, Tuesday, May 15, at 9:00 a. m.

City and County—First Class, Mr. Tahl, Chairman, Room 521, Tuesday, May 15, at 9:30 a. m.

Cities and County—Second Class, Mr. Ewing, Chairman, Room 521, Tuesday, May 15, at 11:00 a. m.

Cities—Third Class, Mr. Dalrymple, Chairman, Room 521, Tuesday, May 15, at 10:00 a. m.

Insurance, Mr. Kline, Chairman, Room 330, Tuesday, May 15, at 11:30 a. m.

Judiciary, Mr. McKinney, Chairman, Room 520, Tuesday, May 15, at 10:00 a. m.

Motor Vehicles, Mr. Dennison, Chairman, Room 522, Tuesday, May 15, at 8:30 a. m.

Public Utilities, Mr. Costa, Chairman, Room 329, Tuesday, May 15, at 1:30 a. m.

ADJOURNMENT

Mr. McDERMIT. Mr. Speaker, I move that this House do now adjourn until Tuesday, May 15, 1951 at 12:00 noon EST.

The motion was agreed to, and (at 4:35 p. m. EST) the House adjourned.

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